
**CROW WING TOWNSHIP
PLANNING AND ZONING COMMISSION**

AGENDA

Monday March 3, 2025 6:00 PM

1. Call to Order
2. Roll Call
3. Additions or Deletions to Agenda
4. Public Hearing(s)
 - a. Ordinance Amendments
5. Open Forum
6. Approval of Minutes
 - a. February 3, 2024
7. Old Business
 - a. Outstanding Complaints
8. New Business
 - a. Ordinance Amendments
 - b. Planning and Zoning Services
 - c. Letter and Resolution from Crow Wing County
9. Planning and Zoning Report
10. Town Board Correspondence
11. Adjournment

This agenda is not exclusive. Other business may be discussed as deemed necessary.

Crow Wing Township Planning Commission Meeting, February 3, 2025, 6:00 PM

Commission Members Present: Brad Arnold (Chairman), Commissioners David Nelson, Dan Lee, Jon Kolstad, Paul Stephany (Township Board Supervisor), Scott Saehr (Planning and Zoning Consultant) and Sue Kern (Township Clerk). Brad called the meeting to order at 6:00 PM and the Pledge of Allegiance was recited.

Additions or Deletion: None.

Public Hearings: None. A public hearing is scheduled for March 3, 2025.

Open Forum: None.

Approval of Minutes: Dan made the motion to approve January 6, 2025, Planning and Zoning meeting minutes as written. Paul seconded the motion. No discussion. Passed 5-0.

Old Business: Outstanding Complaints: The Hunter Circle property owner needs to cease and desist construction and needs an adequate site plan, complete application and fees paid. The owner will be contacted and asked for permission for a site meeting and/or come to a meeting. Violation complaints were discussed indicating some progress being made on them. No action was taken.

Planning and Zoning Services Review: The Commission discussed the income/expenses of the Planning and Zoning Fund. Historically the fund goes up/down a couple of thousand dollars and the balance has been somewhat steady. In 2024 the expenses exceeded the income by a couple of thousand dollars.

2025 Fee Schedule Review: The fee schedule was reviewed, and it was noted that the County's rates are higher than the Township's rates. Saehr Consulting fees were reviewed. Scott started in October 2022. It was noted that Scott is spending a significant amount of time explaining facts to realtors, updating coding and PZ administration. Jon made a motion to propose to the Town Board that fees align with the County's 2025 fee schedule with the addition of \$100 fee for boundary line adjustment associated with metes and bounds. Dan seconded the motion. Brad stated there may be fees for consulting added. Passed 5-0.

New Business: Chair and Vice Chair Positions: David nominated Brad for the Chair position. Jon seconded. Brad noted he has some additional items on his plate, but he would fulfill the position. Passed 5-0. Brad nominated David for the Vice Chair position. Dan seconded the motion. No discussion. Passed 5-0. **Planning Commission Dates and Terms:** The Commission terms are 2 years. Old records are unclear as to when each member started and at times there were gaps in filling positions due to a lack of interest. It was decided that staggering terms would be in the best interest of the Commission. David made a motion that Brad and Dan's terms would come up February 2026, David and Jon's terms would come up in February 2027. Paul's position is tied to the Town Board election cycles. Dan seconded the motion. Paul is up for re-election in March 2025 for a 3-year term on the Town Board. The Town Board considers realignment of positions in March, but Paul is willing to stay on the PZ Commission. Motion passed unanimously. Members can be reappointed at the end of their term.

Ordinance Amendments and Review: Set Public Hearing for March: The County has reviewed the Ordinance over the past several months and now the Township is reviewing the Ordinance. Items were suggested to be clarified such as commercial, retail, industrial, conditional use, Cannabis and permit extensions. Scott will make changes of comments discussed, define definitions and the fee schedule for the next meeting. **Delegation Resolution Template:** Reviewed and conditional use process and licensing process was discussed. Scott is consulting the County regarding this.

P&Z Administrator's Report: Hunter Circle property has already been discussed.

Town Board Correspondence: Chair, Vice Chair and terms will be sent to the Town Board.

Adjournment: Brad made a motion to adjourn. David seconded. No discussion. Passed 5-0. The meeting adjourned at 7:49 pm.

**CROW WING TOWNSHIP
CROW WING COUNTY, MINNESOTA
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the Crow Wing Township Planning Commission will meet at 6:00 p.m. on Monday, March 3, 2025, at the Crow Wing Township Town Hall located at 6930 Cuyuna Ave SW, Brainerd, Minnesota to conduct a public hearing. The purpose of the public hearing is to hear from staff and anyone else interested and to thereafter make recommendation to the Town Board regarding the proposed ordinance amendments to the subdivision and land use articles of Crow Wing Township.

Anyone desiring to be heard regarding the proposed ordinance amendments may speak during the public hearing or send written comments to Crow Wing Township Town Hall (11039 Greenwood Street, Brainerd, MN). A copy of the proposed ordinance will be available approximately one week before the public hearing.

By: Sue Kern, Township Clerk

**STAFF MEMO
PLANNING COMMISSION**

Department: Zoning Administration	Meeting Date: March 3, 2025
Agenda Section: Public Hearing	Item: Ordinance Amendments

PREVIOUS PLANNING COMMISSION / CITY COUNCIL REVIEW OR ACTION: Discussion with staff regarding upcoming adoption and amendment to Township Ordinance to reflect the new cannabis delegation and compliance, as well as Crow Wing County’s ordinance updates. A full review of the proposed amendment took place at the February Planning Commission meeting.

COUNTY REVIEW AND IMPACTS: Continuous discussion with Crow Wing County regarding the delegation process and roles of jurisdictions. Multiple meetings were held with the county regarding the most recent updates to the county ordinance to ensure township compliance.

PROPOSED BUDGET/FISCAL IMPACT: Zoning Administration - document preparation and review.

OPPORTUNITY COST IF RECOMMENDED: N/A.

BACKGROUND:

Crow Wing County had made multiple updates to their ordinance throughout 2024. These amendments to the Township ordinance are to ensure compliance. Amendments to the ordinance have also been made regarding Minnesota’s cannabis law that passed in 2023, establishing a regulatory framework for the State’s new cannabis industry, which operates under the Office of Cannabis Management (OCM). Additional information regarding Minnesota’s cannabis law can be found under Minnesota Chapter 342. The Township will continue to work with the County on delegation of licensing and registration.

ATTACHMENTS: Ordinance Amendment Documents and Summary Ordinance.

ORDINANCE NO. 2025-__
AN ORDINANCE AMENDING TOWNSHIP ORDINANCE OF
THE ZONING ORDINANCE
FOR CROW WING TOWNSHIP
COUNTY OF CROW WING, STATE OF MINNESOTA

The Town Board of Crow Wing Township does ordain as follows:

Purpose and Intent. The purpose and intent of this ordinance is to amend the Crow Wing Township Ordinance. The ordinance amendment will promote the community's interest in reasonable stability in zoning for now and in the future, and that the proposed provisions are in the public interest and for the public good.

Amendments.

The following sections of Article 1 – GENERAL ORDINANCE PROVISIONS, of the Township’s Zoning Ordinance shall be amended as follows:

1.5 REPEAL OF EXISTING ORDINANCES

This ordinance repeals the Crow Wing Township Zoning Ordinance dated September 13, 2022 all amendments thereto. All Ordinances, resolutions or parts of Ordinances or resolutions of the Township in conflict with the provisions of this Ordinance are hereby repealed.

Amendments.

The following sections of Article 2 – GENERAL ZONING PROVISIONS, of the Township’s Zoning Ordinance shall be amended as follows:

2.3 CONFLICTING REGULATIONS

- A. For the purpose of determining land use district designation, where a parcel lies in two land use districts as outlined in Article 10 of this ordinance, the use of the property shall be determined by the Land Use District in which the use is proposed to occur. If the use will straddle between two Land Use Districts, the most restrictive standards apply.
- B. Where a lot in the shoreland district lies in an area where two different lake or river classifications overlap, lot standards shall be determined as follows: In situations where shorelands with different lake classifications overlap due to close proximity of public waters. The boundaries of the lake/river classifications on the property shall be modified based on the natural topographic divide between the water bodies.

Amendments.

The following sections of Article 3 – APPLICATION FOR LAND USE PERMIT OR SHORELAND ALTERATION PERMIT, of the Township’s Zoning Ordinance shall be amended as follows:

3.2 APPLICATION FOR LAND USE PERMIT OR SHORELAND ALTERATION PERMIT

- D. **Application information requirements.** The application for any permit, including public hearing requests (except for Land Use Map Amendments), required under this Ordinance shall include:
1. The legal description of the property.
 2. Property identification number.
 3. Current and proposed land use.
 4. A description of the type and scope of construction, use, development, or alteration proposed.
 5. A sketch plan showing the location of public waters, wetlands, existing and proposed structures, road rights of way, driveways, parking spaces, water and sanitary facilities, utility lines.
 6. Topographic features including but not limited to wetlands, bluffs, ordinary high water level designations, or steep slopes.
 7. Additional information as may be required by the Department in order to determine compliance with this and other ordinances.
- E. **Certificate of Survey.** The Administrator may require a certificate of survey with any permit application required by this Ordinance, including variance, land use reclassification, and conditional use permit applications, upon a determination by the Administrator that such a survey will assist in achieving the purposes of this Ordinance. A survey or ordinary high watermark determination shall be required for any riparian lot permit application unless it is determined by the Administrator that a survey or ordinary high watermark determination is not required.
- F. **Site suitability / Sewage treatment.** The application may also include a compliance inspection or field evaluation conducted by a State-licensed inspector indicating the condition of any existing subsurface sewage treatment systems or the-site's suitability for a compliant sewage treatment system.

3.4 EXPIRATION OF PERMITS

All permits are valid for a period of two years from the date of approval

3.8 GENERAL REVIEW PROCEEDINGS

Timeline for review. The Township will review written requests pursuant to the requirements of Minnesota Statutes Section 15.99.

3.10 ENVIRONMENTAL REVIEW

- A. **Environmental review:** An environmental review may be required for projects that could result in significant environmental impacts. Environmental Review shall be conducted pursuant to Minnesota Statutes Chapters 116B and 116D, and Minnesota Rules Chapter 4410.

1. Payment for cost of review, see Township Fee Schedule. The Township shall prepare or cause to have prepared, at the developer's expense, any mandated or discretionary EAW or EIS for the project.

B. The Town Board shall make all final EAW/EIS decisions.

Amendments.

The following sections of Article 5 – NONCONFORMITIES, of the Township's Zoning Ordinance shall be amended as follows:

5.1 PURPOSE

It is the purpose of this Article to provide for the regulation of non-conforming lots, buildings, structures and uses to specify those requirements, circumstances, and conditions under which non-conforming buildings, structures and uses may continue. The Township will regulate non-conforming pursuant to Minnesota Statutes Section 394.36.

5.2 EXISTING NONCONFORMITIES

A. In addition to the regulations regarding non-conformities set forth in Minnesota Statutes Section 394.36, any nonconforming use shall remain a legal nonconforming use and may continue provided:

1. No nonconforming use shall be expanded, enlarged, or altered, including any increase in volume, intensity, or frequency of use of the property where a nonconforming use exists. Structural alterations, expansions, and additions to a structure devoted in whole or part to a nonconforming use are prohibited.
2. A change from one nonconforming use to another nonconforming use is prohibited.
3. A nonconforming use shall not be moved to any other part of the property on which it is located or to another property where it would still constitute a nonconforming use.
4. A nonconforming use that has been discontinued for a period of twelve consecutive months shall not be re-established, and any further use shall be in conformity with this Ordinance. Time will be calculated as beginning on the day following the last day in which the use was in normal operation and will run continuously thereafter.

B. A nonconforming structure may not expand (according to the definition of expansion in this ordinance) except in changing the use to be consistent with the provisions of this Ordinance. The modification of an existing roof pitch or attic storage area shall not be considered an expansion so long as the final roof pitch does not exceed 6 and 12 and the overall height of the building does not increase by more than four (4) feet.

5.3 NONCONFORMITY DUE SOLELY TO WETLAND BUFFER SETBACK

A structure in existence on or before June 28th, 2005, that becomes nonconforming due only to the wetland buffer setback requirement of this Ordinance shall be deemed conforming. Any expansion of the structure shall not further infringe on the wetland buffer area.

Amendments.

The following sections of Article 7 – CONDITIONAL/INTERIM USE PERMITS, of the Township’s Zoning Ordinance shall be amended as follows:

7.1 CONDITIONAL OR INTERIM USE PERMIT

Land uses shown as Conditional or Interim Uses in the Land Use Tables in Article 10.3, shall be allowed only after a Conditional or Interim Use Permit application has been made to and approved by the Planning Commission/Board of Adjustment.

7.2 PUBLIC HEARING

The Planning Commission/Board of Adjustment shall hold at least one public hearing on an application for a conditional or interim use permit pursuant to Minnesota Statutes, Section 462.395, subd. 2 and it’s adopted its rules of business.

7.3 DELAYED ACTION

In considering the application for a conditional or interim use, the Planning Commission/Board of Adjustment may adjourn the hearing to a future time and defer action or consideration until further information desired from the applicant is submitted. The applicant shall be formally notified of the information needed or reason for tabling the item. The provisions for action on an application shall be in compliance with Minnesota Statutes, Chapter 15.99 and Article 3.8 A. of this Ordinance.

7.5 CONDITIONS MAY APPLY

The Planning Commission/Board of Adjustment, in approving any such application, may impose additional conditions to the granting of the permit that shall fulfill the purposes of this ordinance. Such conditions may include, but are not limited to, the following:

- D. Provisions to ensure that the conditional or interim use will not be detrimental to the use and enjoyment of the environment or of other properties.

7.7 CONDITIONAL OR INTERIM USE PERMIT DECISION

After reviewing the application, considering all pertinent facts, and hearing testimony at the public hearing, the Planning Commission/Board of Adjustment may approve, deny, or modify the conditional or interim use requested. The Planning Commission/Board of Adjustment shall prepare written findings of fact to support its decision. A copy of the decision and findings of fact shall be forwarded to the applicant. If the conditional or interim use is approved, the Administrator shall cause a copy of the conditional or interim use to be recorded with the land records for the subject property in the Office of the County Recorder.

7.8 STATUS OF CONDITIONAL OR INTERIM USE PERMITS

Any use permitted under the terms of a conditional or interim use permit shall be established and conducted in conformity with the terms and conditions designated in connection with the approval of the permit and all other applicable provisions of this Ordinance. A conditional or interim use permit shall remain in effect so long as the conditions agreed upon are observed. Nothing in this Article shall prevent the Board from enacting this ordinance or any other ordinance to change the status of a conditional or interim use.

7.9 AMENDMENTS TO CONDITIONAL OR INTERIM USE PERMITS

Amendments to approved conditional or interim use permits or requests for changes in conditions attached to conditional use permits shall be referred to the Planning Commission/Board of Adjustment and processed in the same manner as new conditional or interim use permits.

7.10 APPEALS OF PLANNING COMMISSION/BOARD OF ADJUSTMENT DECISION

Acting in its capacity as the Planning Commission, all Planning Commission/Board of Adjustment decisions under this Article regarding conditional or interim use permits, and their recommendations to the Town Board regarding plats, land use district map amendments, and ordinance text amendments shall be final, except that any aggrieved person or department, board, or commission of the Township or of the State of Minnesota may appeal any decision of the Planning Commission relative to a conditional or interim use permit by writ of certiorari to the Minnesota Court of Appeals within 30 days of the Planning Commission's final decision.

7.11 REVOCATION OF CONDITIONAL OR INTERIM USE PERMITS

The Planning Commission/Board of Adjustment may, subsequent to a public hearing, revoke a conditional or interim use permit if any conditions imposed as part of granting the conditional use permit request, are violated.

7.12 INTERIM USE PERMITS

The purpose of an interim use permit is to allow a use that is not a permitted, allowed or conditional use, for a limited period of time, subject to conditions set forth in this Ordinance. Applications for interim uses as designated in the land use tables in Section 4.03 shall be processed in the same manner as conditional uses under Section 3.09.

- A. The determination for considering an interim use permit shall be the same as for a conditional use permit as provided for in Section 7.4 of this Ordinance plus the following criteria:
 - 1. The use will terminate upon a date or event that can be identified with certainty; and
 - 2. The use will be subject to any conditions that the Board deems appropriate for permission of the use, including a condition that the owner will provide an appropriate financial surety to cover the cost of removing the interim use and any interim structures upon the expiration of the interim use permit; and
 - 3. The use will be required to receive approval of a new interim use permit upon change of ownership unless at least one person or entity is the same full or partial owner as the previous owner.

- B. An interim use permit shall terminate upon the occurrence of any of the following events, whichever occurs first:
 - 1. The termination date or event stated in the permit; or

2. The interim use permit is revoked following the same procedures for the revocation of a conditional use permit pursuant to Section 4.8.8 of this Ordinance; or
3. The use has been discontinued for a minimum period of one (1) year.

Amendments.

The following sections of Article 8 – INTERIM USE PERMITS, of the Township’s Zoning Ordinance shall be amended as follows:

ARTICLE 8 – RESERVED

Amendments.

The following sections of Article 9 – VARIANCES/APPEALS, of the Township’s Zoning Ordinance shall be amended as follows:

9.1 APPLICATIONS

- C. The Administrator shall have the discretion to determine whether an application may be forwarded to the Board of Adjustment without an accompanying Certificate of Survey.

9.7 APPEALS OF ADMINISTRATIVE ACTIONS TO THE PLANNING COMMISSION/BOARD OF ADJUSTMENT

- A. Acting in its capacity as the Board of Adjustment, the Planning Commission/Board of Adjustment shall hear all appeals of final administrative orders, requirements, decisions, or determinations. Appeals to the Planning Commission/Board of Adjustment shall be filed with the Auditor within 30 days of the date the order, action, or determination was made. The appeal shall be filed in writing specifying the grounds thereof, together with a fee according to the most recent Town Board-approved fee schedule. The Auditor shall notify the Administrator of the appeal within 5 working days. The Administrator shall, call a properly noticed public hearing within 30 days to hear such appeal. The appellant may appear in person at the hearing and/or be represented by an agent.

Amendments.

The following sections of Article 10 – LAND USE CLASSIFICATION LIST, of the Township’s Zoning Ordinance shall be amended as follows:

10.2 LAND USE DISTRICT DESCRIPTIONS

- I. **Commercial District 2 (C-2).** The purpose of this district is to provide adequate areas for general retail, wholesale, office and service activities in rural areas. C-2 commercial districts shall be located along federal, state, county, or township roads.
- J. **Waterfront Commercial (WC).** The purpose of this district is to accommodate commercial uses in the shoreland district where access to and use of a surface water feature is an integral part of the business. The primary uses in this district are marinas, resorts and restaurants with transient docking facilities.

- K. **Commercial/Light Industrial District (LI).** The purpose of this district is to accommodate light industrial uses that produce few off-site impacts such as noise, odor or vibration.

- L. **Commercial/Heavy Industrial District (HI).** The purpose of this district is to accommodate heavy industrial uses that may produce off-site impacts such as noise, odor or vibration and may require performance standards such as buffering or increased setbacks.

10.3 LAND USE TABLES

“RES” means a residential district.
 “C/HI” means a commercial/heavy industrial district.

LAND USE TABLES	SD	AGF	UG	RR 1	RR 2.5	RR 5, 10, 20	SS	C1	C 2	WC	C/ LI	C/HI	RES
A. Agricultural Uses													
Agri-Business ¹		CU											
Farm buildings (barns, silo, hay shed, etc.)	P	P	P	P	P	P	P	P	P		P		P
Farmland: Crop growing and harvesting	A	A	A	A	A	A	A	A	A	A	A	A	A
Farmland: Livestock, poultry use, including related buildings	A	A	A	A	A	A	A	A	A				A
Feedlot, Agricultural, including buildings		A			A	A							A
Forest land: growth, harvest	A	A	A	A	A	A	A	A	A	A	A	A	A
B. Residential and Related Uses													
	SD	AGF	UG	RR 1	RR 2.5	RR 5, 10, 20	SS	C 1	C2	WC	C/ LI	C/HI	RES
Single-family dwelling	P	P	P	P	P	P	P	P	P	P	CU	CU	P
Two-family dwelling			P	P	P	P	P	P	P	P	P	P	P
Multi-family dwelling	CU	CU	CU	CU	CU	CU		CU	CU	CU			CU
Guest Cottage	P	P	P	P	P	P	P	P	P				P
Child Care, Family Home ¹⁰	A	A	A	A	A	A	A	A	A	A	A	A	A
Camping ¹⁰	P	P		P	P	P							P
Family care home	P	P	P	P	P	P							
Mobile home park		CU	CU	CU	CU	CU		CU		CU			CU
Mobile home development		CU	CU	CU	CU	CU		CU					CU

Home: old age, nursing, maternity, children's		CU	CU	CU	CU	CU		CU	CU				CU
Non-commercial Solar and Wind Energy System associated with a principal use (i.e., accessory solar and wind energy systems) ³	P* (Solar only)	P	P	P	P	P		P	P	P* (Solar only)	P	P	P
Accessory structure	P	P	P	P	P	P	P	P	P	P			P
Home business	CU	CU	CU	CU	CU	CU		CU	CU	CU			CU
Home occupation	A	A	A	A	A	A	A	A	A	A			A
Sign – on site	P	P	P	P	P	P		P	P	P	P	P	P
Temporary Structure	A	A	A	A	A	A	A	A	A	A	A	A	A
Swimming pool	A	A	A	A	A	A	A	P	P	P			A
Conservation Development	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	
*Conservation Development also requires a plat after CUP Approval													
C. Recreational Uses, Public and Private	SD	AGF	UG	RR 1	RR 2.5	RR 5, 10, 20	SS	<u>CI</u>	C2	WC	<u>C/LI</u>	C/HI	RES
Campground, public or private	CU	CU	CU	CU	CU	CU		CU	CU	CU			CU
Outdoor recreation facility Park/playground	CU	CU	CU	CU	CU	CU		CU	CU	CU			CU
Golf Course	CU	CU	CU	CU	CU	CU		CU	CU	CU			CU
Race track: horse, auto, motorcycle, go cart		CU				CU		CU	CU				
Shooting range, fire arms, archery, public or private		CU				CU		CU	CU	CU			
D. Civic, Educational and Institutional Uses	SD	AGF	UG	RR 1	RR 2.5	RR 5, 10, 20	SS	<u>CI</u>	C2	WC	<u>C/LI</u>	C/HI	RES
Athletic field/stadium; arena		CU	CU	CU	CU			CU	CU				CU
Cemetery	A	A	A	A	A	A							A
Transient Camps, Church Camps	CU	CU	CU	CU	CU	CU				CU			CU
Church/Synagogue	P	P	P	P	P	P	P	P					P
Public building	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU

E. Commercial and Industrial Uses	SD	AGF	UG	RR 1	RR 2.5	RR 5, 10,20	SS	<u>CI</u>	C2	WC	<u>C/LI</u>	C/HI	RES
Airport: Hangar													
Airport: State licensed													
Airport: private landing strip	CU	CU											
Adult uses		CU											
Amusement Park			CU	CU					CU				CU
Breeding and boarding of animals	CU	CU		CU	CU	CU		CU	CU		CU		
Child Care, Center ¹⁰								CU	CU				
Commercial Solar and Wind Energy Systems ²		CU			CU	CU		CU	CU		CU	CU	
Extractive use, mining, gravel pit, aggregate ¹⁰		I											
Cannabis Cultivation (Commercial)								CU	CU		CU	CU	
Cannabis Manufacturer								CU	CU		CU	CU	
Cannabis Retail								CU	CU		CU	CU	
Cannabis Wholesale								CU	CU		CU	CU	
Commercial Storage Facilities	CU	CU	CU	CU	CU	CU		P	CU	CU	CU	CU	CU
Industrial park											CU	CU	
Junk salvage yard		CU									CU	CU	CU
Liquor: On and/or off sale	CU							P	P	P	CU		
Manufacturing: light in general											P	P	
Manufacturing: heavy in general											CU	P	
Marina								CU	CU	CU			
Motel, hotel	CU	CU	CU	CU	CU			CU	CU	CU	CU		CU
Bed and Breakfast Residence	CU	CU	CU	CU	CU		CU	CU					CU
Office Space					CU			P	P				
Resort-Commercial		CU			CU	CU				CU			
Retail or commercial business			CU	CU				P	P	CU	CU	CU	CU
Recycling, Biodegradable ³								I			I	I	

² Amended 1/11/2022

³ Amended 9/10/2018

Sales or service of autos, trucks, RV's, agriculture equip., mobile homes								P	P		P	P	
Sign, on site	P	P	P	P	P	P		P	P	P	P	P	P
Sign, off premise ⁴	Not Allowed in All Districts												
Storage yard: material & equipment		CU				CU		P	P	CU	P	P	
F. Public Service and Utility Uses	SD	AGF	UG	RR 1	RR 2.5	RR 5, 10, 20	SS	<u>CI</u>	C2	WC	<u>C/LI</u>	C/HI	RES
Cellular Telephone tower		CU/ P**			CU/P**	CU/P**			CU/ P**		CU/ P**	CU/ P**	
Broadcasting tower – Radio or TV		CU/ P**			CU/ P**	CU/ P**		CU/ P**	CU/ P**		CU/ P**	CU/ P**	
Commercial Solar Wind Energy Systems		CU			CU	CU		CU	CU		CU	CU	
Electric distribution or transmission facilities	A	A	A	A	A	A	A	A	A	A	A	A	
Essential Services	A	A	A	A	A	A	A	A	A	A	A	A	A
Wind farms		CU			CU	CU		CU	CU		P	P	A

Amendments.

The following sections of Article 11 – SHORELAND DISTRICT STANDARDS of the Township’s Zoning Ordinance shall be amended as follows:

11.4 SETBACKS AND PLACEMENT OF STRUCTURES

D. Riparian Commercial Lots

1. Commercial, industrial, public, or semipublic uses on commercially zoned lots without water-oriented needs shall meet a double setback from the ordinary high-water level or be substantially screened from view from the water by vegetation or topography, assuming summer, leaf on conditions.

E. High-Water Elevations

1. For lakes, rivers, and streams by placing the lowest floor at a level at or above the established regulatory flood protection elevation. If no regulatory flood protection elevation is available, all structures must be elevated so that the lowest floor is either three feet above the highest known water level or at least three feet above the ordinary high-water level (OHWL), whichever is higher.
2. All buildings hereafter erected in the flood plain shall not be constructed unless in compliance with Article 21 (Floodplain Overlay District) of this ordinance.

F. Setback Averaging

1. Where principal structures exist on the adjoining lots on both sides of a proposed building site, structure setbacks may be altered without a variance to conform to the adjoining principal structure setbacks from the OHWL, provided the proposed structure is not located in shore impact zone 1 or in a bluff impact zone. In the event that there is no principal structure on one of the adjacent lots, the normal structure setback line shall be used.
2. A permit that conforms to this section must also require the implementation of a stormwater management plan according to Article 41 and an analysis of existing shoreland vegetation according to the Crow Wing Shoreline Rapid Assessment Model and development of a shoreland vegetation restoration plan, if applicable, as set forth in Article 11.

11.5 SHORELAND DISTRICT PERFORMANCE STANDARDS

C. The following performance standards shall be required in conjunction with the issuance of any permit in the Shoreland Protection Zone or Buffer Zone:

1. If it has been determined by the Administrator that a proposed change in elevation of a lot has the potential to adversely affect neighboring lots, a conditional use permit may be required. The administrator may require a lot elevation survey and grading plan if deemed necessary. The applicant must show the change in elevation of existing grade will not have a detrimental effect on the neighboring properties, including but not limited to showing it will not alter the water run-off amounts or rates onto neighboring properties.

11.8 PATIOS

7. The maximum impervious surface limits for the lot shall not be exceeded.
8. Patios may be constructed as a deck and be allowed to be attached to a structure.

11.14 RETAINING WALLS

- A. A retaining wall may be installed with a shoreland alteration permit in shore impact zones 1 or 2 provided the following standards are met:
 3. Construction complies with all provisions of Articles 28 and 41 of this ordinance.
 4. A retaining wall is not required to meet a side yard setback provided it does not adversely affect adjoining property.
- B. A retaining wall may be installed without a permit behind the structure setback provided that:
 3. A retaining wall is not required to meet a side yard setback provided it does not adversely affect adjoining property.

Amendments.

The following sections of Article 12 – AGRICULTURAL/FORESTRY DISTRICT STANDARDS, of the Township’s Zoning Ordinance shall be amended as follows:

12.2 DENSITY AND DIMENSIONAL STANDARDS

- C. **Maximum impervious surface coverage:** The maximum impervious surface coverage for any lot shall meet the standards in Article 41.2.
- D. **Accessory Structure Standards.**
 1. The total cumulative area that all residential accessory structures may occupy on a lot shall be subject to the impervious coverage limits found in Article 41 of this ordinance.
 2. A permit shall not be required for up to two accessory structures totaling no more than 320 square feet. Ground-mounted solar panel installations shall not count against this limit.
 3. No accessory structure shall be used for human habitation except to allow for a guest quarter.
 4. All setback and building height requirements shall be met.
 5. Construction complies with all provisions of this Ordinance.

6. Railroad cars, manufactured houses, or similar structures shall not be used for storage. Cargo containers, as defined by this ordinance, shall be allowed with a land use permit.

Amendments.

The following sections of Article 14 – RURAL RESIDENTIAL DISTRICT STANDARDS, of the Township’s Zoning Ordinance shall be amended as follows:

14.3 GENERAL STANDARDS

- B. Maximum impervious surface coverage: The maximum impervious surface coverage for any lot shall meet the standards in Article 41.2.
- C. Accessory Structure Standards
 1. The total cumulative area that all residential accessory structures may occupy on a lot shall be subject to the impervious coverage limits found in Article 41 of this ordinance.
 2. A permit shall not be required for up to two accessory structures totaling no more than 320 square feet. Ground-mounted solar panel installations shall not count against this limit.
 3. No accessory structure shall be used for human habitation except to allow for a guest quarter.
 4. All setback and building height requirements shall be met.
 5. Construction complies with all provisions of this Ordinance.
 6. Railroad cars, manufactured houses, or similar structures shall not be used for storage. Cargo containers, as defined by this ordinance, shall be allowed with a land use permit.

Amendments.

The following sections of Article 17 – COMMERCIAL STORAGE FACILITIES, of the Township’s Zoning Ordinance shall be amended as follows:

17.1 PERFORMANCE STANDARDS FOR COMMERCIAL STORAGE FACILITIES

- A. A commercial storage facility includes commercial storage buildings and commercial storage. These facilities shall comply with the following standards:
 1. All materials shall be stored within the storage building and/or screened from adjacent properties.
 2. The storage building may be subdivided into storage units separated by walls or with separate entrances. Individual, separately locked units are allowed.
 3. The storage facility and surrounding grounds shall be maintained in a clean, orderly, and safe manner.
 4. Hazardous materials shall not be stored on site or in buildings.

5. Sign shall meet the requirements of this Ordinance.
6. The site shall be served by a minor collector or higher functional classification of roadway, except that the proposed use may be served by a lesser functional class roadway if the responsible road authority grants written permission for such use at the proposed location.
7. The use shall comply with all applicable Federal, State and County rules and regulations.
8. The maximum impervious surface is thirty (30) percent of the total surface area of the parcel.
9. Water connection to individual buildings may be allowed if approved by the Planning Commission/Board of Adjustment.
10. Commercial storage buildings may not be leased or sold for residential use.

B. Density and Setback Requirements

1. No commercial storage facility shall be setback less than 100 feet of any property line.
2. One individually owned commercial storage structure is allowed per one quarter (1/4) acre.

Storage buildings that are subdivided into storage units separated by walls with separate exterior entrances shall be allowed up to 8 storage units per each storage building per one quarter (1/4) acre.

Amendments.

The following sections of Article 18 – COMMERCIAL CANNABIS USE, of the Township’s Zoning Ordinance shall be amended as follows:

18.1 Findings and Purpose

- A. Crow Wing Township makes the following legislative findings:
 1. The purpose of this ordinance is to implement the provisions of Minnesota Statutes, chapter 342, which authorizes Crow Wing Township to protect the public health, safety, welfare of Crow Wing Township residents by regulating cannabis businesses within the legal boundaries of the Township.
 2. Crow Wing Township finds and concludes that the proposed provisions are appropriate and lawful land use regulations for the Township, that the proposed amendments will promote the community's interest in reasonable stability in zoning for now and in the future, and that the proposed provisions are in the public interest and for the public good.

18.2 Authority & Jurisdiction

- A. Crow Wing Township has the authority to adopt this ordinance pursuant to:

1. Minn. Stat. 342.13(c), regarding the authority of a local unit of government to adopt reasonable restrictions of the time, place, and manner of the operation of a cannabis business provided that such restrictions do not prohibit the establishment or operation of cannabis businesses.
 2. Minn. Stat. 342.22, regarding the local registration and enforcement requirements of state-licensed cannabis retail businesses and lower-potency hemp edible retail businesses.
 3. Minn. Stat. 152.0263, Subd. 5, regarding the use of cannabis in public places.
 4. Minn. Stat. 462.357, regarding the authority of a local authority to adopt zoning ordinances.
- B. Crow Wing Township has delegated cannabis registration and compliance check authority to Crow Wing County.

18.3 Severability

- A. If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

18.4 Enforcement

- A. The Land Services Department with Crow Wing County is responsible for the administration of cannabis registration and compliance check authority.

18.5 Minimum Buffer Requirements

- A. Crow Wing Township shall prohibit the operation of a cannabis business within 1,000 feet of a school.
- B. Crow Wing Township shall prohibit the operation of a cannabis business within 500 feet of a day care.
- C. Crow Wing Township shall prohibit the operation of a cannabis business within 500 feet of a residential treatment facility.
- D. Crow Wing Township shall prohibit the operation of a cannabis business within 500 feet of an attraction within a public park that is regularly used by minors, including a playground or athletic field.
- E. Pursuant to Minn. Stat. 462.367 subd. 14, nothing in Section 3.1 shall prohibit an active cannabis business or a cannabis business seeking registration from continuing operation at the same site if a (school/daycare/residential treatment facility/attraction within a public park that is regularly used by minors) moves within the minimum buffer zone.

18.6 Land Use Districts

- A. Cannabis Uses as defined by this ordinance may be allowed as a conditional use according to Articles 7 and 10 of this ordinance.

18.7 Hours of Operation

- A. Cannabis businesses are limited to retail sale of cannabis, cannabis flower, cannabis products, or hemp-derived consumer products between the hours of 10:00 a.m. and 9:00 p.m.

18.8 Advertising

- A. Sign requirements for Cannabis businesses shall follow Article 40 of this ordinance.

Amendments.

The following sections of Article 21 – FLOODPLAIN OVERLY DISTRICT STANDARDS, of the Township’s Zoning Ordinance shall be amended as follows:

SECTION 21.0 STATUTORY AUTHORIZATION AND PURPOSE

- A. **Statutory Authorization.** This floodplain ordinance is adopted pursuant to the authorization and policies contained in Minnesota Statutes, Chapter 103F; Minnesota Rules, parts 6120.5000 – 6120.6200; the rules and regulations of the National Flood Insurance Program (NFIP) in 44 CFR § 59 to 78; and the planning and zoning enabling legislation in Minnesota Statutes, Chapter 394.
- B. **Purpose**
 - 1. This ordinance regulates development in the flood hazard areas of Crow Wing County. These flood hazard areas are subject to periodic inundation, which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base. It is the purpose of this ordinance to promote the public health, safety, and general welfare by minimizing these losses and disruptions.
 - 2. This ordinance is adopted in the public interest to promote sound land use practices, and floodplains are a land resource to be developed in a manner which will result in minimum loss of life and threat to health, and reduction of private and public economic loss caused by flooding.
 - 3. This ordinance is adopted to maintain eligibility in the National Flood Insurance Program.
 - 4. This ordinance is also intended to preserve the natural characteristics and functions of watercourses and floodplains in order to moderate flood and stormwater impacts, improve water quality, reduce soil erosion, protect aquatic and riparian habitat, provide recreational opportunities, provide aesthetic benefits and enhance community and economic development.
- C. **Abrogation and Greater Restrictions.** It is not intended by this ordinance to repeal, abrogate, or impair any existing easements, covenants, or other private agreements. The standards in this ordinance take precedence over any less restrictive, conflicting local laws, ordinances, or codes. All other ordinances inconsistent with this ordinance are hereby repealed to the extent of the inconsistency only.

- D. **Warning and Disclaimer of Liability.** This ordinance does not imply that areas outside the floodplain districts or land uses permitted within such districts will be free from flooding or flood damages. Not all flood risk is mapped. Larger floods do occur, and the flood height may be increased by man-made or natural causes, such as ice jams or bridge openings restricted by debris. This ordinance does not create liability on the part of Crow Wing County or its officers or employees for any flood damages that result from reliance on this ordinance, or any administrative decision lawfully made hereunder.
- E. **Severability.** If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of law, the remainder of this ordinance shall not be affected and shall remain in full force.

SECTION 21.2 JURISDICTION AND DISTRICTS

- A. **Lands to Which Ordinance Applies.** This ordinance applies to all lands within the jurisdiction of Crow Wing County within the boundaries of the Floodway, Flood Fringe and General Floodplain Districts.
 - 1. The Floodway, Flood Fringe or General Floodplain Districts are overlay districts. The standards imposed in the overlay districts are in addition to any other requirements. In case of a conflict, the more restrictive standards will apply.
 - 2. Where a conflict exists between the floodplain limits illustrated on the official floodplain maps and actual field conditions, the Base Flood Elevation (BFE) shall be the governing factor in locating the outer boundaries of the one-percent annual chance floodplain.
 - 3. Persons contesting the location of the district boundaries will be given a reasonable opportunity to present their case to the PC/BOA and to submit technical evidence.
- B. **Incorporation of Maps by Reference.** The following maps together with all attached material are hereby adopted by reference and declared to be a part of the official zoning map and this ordinance. The attached material includes the Flood Insurance Study for Crow Wing County, Minnesota, and Incorporated Areas, and the Flood Insurance Rate Map Index numbers 27035CIND1A and 27035CIND2A, all dated August 15, 2017 and prepared by the Federal Emergency Management Agency. These materials are on file in the Land Services Office.
- C. **Districts**
 - 1. Floodway District. Those areas within Zones AE delineated within floodway areas as shown on the Flood Insurance Rate Maps referenced in Section 21.2 B.
 - 2. Flood Fringe District. Those areas within Zones AE located outside of the delineated floodway, as shown on the Flood Insurance Rate Maps referenced in Section 21.2 B.
 - 3. General Floodplain District. Those areas within Zone A areas that do not have a floodway delineated as shown on the Flood Insurance Rate Maps referenced in Section 21.2 B.

D. **Municipal Boundary Adjustments & Townships.** The Flood Insurance Rate Map panels referenced in Section 21.2 B apply countywide. If at any point any land comes under the jurisdiction of another local government, the following shall apply:

1. City adjustments of corporate boundaries, including but not limited to annexations and detachments, shall shift floodplain administrative authority of all affected lands immediately upon the date of the boundary adjustment occurring. Cities retain jurisdiction for all incorporated lands, and the County retains jurisdiction under this ordinance on all unincorporated lands, except as provided under Section 21.2 D #2 below or through some form of administrative agreement.
2. Townships wishing to adopt official controls under Minnesota Statutes, Section 394.33 may only obtain zoning authority for floodplain controls when they have adopted an ordinance that is approved by the Department of Natural Resources and has formally enrolled in the NFIP. Until this occurs, the county shall retain jurisdiction under this ordinance on all unincorporated lands. If a township returns zoning authority, the county shall resume that authority.

SECTION 21.3 REQUIREMENTS FOR ALL FLOODPLAIN DISTRICTS

A. **Permit Required.** A permit must be obtained from the Administrator to verify compliance with all applicable standards outlined in this ordinance prior to the following uses or activities:

1. The erection, addition, modification, rehabilitation, repair, or alteration of any building, structure, or portion thereof. Normal maintenance requires a permit to determine if such work, either separately or in conjunction with other planned work, constitutes a substantial improvement, as specified in Section 21.11 A #3.
2. The construction of a fence, pool, deck, or placement of anything that may cause a potential obstruction. Farm fences, as defined in Section 21.1 A of this ordinance, are not considered to be an obstruction, and as such, do not require a permit.
3. The change or expansion of a nonconforming use.
4. The repair of a structure that has been damaged by flood, fire, tornado, or any other source.
5. The placement of fill, excavation, utilities, on-site sewage treatment systems, or other service facilities.
6. The storage of materials or equipment, in conformance with Section 21.3 C #2.
7. Relocation or alteration of a watercourse (including stabilization projects or the construction of new or replacement dams, culverts, and bridges). A local permit is not required if a public waters work permit has been obtained from the Department of Natural Resources, unless a significant area above the ordinary high water level is also to be disturbed.
8. Any other type of “development,” as defined in Section 21.1 A of this ordinance.

B. No Permit Required. Certain uses or activities may be exempt from obtaining a permit, such as planting a garden, farming, or other obviously insignificant activities such as putting up a mailbox or flagpole. The continuation of existing uses, when the associated activities do not encroach further on the regulatory floodplain or trigger associated standards in this ordinance, do not require a permit.

C. Minimum Development Standards

1. All development must:

- a. Be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
- b. Be constructed with materials and equipment resistant to flood damage;
- c. Be constructed by methods and practices that minimize flood damage;
- d. Be constructed with heating, ventilation, duct work, and air conditioning equipment and other service facilities elevated at least up to the Regulatory Flood Protection Elevation (RFPE). Water, sewage, electrical, and other utility lines below the RFPE shall be constructed so as to prevent water from entering or accumulating within them during conditions of flooding;
- e. Be reasonably safe from flooding and consistent with the need to minimize flood damage;
- f. Be assured to provide adequate drainage to reduce exposure to flood hazards;
- g. Not be detrimental to uses in adjoining areas; and
- h. Not adversely affect the efficiency or restrict the flood carrying capacity of the channel and adjoining floodplain of any tributary watercourse or drainage system.
- i. Ensure that any fill or other materials are protected from erosion, discharge, and sediment entering surface waters by the use of vegetative cover or other methods as soon as possible.

2. Materials that, in time of flooding, are buoyant, flammable, explosive, or could be injurious to human, animal, or plant life shall be stored at or above the Regulatory Flood Protection Elevation (RFPE), floodproofed, or protected by other measures as approved by the Administrator. Storage of materials likely to cause pollution of the waters, such as sewage; sand; rock; wrecked and discarded equipment; dredged spoil; municipal, agricultural, or industrial waste; and other wastes as further defined in Minnesota Statutes, Section 115.01, are prohibited unless adequate safeguards approved by the Minnesota Pollution Control Agency are provided. For projects not requiring approvals by the Minnesota Pollution Control Agency, adequate safeguards must be approved by the Administrator prior to issuance of a permit.

SECTION 21.4 FLOODWAY DISTRICT

- A. **Permitted Uses in Floodway.** Development allowed in the floodway district is limited to that which has low flood damage potential and will not obstruct flood flows, increase velocities, or increase the water surface elevations of the one-percent annual chance flood. The following uses and activities may be allowed with a permit, subject to the standards in Section 21.4 B:
1. Agricultural uses, recreational uses, parking lots, loading areas, airport landing strips, water control structures, navigational facilities, as well as public open space uses.
 2. Roads, driveways, railroads, trails, bridges, and culverts.
 3. Public utility facilities and water-oriented industries which must be in or adjacent to watercourses.
 4. Grading, filling, land alterations, and shoreline stabilization projects.
 5. No structures, as defined in Section 21.1 A, are allowed in the Floodway District, except structures accessory to the uses detailed in Sections 21.4 A #1 and 21.4 C #1, which require a CUP under Section 21.4 C #2.
 6. Levees or dikes intended to protect agricultural crops, provided the top of the dike does not exceed the 10-percent annual chance flood event.
- B. **Standards for Permitted Uses in Floodway.** In addition to the applicable standards detailed in Section 21.3:
1. The applicant must demonstrate that the development will not result in any of the following during the one-percent annual chance flood: cause a stage increase of 1.5 or feet or greater, obstruct flood flows, or increase velocities. This shall be demonstrated through hydrologic and hydraulic analysis performed by a professional engineer or using other standard engineering practices (e.g. projects that restore the site to the previous cross-sectional area). This is commonly documented through a “no-rise certification.”
 2. Any development that would result in a stage increases greater than 1.5 feet may only be allowed with a permit if the applicant has applied for and received approval for a Conditional Letter of Map Revision (CLOMR) in accordance with 44 CFR § 65.12. Map revisions must follow the procedures in Sections 21.10 A #5 and 21.13.
 3. Any development resulting in decreases to the water surface elevation of the base flood identified in the Flood Insurance Study requires a Letter of Map Revision (LOMR) following the procedures in Sections 21.10 A#5 and 21.13.
 4. Any development in the beds of public waters that will change the course, current or cross section is required to obtain a public waters work permit in accordance with Minnesota Statutes, section 103G.245 or a utility crossing license in accordance with Minnesota Statutes, section 84.415, from

the Department of Natural Resources, or demonstrate that no permit is required, before applying for a local permit.

5. Fill and other land alteration activities must offer minimal obstruction to the flow of flood waters and be protected from erosion and sediment entering surface waters by the use of vegetative cover, riprap or other methods as soon as possible.

C. **Conditional Uses in Floodway.** The following uses and activities may be permitted as conditional uses, subject to the standards detailed in Sections 21.4 D:

1. Commercial extractive uses, and storage and stockpiling yards.
2. Structures accessory to uses detailed in Sections 21.4 A #1 and 21.4 C #1.

D. **Standards for Conditional Uses in Floodway.** In addition to the applicable standards detailed in Sections 21.3, 21.4 B and 21.10 B:

1. Extractive uses and storage of materials require the completion of a site development and restoration plan, to be approved by Crow Wing County and Crow Wing SWCD.
2. Accessory Structures. Structures accessory to the uses detailed in Sections 21.4 A #1 and 21.4 C #1 must be constructed and placed to offer a minimal obstruction to the flow of flood waters and are subject to the standards in Section 21.5 B #3 of this ordinance.

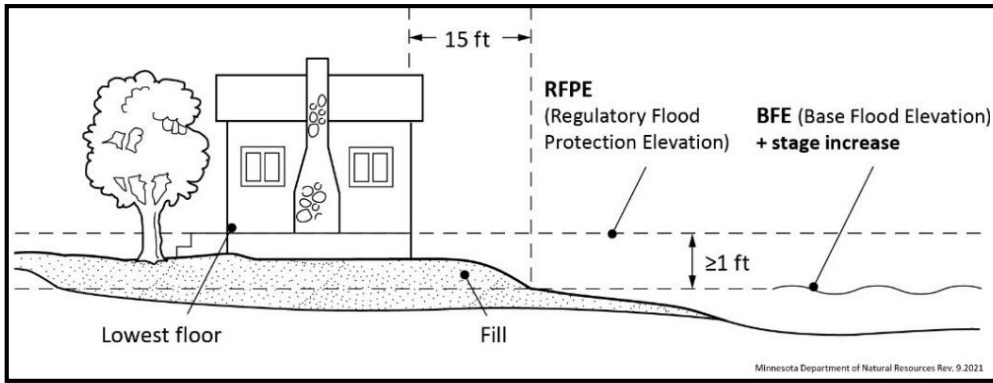
SECTION 21.5 FLOOD FRINGE DISTRICT

A. **Permitted Uses in Flood Fringe.** Any uses or activities allowed in any applicable underlying zoning districts may be allowed with a permit, subject to the standards set forth in Sections 21.5.

B. **Standards for Permitted Uses in Flood Fringe.** In addition to the applicable standards detailed in Section 21.3:

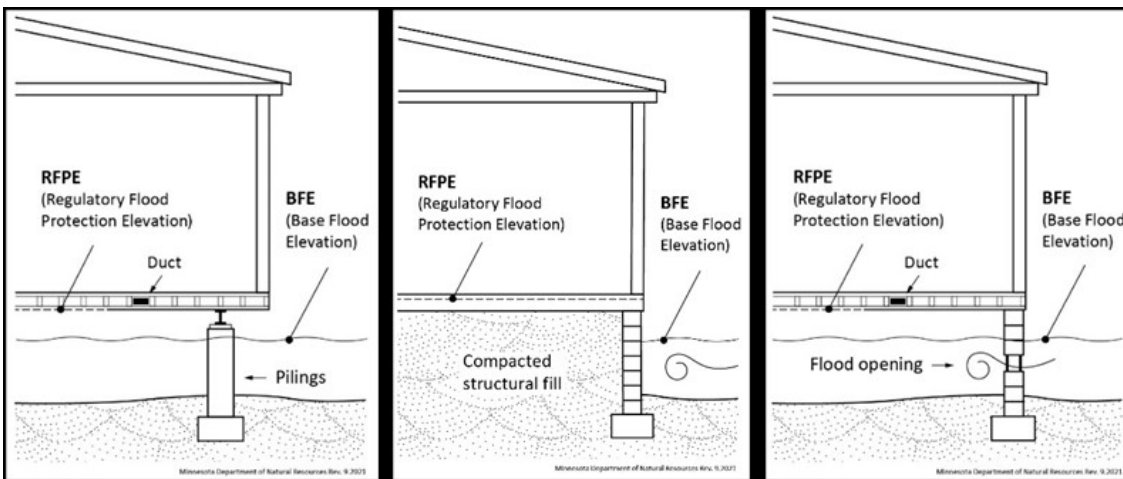
1. Residential Structures.
 - a. Elevation on Fill. Structures erected, constructed, reconstructed, altered, or moved on fill within the Flood Fringe District shall be placed so that the lowest floor, as defined in Section 21.1 A of this ordinance, is elevated at or above the Regulatory Flood Protection Elevation (RFPE). The finished fill elevation shall be at or above the elevation associated with the base flood plus any stage increases that result from designation of a floodway. Fill must extend at the same elevation at least 15 feet beyond the outside limits of the structure. Elevations must be certified by a registered professional engineer, land surveyor or other qualified person designated by the Administrator. Elevation methods alternative to these fill standards are subject to a Conditional Use Permit, as provided in Section 21.5 C #1 of this ordinance (Figure 1).

Figure 1: Overview of fill standards for residential structures.



2. Nonresidential Principal Structures. Nonresidential principal structures must meet one of the following construction methods:
 - a. Elevation on Fill. Structures may be elevated on fill, meeting the standards in Section 21.5 B #1 a. of this ordinance. Fill for nonresidential structures is not required to be extended 15 feet beyond the outside limits of the structure.
 - b. Alternative Elevation Methods. Structures may be elevated using methods alternative to the fill standards in Section 21.5 B #1 a. of this ordinance. Such methods include the use of blocks, pilings (Figure 2), filled stem walls (Figure 3), or internally flooded enclosed areas (Figure 4) such as crawl spaces, attached garages, or tuck under garages.

Figure 2: Blocks or pilings. Figure 3: Filled stem walls. Figure 4: Internally flooded enclosed area.



Designs accommodating for internally flooded enclosed areas must be certified by a registered professional engineer or architect, or meet or exceed the standards detailed in *FEMA Technical Bulletin 1*, as amended, as well as the following standards:

- (1) The lowest floor, as defined in Section 21.1 A of this ordinance, shall be elevated at or above the Regulatory Flood Protection Elevation (RFPE).
 - (2) The floor of the enclosed area must be at or above the exterior grade on at least one side of the structure.
 - (3) To allow for the equalization of hydrostatic pressure, there shall be a minimum of two openings below the base flood elevation on at least two sides of the structure. The bottom of all openings shall be no higher than one foot above grade. The openings shall have a minimum net area of not less than one square inch for every square foot of enclosed area subject to flooding, have a net area of not less than one square inch for every square foot of enclosed area subject to flooding, and shall allow automatic entry and exit of floodwaters without human intervention.
 - (4) Internally flooded enclosed areas shall only be used for the parking of vehicles, building access, or storage. Bathrooms and toilet rooms shall not be allowed.
- c. Dry Floodproofing. Structures having watertight enclosed basements or spaces below the Regulatory Flood Protection Elevation (RFPE) must meet the following standards:
- (1) Walls must be substantially impermeable to the passage of water, with structural components having the capacity of resisting hydrostatic and hydrodynamic loads and effects of buoyancy, at least up to the Regulatory Flood Protection Elevation (RFPE);
 - (2) Must meet the standards of FEMA Technical Bulletin 3, as amended; and
 - (3) A registered professional engineer or architect shall be required to certify that the design and methods of construction meet the standards detailed in this Section.

3. Accessory Structures. All accessory structures must meet the following standards:

- a. Structures shall not be designed or used for human habitation.
- b. Structures will have a low flood damage potential.
- c. Structures with fewer than two rigid walls, such as carports, gazebos, and picnic pavilions, may be located at an elevation below the Regulatory Flood Protection Elevation.
- d. Structures with two or more rigid walls, must meet one of the following construction methods:
 - (1) Wet Floodproofing. Structures may be floodproofed in a way to accommodate internal flooding. Such structures shall constitute a minimal investment not to exceed 576 square feet in size, one-story in height, and shall only be used for parking and storage. To allow for the equalization of hydrostatic pressure, there shall be a

minimum of two openings on at least two sides of the structure and the bottom of all openings shall be no higher than one foot above grade. The openings shall have a minimum net area of not less than one square inch for every square foot of enclosed area subject to flooding and shall allow automatic entry and exit of floodwaters without human intervention.

- (2) Elevation on Fill. Structures may be elevated on fill, meeting the standards in Section 21.5 B #1 a. of this ordinance. Fill is not required to be extended 15 feet beyond the outside limits of the structure.
- (3) Alternative Elevation Methods. Structures may have their lowest floor elevated above the Regulatory Flood Protection Elevation (RFPE) through methods alternative to the fill standards in Section 21.5 B #3 d. (2) and must meet the standards in Section 21.5 B #2 b. of this ordinance.
- (4) Dry Floodproofing. Structures may be dry-floodproofed, or watertight, meeting the standards in Section 21.5 B #2 c. of this ordinance.

4. Any facilities used by employees, or the general public must be designed with a flood warning system acceptable to Crow Wing County that provides adequate time for evacuation or be designed to ensure that within the area inundated during the base flood event, the depth (in feet) multiplied by the velocity (in feet per second) is less than four.
5. Manufactured homes and recreational vehicles must meet the standards of Section 21.9 of this ordinance.

C. Conditional Uses in Flood Fringe. The following uses and activities may be permitted as conditional uses, subject to the standards in Sections 21.5 D:

- A. Alternative Elevation Methods – Residential Structures. Residential structures with their lowest floor elevated above the Regulatory Flood Protection Elevation (RFPE) using methods alternative to the fill requirements in Section 21.5 B #1.

D. Standards for Conditional Uses in Flood Fringe. In addition to the applicable standards detailed in Sections 21.3, 21.5 and 21.10 B:

1. All residential structures with lowest floors elevated through alternative elevation methods must meet the standards in Section 21.5 B #2 b. of this ordinance.

SECTION 21.6 GENERAL FLOODPLAIN DISTRICT

A. Permitted Uses in General Floodplain District

1. Until the floodway is delineated, allowable uses will be restricted to those listed in the Floodway District, Section 21.4.

2. All other uses are subject to a floodway/flood fringe determination as provided in Section 21.6 D, in addition to the standards provided in Sections 21.6 B and 21.6 C. Permitted uses shall be determined as follows:
 - a. If the development is determined to be in the Floodway District, Section 21.4 applies.
 - b. If the development is determined to be in the Flood Fringe District, Section 21.5 applies.

B. Determining Flood Elevations

1. All development requires a determination of the Base Flood Elevation (BFE). Exceptions to this requirement include projects that restore the site to the previous cross-sectional area, such as shore stabilization or culvert replacement projects. Base Flood Elevations (BFE) may be found using best available data from any Federal, State, or other source (including MNDNR's Lake & Flood Elevations Online (LFEO) Viewer).
2. The Regulatory Flood Protection Elevation (RFPE) can be determined by assuming a one-half (0.5) foot stage increase to accommodate for future cumulative impacts. A stage increase does not need to be assumed along lakes, wetlands, and other basins that are not affected by velocities.

C. Encroachment Analysis

1. Encroachments due to development may not allow stage increases more than one-half (0.5) foot at any point, unless through a map revision following the procedures in Sections 21.10 A #6 and 21.13. This evaluation must include the cumulative effects of previous encroachments and must be documented with hydrologic and hydraulic analysis performed by a professional engineer or using other standard engineering practices. A lesser water surface elevation increase than one-half (0.5) foot is required if, due to the water surface level increase, increased flood damages would potentially result.
2. Alterations or changes that result in stage decreases are allowed and encouraged.

D. Standards for the Analysis of Floodway Boundaries

1. Requirements for Detailed Studies. Any development, as requested by the Administrator, shall be subject to a detailed study to determine the Regulatory Flood Protection Elevation (RFPE) and the limits of the Floodway District. This determination must be consistent with the minimum standards for hydrologic and hydraulic mapping standards and techniques, as detailed in Minnesota Rules, part 6120.5600, Subp. 4 and *FEMA Guidelines and Standards for Flood Risk Analysis and Mapping*, as revised. Additionally:
 - a. A regulatory floodway necessary to carry the discharge of the one-percent annual chance flood must be selected without increasing the water surface elevation more than one-half (0.5) foot at any point. This determination should include the cumulative effects

of previous encroachments. A lesser water surface elevation increase than one-half (0.5) foot is required if, due to the water surface level increase, increased flood damages would potentially result; and

- b. An equal degree of encroachment on both sides of the stream within the reach must be assumed in computing floodway boundaries, unless topography, existing development patterns, and comprehensive land use plans justify a modified approach, as approved by the Department of Natural Resources.

2. Other Acceptable Methods. For areas where a detailed study is not available or required:

- a. Development prohibited in floodways (e.g. most buildings) requires a floodway/flood fringe determination to verify the development is within the flood fringe. This determination must be done by a professional engineer or utilize other accepted engineering practices. The Department of Natural Resources may also provide technical assistance and must approve any alternative methods used to determine floodway boundaries.
- b. For areas where the floodway has not been determined in and along lakes, wetlands, and other basins, the following methodology may be used as an alternative to Item (a) above, provided these areas are not affected by velocities and the lot is able to accommodate a building site above the Regulatory Flood Protection Elevation (RFPE):

(1) All areas that are at or below the ordinary high-water level, as defined in Minnesota Statutes, section 103G.005, Subd. 14, will be considered floodway, and all areas below the Base Flood Elevation (BFE) but above the ordinary high-water level will be considered flood fringe, provided that within 25 feet of the ordinary high-water level, or within the Shore Impact Zone as identified in the community's Shoreland ordinance, whichever distance is greater, land alterations shall be restricted to:

- (a) The minimum required to accommodate beach areas, access areas, and accessory structures as permitted, not to exceed a volume greater than 10 cubic yards; projects involving volumes exceeding 10 cubic yards require floodway/flood fringe determination in accordance with the procedures in Section 21.6 D #1 a.; and
- (b) The minimum required to accommodate shoreline stabilization projects to correct an identified erosion problem as verified by a qualified resource agency or the administrator.

SECTION 21.7 SUBDIVISION STANDARDS

A. **Subdivisions.** All subdivided land must meet the following requirements. Manufactured home parks and recreational vehicle parks or campgrounds are considered subdivisions under this ordinance.

- 1. All lots within floodplain districts must be suitable for a building site outside of the Floodway District.

2. Subdivision of lands within the floodplain districts may not be approved if the cost of providing governmental services would impose an unreasonable economic burden on Crow Wing County.
3. All subdivisions must have vehicular access both to the subdivision and to the individual building sites no lower than two feet below the Regulatory Flood Protection Elevation (RFPE), unless a flood warning/emergency evacuation plan has been approved by Crow Wing County.
4. The Floodway and Flood Fringe District boundaries, the Regulatory Flood Protection Elevation (RFPE) and the required elevation of all access roads must be clearly identified on all required subdivision drawings and platting documents.

SECTION 21.8 PUBLIC AND PRIVATE UTILITIES, SERVICE FACILITIES, ROADS, BRIDGES, AND RAILROADS

- C. **Public Transportation Facilities.** Railroad tracks, roads, and bridges must be elevated to the Regulatory Flood Protection Elevation (RFPE) where such facilities are essential to the orderly functioning of the area, or where failure or interruption would result in danger to public health or safety. Minor or auxiliary roads or railroads may be constructed at a lower elevation where failure or interruption of transportation services would not endanger the public health or safety. All public transportation facilities should be designed to minimize increases in flood elevations.
- D. **Public Utilities.** All utilities such as gas, electrical, sewer, and water supply systems to be located in the floodplain must be elevated and/or floodproofed to the Regulatory Flood Protection Elevation (RFPE), be located and constructed to minimize or eliminate flood damage and be designed to eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters. All public utilities should be designed to minimize increases in flood elevations. New solid waste management facilities, as defined in Minnesota Rules, part 7035.0300, are prohibited in the one-percent annual chance floodplain. Water supply systems are subject to the provisions in Minnesota Rules, part 4725.4350.
- E. **Private On-Site Water Supply, Individual Sewage Treatment Systems, and other Service Facilities.** Private facilities shall be subject to applicable provisions detailed in Section 21.8 B. In addition, new or replacement on-site sewage treatment systems are to be located to avoid impairment to them or contamination from them during times of flooding, shall not be located in a designated floodway, and are subject to the provisions in Minnesota Rules, parts 7080.2270.

SECTION 21.9 MANUFACTURED HOMES AND RECREATIONAL VEHICLES

- F. **Manufactured Homes.** Manufactured homes and manufactured home parks are subject to applicable standards for each floodplain district. In addition:
 1. New and replacement manufactured homes must be placed and elevated in compliance with Section 21.5 of this ordinance and must be securely anchored to a system that resists flotation, collapse, and lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors.

2. New manufactured home parks and expansions to existing manufactured home parks must meet the appropriate standards for subdivisions in Section 21.7 of this ordinance.

B. Recreational Vehicles. New recreational vehicle parks or campgrounds and expansions to existing recreational vehicle parks or campgrounds are prohibited in any floodplain district. Recreational vehicles placed in existing recreational vehicle parks, campgrounds or lots of record in the floodplain must either:

1. Meet the requirements for manufactured homes in Section 21.9 A, or
2. Be travel ready, meeting the following criteria:
 - a. The vehicle must be fully licensed.
 - b. The vehicle must be ready for highway use, meaning on wheels or the internal jacking system, attached to the site only by quick disconnect type utilities.
 - c. No permanent structural type additions may be attached to the vehicle.
 - d. Accessory structures may be permitted in the Flood Fringe District, provided they do not hinder the removal of the vehicle should flooding occur, and meet the standards outlined in Sections 21.3 and 21.5 B #3.

SECTION 21.10 ADMINISTRATION

A. Duties. The Administrator must administer and enforce this ordinance.

1. **Permit Application Requirements.** Permit applications must be submitted to the Administrator. The permit application must include the following, as applicable:
 - a. A site plan showing all existing or proposed buildings, structures, service facilities, potential obstructions, and pertinent design features having an influence on the permit.
 - b. Location and detail of grading, fill, or storage of materials.
 - c. Copies of any required local, state, or federal permits or approvals.
 - d. Other relevant information requested by the Administrator as necessary to properly evaluate the permit application.
2. **Recordkeeping.** The Administrator must maintain applicable records in perpetuity documenting:
 - a. All certifications for dry floodproofing and alternative elevation methods, where applicable.

- b. Analysis of no-rise in the Floodway District, as detailed in Section 21.4 B #1, and encroachment analysis ensuring no more than one-half foot of rise in the General Floodplain District, as detailed in Sections 21.6 B #2 and 21.6 C #1.
 - c. Final elevations, as applicable, detailing the elevation to which structures and improvements to structures are constructed or floodproofed. Elevations shall be determined by an engineer, architect, surveyor, or other qualified individual, as approved by the Administrator.
 - d. Substantial damage and substantial improvement determinations, as detailed in Section 21.11 A #3, including the cost of improvements, repairs, and market value.
 - e. All variance actions, including justification for their issuance, and must report such variances as requested by the Federal Emergency Management Agency.
3. Certificate of Zoning Compliance for a New, Altered, or Nonconforming Use. No building, land or structure may be occupied or used in any manner until a certificate of zoning compliance has been issued by the Zoning Administrator stating that the finished fill and building floor elevations or other flood protection measures are in compliance with the requirements of this ordinance.
 4. Notifications for Watercourse Alterations. Before authorizing any alteration or relocation of a river or stream, the Administrator must notify adjacent communities. If the applicant has applied for a permit to work in public waters in accordance with Minnesota Statutes, Section 103G.245, this will suffice as adequate notice. A copy of the notification must also be submitted to FEMA.
 5. Notification to FEMA When Physical Changes Increase or Decrease Base Flood Elevations. Where physical changes affecting flooding conditions may increase or decrease the water surface elevation of the base flood, Crow Wing County must notify FEMA of the changes in order to obtain a Letter of Map Revision (LOMR), by submitting a copy of the relevant technical or scientific data as soon as practicable, but no later than six months after the date such supporting information becomes available. Within the General Floodplain District, a map revision is only required if development results in stage increases greater than 0.5 feet.

B. Conditional Uses and Variances

1. Process.
 - a. An application for a conditional use permit will be processed and reviewed in accordance with the provisions of this ordinance.
 - b. An application for a variance to the provisions of this ordinance will be processed and reviewed in accordance with Minnesota Statutes, section 394.27, Subd. 7 and this ordinance.
2. Additional Variance Criteria. The following additional variance criteria must be satisfied:

- a. Variances must not be issued within any designated regulatory floodway if any increase in flood levels during the base flood discharge would result.
 - b. Variances from the provisions of this ordinance may only be issued by a community upon:
 - (1) A showing of good and sufficient cause;
 - (2) A determination that failure to grant the variance would result in exceptional hardship to the applicant; and
 - (3) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
 - c. Variances from the provisions in this ordinance may only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
 - d. Variances must be consistent with the general purpose of these standards and the intent of applicable provisions in state and federal law.
 - e. Variances may be used to modify permissible methods of flood protection, but no variance shall permit a lesser degree of flood protection than the Regulatory Flood Protection Elevation (RFPE).
 - f. The Administrator must notify the applicant for a variance in writing that:
 - (1) The issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage; and
 - (2) Such construction below the base flood level increases risks to life and property. Notification must be maintained with a record of all variance actions.
3. Considerations for Approval. Crow Wing County must consider all relevant factors specified in other sections of this ordinance in granting variances and conditional use permits, including the following:
- a. The potential danger to life and property due to increased flood heights or velocities caused by encroachments.
 - b. The danger that materials may be swept onto other lands or downstream to the injury of others.
 - c. The safety of access to the property in times of flood for ordinary and emergency vehicles.

4. Conditions of Approval. Crow Wing County may attach such conditions to the granting of variances and conditional use permits as it deems necessary to fulfill the purposes of this ordinance. Such conditions may include, but are not limited to, the following:
 - a. Limitations on period of use, occupancy, and operation.
 - b. Imposition of operational controls, sureties, and deed restrictions.
 - c. The prevention of soil erosion or other possible pollution of public waters, both during and after construction.
 - d. Other conditions as deemed appropriate by the Zoning Administrator and the PC/BOA.

C. Notifications to the Department of Natural Resources

1. All notices of public hearings to consider variances or conditional uses under this ordinance must be sent via electronic mail to the Department of Natural Resources respective area hydrologist at least ten (10) days before the hearings. Notices of hearings to consider subdivisions/plats must include copies of the subdivision/plat.
2. A copy of all decisions granting variances and conditional uses under this ordinance must be sent via electronic mail to the Department of Natural Resources respective area hydrologist within ten (10) days of final action.

SECTION 21.11 NONCONFORMITIES

A. Continuance of Nonconformities. A use, structure, or occupancy of land which was lawful before the passage or amendment of this ordinance, but which is not in conformity with the provisions of this ordinance, may be continued subject to the following conditions:

1. Within the floodway and general floodplain districts (when a site has been determined to be in the floodway following the procedures in Section 21.6 C, or when the floodway has not been delineated), any expansion or enlargement of uses or structures is prohibited.
2. Within all districts, any addition, modification, rehabilitation, repair, or alteration shall be in conformance with the provisions of this ordinance, shall not increase the flood damage potential or increase the degree of obstruction to flood flows, and where applicable, must be protected to the Regulatory Flood Protection Elevation (RFPE).
3. If any nonconforming structure is determined to be substantially damaged or substantially improved based on the procedures in Section 21.11 B, it may not be reconstructed except in conformity with the provisions of this ordinance. Any structures located outside the one-percent annual chance floodplain are exempt from this provision.

4. If any nonconforming use, or any use of a nonconforming structure, is discontinued for more than one year, any future use of the premises must conform to this ordinance.
5. If any nonconforming structure has utilities, electrical, or mechanical equipment damaged due to flooding, it must be rebuilt in conformance with the elevation requirements in Section 21.3 C #1 d. to the greatest extent practicable. This requirement shall apply regardless of the determinations made in Section 21.11 B.

B. Substantial Improvement and Substantial Damage Determinations. Prior to issuing any permits for additions, modifications, rehabilitations, repairs, alterations, or maintenance to nonconforming structures, the Administrator is required to determine if such work constitutes substantial improvement or repair of a substantially damaged structure. A determination must be made in accordance with the following procedures:

1. Estimate the market value of the structure. In the case of repairs, the market value of the structure shall be the market value before the damage occurred and before any restoration or repairs are made.
2. Estimate the cost of the project. The property owner shall accommodate for inspection, and furnish other documentation needed by the Administrator to evaluate costs.
 - a. Improvement costs shall be comprised of the market rate of all materials and labor, as well as the costs of all ordinary maintenance and upkeep carried out over the past one year.
 - b. Costs to repair damages shall be comprised of the market rate of all materials and labor required to restore a building to its pre-damaged condition regardless of the work proposed, as well as associated improvement costs if structure is being restored beyond its pre-damaged condition.
3. Compare the cost of the improvement, repairs, or combination thereof to the estimated market value of the structure and determine whether the proposed work constitutes substantial improvement or repair of a substantially damaged structure, as defined in Section 21.1 A of this ordinance.
 - a. For the purposes of determining whether the proposed work would constitute substantial improvement, the evaluation shall also include all rehabilitations, additions, or other improvements completed since the community has adopted floodplain standards impacting this structure.
 - b. If any nonconforming structure experiences a repetitive loss, as defined in Section 21.1 A of this ordinance, it shall be considered substantially damaged and must not be reconstructed except in conformity with the provisions of this ordinance.
4. Based on this determination, the Administrator shall prepare a determination letter and notify the property owner accordingly. Structures determined to be substantially damaged or substantially improved may not be reconstructed except in conformity with the provisions of this ordinance.

SECTION 21.12 VIOLATIONS AND PENALTIES

- B. **Uses in Violation of the Ordinance.** Every structure, fill, deposit, or other use placed or maintained in the floodplain in violation of this ordinance shall be considered a public nuisance.
- C. **Civil Remedies.** The creation of a public nuisance may be enjoined and the maintenance of a public nuisance under this ordinance may be abated by an action brought by Crow Wing County or the Department of Natural Resources.
- D. **Enforcement.** Violations of the provisions of this ordinance constitutes a misdemeanor and is punishable as defined by law. The Administrator may utilize the full array of enforcement actions available to it including but not limited to prosecution and fines, injunctions, after-the-fact permits, orders for corrective measures or a request to the National Flood Insurance Program for denial of flood insurance. Crow Wing County must act in good faith to enforce these official controls and to correct ordinance violations to the extent possible so as not to jeopardize its eligibility in the National Flood Insurance Program.

SECTION 21.13 AMENDMENTS

- A. **Ordinance Amendments.** Any revisions to the floodplain maps by the Federal Emergency Management Agency or annexations of new map panels require an ordinance amendment to update the map references in Section 21.2 B of this ordinance.
- B. **Required Approval.** All amendments to this ordinance must be submitted to the Department of Natural Resources for review and approval prior to adoption, for compliance with state and federal rules and requirements. The floodplain ordinance shall not be considered valid until approved.

Amendments.

The following sections of Article 28 – DIRT MOVING, of the Township’s Zoning Ordinance shall be amended as follows:

28.2 APPLICABILITY AND PERMITS

- 7. **Rip rap that meets standards.** Placement of natural rock rip-rap, including the necessary grading of the shoreline and placement of a filter blanket is only allowed when erosion is evident or there is significant undercutting of the shoreline through wave and ice action. It must meet all applicable DNR rip-rap requirements and is not in wetlands.

28.3 STANDARDS FOR DIRT MOVING ACTIVITIES IN SHORELAND AREAS

2. Upland Fill.

- a. For residential properties in the shoreland district the following standards shall apply:
- b. A total of up to 30 cubic yards of dirt moving may be permitted, including a sand blanket, if applicable. Permit applications must be accompanied by a site plan. Applications to move larger quantities shall be processed as conditional uses.

- c. For commercial properties in the shoreland district the following standards shall apply:
 - a. General Development Lakes: 30 cubic yards of dirt moving may be permitted for each 100 feet of shoreline width, including that placed as a sand blanket, if applicable. Applications to move larger quantities shall be processed as conditional uses.
 - b. Recreational Development Lakes: 30 cubic yards of dirt moving may be permitted for each 150 feet of shoreline width, including that placed as a sand blanket, if applicable. Applications to move larger quantities shall be processed as conditional uses.
 - c. Natural Environment Lakes: 30 cubic yards of dirt moving may be permitted for each 200 feet of shoreline width including that placed as a sand blanket, if applicable. Applications to mover larger quantities shall be processed as conditional uses.
 - d. Natural Environment – Special Shallow Lakes: 30 cubic yards of dirt moving may be permitted for each 250 feet of shoreline width, including that placed as a sand blanket, if applicable. Applications to move larger quantities shall be processed as conditional uses.
 - e. General Development Rivers: 30 cubic yards of dirt moving may be permitted for each 100 feet of shoreline width, including that placed as a sand blanket, if applicable. Applications to move larger quantities shall be processed as conditional uses.
 - f. Natural Environment River: 30 cubic yards of dirt moving may be permitted for each 100 feet of shoreline width, including that placed as a sand blanket, if applicable. Applications to move larger quantities shall be processed as conditional uses.
 - g. Cold Water River: 30 cubic yards of dirt moving may be permitted for each 100 feet of shoreline width, including that placed as a sand blanket, if applicable. Applications to move larger quantities shall be processed as conditional uses.
- 4. **Annual Ice ridges.** Annual Ice Ridges may be regraded to their original shoreline contour with a shoreland alteration permit provided that the work is completed in the year in which annual ice ridge occurred. Any such regrading shall meet the following standards:

B. ACTIVITIES IN SHORE IMPACT ZONE 2

Dirt moving activities in shore impact zone 2 shall require shoreline alteration permits and meet the following standards:

- 1. **Upland Fill.** For residential properties in the shoreland district the following standards apply:
 - a. 10 to 50 cubic yards of dirt moving may be permitted. An application must be accompanied by a site plan. Applications to move larger quantities shall be processed as conditional uses.
- 2. For commercial properties in the shoreland district the following standards shall apply:

- a. General Development Lakes: 50 cubic yards of dirt moving may be permitted for each 100 feet of shoreline width, including that placed as a sand blanket, if applicable. Applications to move larger quantities shall be processed as conditional uses.
- b. Recreational Development Lakes: 50 cubic yards of dirt moving may be permitted for each 150 feet of shoreline width, including that placed as a sand blanket, if applicable. Applications to move larger quantities shall be processed as conditional uses.
- c. Natural Environment Lakes: 50 cubic yards of dirt moving may be permitted for each 200 feet of shoreline width, including that placed as a sand blanket, if applicable. Applications to move larger quantities shall be processed as conditional uses.
- d. Natural Environment – Special Shallow Lakes: 50 cubic yards of dirt moving may be permitted for each 250 feet of shoreline width, including that placed as a sand blanket, if applicable. Applications to move larger quantities shall be processed as conditional uses.
- e. General Development Rivers: 50 cubic yards of dirt moving may be permitted for each 100 feet of shoreline width, including that placed as a sand blanket, if applicable. Applications to move larger quantities shall be processed as conditional uses.
- f. Natural Environment River: 50 cubic yards of dirt moving may be permitted for each 100 feet of shoreline width, including that placed as a sand blanket, if applicable. Applications to move larger quantities shall be processed as conditional uses.

Cold Water River: 50 cubic yards of dirt moving may be permitted for each 100 feet of shoreline width, including that placed as a sand blanket, if applicable. Applications to move larger quantities shall be processed as conditional uses.

C. ACTIVITIES IN THE REAR LOT ZONE (RLZ)

Dirt moving activities in the rear lot zone shall require shoreline alteration permits and meet the following standards:

- 1. For residential properties in the shoreland district: 10 to 100 cubic yards of dirt may be moved with a permit. Moving larger quantities shall be processed as conditional uses and require a permit by a site plan.
- 2. For commercial properties in the shoreland district the following standards shall apply:
 - a. General Development Lakes: 100 cubic yards of dirt moving may be permitted for each 100 feet of shoreline width, including that placed as a sand blanket, if applicable. Applications to move larger quantities shall be processed as conditional uses.
 - b. Recreational Development Lakes: 100 cubic yards of dirt moving may be permitted for each 150 feet of shoreline width, including that placed as a sand blanket, if applicable. Applications to move larger quantities shall be processed as conditional uses.

- c. Natural Environment Lakes: 100 cubic yards of dirt moving may be permitted for each 200 feet of shoreline width, including that placed as a sand blanket, if applicable. Applications to move larger quantities shall be processed as conditional uses.
- d. Natural Environment – Special Shallow Lakes: 100 cubic yards of dirt moving may be permitted for each 250 feet of shoreline width, including that placed as a sand blanket, if applicable. Applications to move larger quantities shall be processed as conditional uses.
- e. General Development Rivers: 100 cubic yards of dirt moving may be permitted for each 100 feet of shoreline width, including that placed as a sand blanket, if applicable. Applications to move larger quantities shall be processed as conditional uses.
- f. Natural Environment River: 100 cubic yards of dirt moving may be permitted for each 100 feet of shoreline width, including that placed as a sand blanket, if applicable. Applications to move larger quantities shall be processed as conditional uses.
- g. Cold Water River: 100 cubic yards of dirt moving may be permitted for each 100 feet of shoreline width, including that placed as a sand blanket, if applicable. Applications to move larger quantities shall be processed as conditional uses.

Amendments.

The following sections of Article 33 – RESIDENTIAL DEVELOPMENT STANDARDS, of the Township’s Zoning Ordinance shall be amended as follows:

33.7 MAINTENANCE AND ADMINISTRATION REQUIREMENTS

B. Common open space preservation. Common open space preservation. The appearance of open space areas, including topography, vegetation, and allowable uses, must be preserved and maintained by use of deed restrictions, covenants, permanent easements, public dedication, or other equally effective and permanent means. The instruments must prohibit:

- 1. Commercial uses (for residential PUD’s);
- 2. Vegetation and topographic alterations other than routine maintenance;
- 3. Construction of additional buildings or storage of vehicles and other materials; and
- 4. Uncontrolled beaching of watercraft.

33.8 CONSERVATION DEVELOPMENT STANDARDS

Conservation development standards are intended to provide a relationship between buildings, and between buildings and sites, that cannot be accomplished by the one building-one lot application of the land use provisions of this ordinance. In order to encourage well designed building groups, this section provides for the development of more than one structure upon a single lot or tract as well as the integral development of

one or more lots as a single tract. Conservation developments shall require an approved conditional use permit and must be platted before construction commences.

33.12 CONVENTIONAL DEVELOPMENT STANDARDS, DESIGN PROCESS, AND CRITERIA

- D. No impervious surfaces shall be allowed within the shore impact zone, except, stairways, lifts or landings, water oriented accessory structures and patios. If permitted under Article 11, those portions of boat launching ramps greater than 10 feet landward from the OHWL shall be constructed of pervious materials.

Amendments.

The following sections of Article 34 – RESORT STANDARDS, of the Township’s Zoning Ordinance shall be amended as follows:

34.13 RESORT CONVERSIONS

Resorts may be converted to a residential development, or shared capital resort if all of the following standards are met:

- A. For conversions to residential developments, proposed conversions shall be evaluated using the same procedures and standards in Article 33. All inconsistencies between existing features of the development and these standards shall be identified and there shall be no minimum lot size or width requirement for lots created to contain existing dwellings or dwelling units. For conversions to residential lots, all inconsistencies between existing features of the development and the standards required in Article 11 of this ordinance and/or requirements in the Subdivision Ordinance must be identified and corrected.
- B. Deficiencies involving water supply and sewage treatment, impervious coverage, open space, and shore recreation facilities shall be corrected as part of the conversion or as specified in the conditional use permit.
- C. Shore and bluff impact zone deficiencies shall be corrected as part of the conversion. Where applicable, these improvements must include the following:
 - 1. Removal of extraneous buildings, docks, boat launching areas and ramps, or other facilities located in shore or bluff impact zones;
 - 2. Remedial measures to correct erosion sites and improve vegetative cover and screening of buildings and other facilities as viewed from the water to meet shoreland vegetation buffer standards Article 36 of this ordinance.
 - 3. For conversions to shared capital resorts all pertinent requirements of Article 34 and the subdivision ordinance, if applicable, shall be met.
- D. Existing dwelling unit or dwelling site densities that exceed standards in Article 33 of this ordinance may be allowed to continue but must be allowed to be increased, either at the time of conversion or in the future. Efforts must be made during the conversion to limit impacts of high densities improving

vegetative screening, centralizing shore recreation facilities, installing new sewage treatment systems, or other means.

Amendments.

The following sections of Article 37 – SUBSURFACE SEWAGE TREATMENT SYSTEMS-TECHNICAL STANDARDS AND CRITERIA, of the Township’s Zoning Ordinance shall be amended as follows:

37.19 DIFFERENCES IN STANDARDS

A. List of Different Adopted Standards

1. In no land use district shall a land use permit, shoreline alteration permit, minor subdivision, plat, conditional or interim use permit or variance be issued without a current Certificate of Compliance or Certificate of Installation that has not expired according to Section 37.26(C) of this ordinance.
 - a. In the shoreland districts:
 - i. For all public hearing applications, not including Land Use Map Amendments.
 - ii. For all property transfers; and
 - iii. For administrative subdivisions – one certificate for all systems involved in the subdivision
 - b. In shoreland districts:
 - i. For any permit applications
 - c. In non-shoreland zoning districts:
 - i. For living space additions to a dwelling; (bedroom addition/conversion/net increase)
 - ii. For accessory structures which contain sewage-generating fixtures
2. At least one cleanout at or above finished grade shall be installed between the structure and the septic tank with additional clean outs at intervals not more than 100 feet.
3. Class I sizing is required on all new construction. New construction will be defined as placement of a new structure or replacement structure that is served by pressurized water.
4. Minimum septic tank sizing shall be 1,500 gallons. This can be accomplished through a compartmentalized tank, multiple tanks in series, or a single existing 1500 gallon tank with the use of an effluent filter for the last baffle. The filter must be of such a design that when the filter is removed from the filter housing, the flow of water leaving the tank is not allowed. The first tank or compartment shall be no less than 1,000 gallons in size and applies to new SSTS. Existing tanks may be utilized for replacement of an existing SSTS provided the tank is a minimum of 1,000

gallons in lieu of the required 1500 gallon tanks (must follow bedroom sizing requirements) and has been issued a certificate of compliance or tank integrity form.

37.26 COMPLIANCE INSPECTION PROGRAM

C. Existing Systems

1. Compliance inspections shall be required when any of the following conditions occur:
 - a. Shoreland District: When applying for a land use permit, shoreline alteration permit, administrative subdivision, plat, conditional use permit or variance and the Certificate of Installation is more than five years old or the Certificate of Compliance is more than three years old.
 - b. Non-Shoreland Districts: When applying for a land use permit for living space additions to a dwelling, accessory structures which contain sewage generating fixtures, administrative subdivisions, plats, conditional use permits or variances and the Certificate of Installation is more than five years old, or the Certificate of Compliance is more than three years old. A compliance inspection is not required for accessory structures without sewage generating fixtures, for reconstruction permits or the construction of a deck whether covered or uncovered.
 - c. Within 90 days of conveyance of any real property and the Certificate of Installation is more than five years old or the Certificate of Compliance is more than three years old.
 - d. Any time there is a change in use of the property being served by an existing SSTS which may impact the performance of the system.
 - e. At any time as required by this Ordinance or the Department deems appropriate such as upon receipt of a complaint or other notice of a system malfunction.

Amendments.

The following sections of Article 40 – SIGNS, of the Township’s Zoning Ordinance shall be amended as follows:

40.7 OFF-PREMISES SIGN GENERAL PROVISIONS

- A. The standards of the Crow Wing County Land Use Ordinance Article 40.7 with regard to Off-Premises Sign Standards, as defined by the Crow Wing County Land Use Ordinance, is hereby adopted by reference and incorporated herein in all zoning districts where such uses are allowed.

Amendments.

The following sections of Article 43 – TOWER FACILITY STANDARDS of the Township’s Zoning Ordinance shall be amended as follows:

43.6 GENERAL STANDARDS

- A. **SETBACK.** The tower facility shall have a minimum distance to all parcel lines and or recorded easement boundary, equal to the height of the tower plus 10 feet unless written evidence has been provided by a structural engineer identifying the engineered fall zone radius of the tower, which may be less than the height of the tower. A tower must be at least 10 feet from a property line if it is designed to have a fall zone radius as mentioned in this provision.

Amendments.

The following sections of Article 46 – DEFINITIONS, of the Township’s Zoning Ordinance shall be amended as follows:

BASE FLOOD – The flood having a one percent chance of being equaled or exceeded in any given year. “Base flood” is synonymous with the term “regional flood” used in this ordinance and Minnesota Rules, part 6120.5000.

BASE FLOOD ELEVATION – The elevation of the “regional flood.” The term “base flood elevation” is used in the flood insurance survey.

CANNABIS CULTIVATION: A cannabis business licensed to grow cannabis plants within the approved amount of space from seed or immature plant to mature plant. harvest cannabis flower from mature plant, package and label immature plants and seedlings and cannabis flower for sale to other cannabis businesses, transport cannabis flower to a cannabis manufacturer located on the same premises, and perform other actions approved by the office.

CANNABIS RETAIL BUSINESS: A retail location and the retail location(s) of a mezzobusinesses with a retail operations endorsement, microbusinesses with a retail operations endorsement, medical combination businesses operating a retail location, excluding lower-potency hemp edible retailers.

CANNABIS RETAILER: Any person, partnership, firm, corporation, or association, foreign or domestic, selling cannabis product to a consumer and not for the purpose of resale in any form.

CHANNEL – A natural or artificial depression of perceptible extent, with definite bed and banks to confine and conduct flowing water either continuously or periodically.

COMMERCIAL STORAGE FACILITIES: a use of land for storage buildings that may be leased or sold individually. Said buildings cannot be used as dwellings or contain livable area.

FEMA – Federal Emergency Management Agency.

FLOOD INSURANCE STUDY – The study referenced in Article 21 of this ordinance, which is an examination,

evaluation, and determinate of flood hazards, and if appropriate, corresponding surface elevations, or an examination, evaluation, and determinate of mudslide (i.e. mudflow) and/or flood related erosion hazards.

GENERAL FLOODPLAIN – Those floodplains designated on the Flood Insurance Rate Maps referenced in Article 21 of this ordinance, but that do not have a delineated floodway.

INTERIM USE PERMIT - A permit that allows a use that is neither a permitted, allowed or conditional use, for a limited period of time subject to conditions set forth in this Ordinance.

OFFICE OF CANNABIS MANAGEMENT: Minnesota Office of Cannabis Management, referred to as “OCM” in this ordinance.

PLACE OF PUBLIC ACCOMODATION: A business, accommodation, refreshment, entertainment, recreation, or transportation facility of any kind, whether licensed or not, whose goods, services, facilities, privileges, advantages or accommodations are extended, offered, sold, or otherwise made available to the public.

PRELIMINARY LICENSE APPROVAL: OCM pre-approval for a cannabis business license for applicants who qualify under Minn. Stat. 342.17.

PUBLIC PLACE: A public park or trail, public street or sidewalk; any enclosed, indoor area used by the general public, including, but not limited to, restaurants; bars; any other food or liquor establishment; hospitals; nursing homes; auditoriums; arenas; gyms; meeting rooms; common areas of rental apartment buildings, and other places of public accommodation.

REGULATORY FLOOD PROTECTION ELEVATION

An elevation that is one foot above the elevation of the base flood plus any increases in the water surface elevation caused by encroachments on the floodplain that result from designation of a floodway. These increases in water surface elevations are typically identified in the Floodway Data Tables, found in the Flood Insurance Study.

RESIDENTIAL TREATMENT FACILITY: As defined under Minn. Stat. 245.462 subd. 23.

RETAIL REGISTRATION, COMMERCIAL CANNABIS USE: An approved registration issued by Crow Wing County to a state- licensed cannabis retail business.

RETAIL OR COMMERCIAL BUSINESS: Any establishment, employment, or enterprise wherein merchandise is manufactured, exhibited, stored, or sold, or where services are offered for compensation.

SCHOOL

A public school as defined under Minn. Stat. 120A.05 or a nonpublic school that must meet the reporting requirements under Minn. Stat. 120A.24.

STAGE INCREASE – Any increase in the water surface elevation during the one percent annual chance flood caused by encroachments on the floodplain.

STATE LICENSE, COMMERCIAL CANNABIS USE: An approved license issued by the State of Minnesota’s Office of Cannabis Management to a cannabis retail business.

START OF CONSTRUCTION - Includes substantial improvement and means the actual start of construction, repair, reconstruction, addition, or other improvement that occurred before the permit’s expiration date.

WATER COURSE – Any perennial or intermittent stream, river, or drainage flow in which surface water drains from surrounding land or another water course. The term applies to either natural or artificially constructed channels.

Effective Date: This ordinance amendment shall be in full force and effect from and after passage and publication according to state law.

Repeal: This ordinance shall repeal all ordinances inconsistent herewith.

Passed by the Town Board this _____ day of _____, 2025.

By: _____
Doug Kern, Chairman
Crow Wing Township

By: _____
Sue Kern, Township Clerk
Crow Wing Township

ORDINANCE NO. 2025-__
AN ORDINANCE AMENDING TOWNSHIP ORDINANCE OF
THE SUBDIVISION ORDINANCE
FOR CROW WING TOWNSHIP
COUNTY OF CROW WING, STATE OF MINNESOTA

The Town Board of Crow Wing Township does ordain as follows:

Purpose and Intent. The purpose and intent of this ordinance is to amend the Crow Wing Township Ordinance. The ordinance amendment will promote the community's interest in reasonable stability in zoning for now and in the future, and that the proposed provisions are in the public interest and for the public good.

Amendments.

The following sections of Article 8 – DEVELOPERS AGREEMENT, of the Township’s Subdivision Ordinance shall be amended as follows:

8.1 Prior to Township Board approval of a final plat of a proposed subdivision, the Township Board may require a developer’s agreement that shall ensure the construction of all improvements required under the provision of this ordinance and that all improvements shall be completed. The subdivider shall pay for the cost of all improvements required in the subdivision along with the subdivision’s share of the cost of any trunk facilities to be extended to the subdivision. The developer’s agreement shall stipulate that no permit of any type shall be issued until all improvements required by this Ordinance have been met or are arranged for in a manner prescribed in the developer’s agreement. This may be waived if all improvements as required by Article 7 of this Ordinance, the Planning Commission or Township Board has been effectively implemented with appropriate inspection and verification of all improvements.

- A. Roadway Maintenance Plan (inside of the First Assessment District only).** The subdivider shall provide a plan for the maintenance of all constructed public or private roadways until acceptance of the road by a public road authority. The provided plan shall be approved by the Township Board and indicate who will be responsible for conducting the maintenance, the manner of maintenance to be completed and how frequently, and a mechanism for funding the ongoing maintenance of the road.
- B. Financial assurance.** The subdivider shall provide a financial guarantee naming the Township as first obligee to ensure completion of all improvements as required. No part of the financial guarantee will be released until all aspects of the developer’s agreement are completed unless specifically stated. The amount of the financial guarantee shall be 1.25 times the estimated improvement construction cost.
 - i.** Inside of the First Assessment District: The financial assurance amount shall be calculated as 1.25 times the estimated construction costs submitted by the developer’s professional engineer licensed in the State of Minnesota and must be approved in writing by the Township.
 - ii.** Outside of the First Assessment District: It shall be the responsibility of the subdivider to determine the improvement construction cost which must be approved by the Department.
 - iii.** Financial assurance shall be released upon receipt of verification that all improvements in the developer’s agreement has been effectively implemented. Verification includes written

documentation from the registered engineer of record for road and stormwater management plan implementation and from a surveyor for corner monumentation implementation. Any other requirements of the developer's agreement shall require written verification from someone with expertise and experience regarding said improvement. The Board must approve the release of any financial assurance.

- C. Default:** The Township shall be entitled to use the financial guarantee to implement said improvements and provide maintenance if the subdivider defaults on the timeline set forth in the developer's agreement. Upon completion of work and termination of any liability to the County, the balance remaining in the financial guarantee shall be refunded to the subdivider.
- D. Timeline:** The subdivider shall set a guaranteed timeline and completion plan for all improvements and a provision for determining supervision of the details of the work. The developer's agreement shall include provisions for when the road authority will be responsible for maintenance of the road.
- E. Inspections.** The subdivider shall guarantee payment for all costs incurred by the Township for review and inspection. This shall include but not be limited to preparation and review of plans and specifications by technical assistants and costs incurred by the Township Attorney, as well as other related costs.

Amendments.

The following sections of Article 9 – ADMINISTRATION AND ENFORCEMENT, of the Township's Subdivision Ordinance shall be amended as follows:

9.1 Responsibility for Enforcement.

The Crow Wing Township Board of Supervisors and the Township Planner are responsible and have a duty to administer and enforce this Ordinance.

9.2 Civil and Criminal Enforcement.

Any violations of the provisions of this Ordinance or failure to comply with any of its requirements by a landowner or their agent, including violations of or failure to comply with the conditions and safeguards established in connection with the granting of subdivision approval shall be punishable through criminal prosecution, civil remedy, or both. Utilization of a civil remedy shall not prevent a criminal prosecution for the same violation. A criminal prosecution for a violation shall not be a bar to a civil remedy.

9.3 Separate Offenses.

Each day of a violation of this Ordinance shall constitute a separate offense.

9.4 Citations.

The Crow Wing Township Planning and Zoning Office shall have the power to enforce this Ordinance by issuing citations for criminal violations of this Ordinance upon the owner of a property and/or their authorized agent.

9.5 Cease and Desist Order.

The Township Planner, or duly authorized representative, may issue cease and desist orders to halt the progress of any property modification, based upon probable cause that a violation of this Ordinance has been committed. When any work has been stopped by a cease and desist order, it shall not be resumed until the reason for the work stoppage has been completely satisfied and the cease and desist order lifted.

9.6 Injunctive Relief Allowed.

Crow Wing Township, through the Planning and Zoning Office, may sue for injunctive relief on any violation, including restoration of the premises to its existing condition prior to the violation.

9.7 Administrative Fee for Enforcement.

The Township Planner shall charge an administrative fee, as set by the Township Board of Supervisors, to compensate for time spent involving the investigation and prosecution of violations, including any other additional expenses incurred during the investigation.

9.8 After the Fact Applications and Fees.

Any Person making application for a subdivision after the commencement of work requiring subdivision approval shall be charged an additional administrative fee. In the event the application for subdivision is denied or the action permitted does not include all or part of the work commenced prior to approval of said subdivision, the Planning Commission, Board of Adjustment or the Planning and Township Planner shall require correction and/or restoration of the concerned property to its original state, including removal of structures or improvements.

9.9 Amendment Dates

Legal Notice of Hearing Published September 8, 2005; March 30, 2006 and July 26, 2006
Public Hearing Held September 22, 2005; April 13, 2006 and August 8, 2006
Adopted by the County Board September 27, 2005; August 8, 2006
Filed in the Office of the County Auditor & Planning and Zoning October 11, 2005; August 11, 2006
Addition of Article Three August 31, 2010

Effective Date: This ordinance amendment shall be in full force and effect from and after passage and publication according to state law.

Repeal: This ordinance shall repeal all ordinances inconsistent herewith.

Passed by the Town Board this _____ day of _____, 2025.

By: _____
Doug Kern, Chairman
Crow Wing Township

By: _____
Sue Kern, Township Clerk
Crow Wing Township

CROW WING TOWNSHIP

Ordinance No. 2025-___

**AN ORDINANCE AMENDING CROW WING TOWNSHIP ZONING
ORDINANCE REGARDING SUBDIVISION AND LAND USE**

On March 10, 2025, the Crow Wing Township adopted Ordinance No. 2025-_____, as titled above. The ordinance amends the Township's zoning regulations with updates to the current subdivisions and land use ordinance. A copy of the full ordinance is available at Town Hall, on the Town's website, and can be obtained by contacting the Town Clerk.

LAND USE APPLICATION

APPLICATION:

- A. Applicant shall complete Land Use Application and submit to the Zoning Administrator.
- B. Application shall be accompanied by a site plan drawing that is complete with the following minimum information (as close to scale as possible):
 - Size of parcel
 - Location on the parcel of all existing structures, their square footage and distance from all property lines, setbacks (including road, bluff, and shoreline) and each other
 - Location on the parcel of all proposed structures and their square footage, distance from all property lines, setbacks (including road, bluff, and shoreline) and each other
 - Location on the parcel of existing and proposed sewage treatment systems and wells and their distance from property lines, structures and each other
 - Existing and/or proposed square footage of the driveway (gravel and paved), access roads, parking, sidewalks

*****If a new driveway is being construction from a Township road, please contact the Township Roads Supervisor, Doug Kern, at (218) 820-2021 or doug.kern2021@gmail.com for an entry permit*****

- C. Application shall include drawings showing number of bedrooms in the structure.
- D. Application shall include elevation drawings showing proposed structure height.
- E. Application shall include Sewer Compliance Inspection certificate.
- F. Applicant shall include the signature of the title owner of the property.

REVIEW:

- A. The Planning and Zoning Administrator shall review the application for completeness and assign a reference number to application, plans, and any other attachments. Staff will indicate on the application the date that the application is complete. The applicant will be notified where additional information is needed.
- B. Zoning Administrator, based on submittals, compute the Land Use Permit Fee. This fee shall be paid by the applicant at the time the application is submitted.

ACTION:

In order to obtain a Land Use Permit, the following must happen:

- A. The Zoning Administrator must review and approve the Sewer Compliance Inspection report.
- B. The Township Clerk must verify all current billings and insure that the applicant is current on all payments.
- C. The Zoning Administrator must insure that the permit fee has been collected.
- D. The Zoning Administrator must insure that the proposed improvements meet the requirements of the Ordinance.


PLEASE NOTE: The Township has 60 days in which to review and make a decision on land use applications, although the Township strives to process all applications as soon as they are received. To avoid delays, applicants should allow themselves as much time as possible between the time they submit their application and the time they wish to begin construction. Close coordination with the Township Staff during the project design phase and submittals that are complete and accurate will help applicants avoid delays. No construction can begin until the permit is complete and approved.

REVISED: JANAURY, 2023

LAND USE PERMIT APPLICATION

Name of Applicant William Danilyuk Phone 320-282-0321
Property Address (E911#) 7370 Hunter Cir, Brainerd Local Phone 320-282-0321
Mailing Address 7370 Hunter Cir Email Dwconstruction2004@gmail.com
City, State, Zip Brainerd, MN 56401

Applicant is: _____ Title Holder of Property: *(if not applicant)*
Legal Owner () _____
Contract Buyer () _____ (Name)
Option Holder () _____
Agent () _____ (Address)
Other _____ (City, State, Zip)

Signature of Owner, authorizing application (required): 
(By signing the owner is certifying that they have read and understood the instructions accompanying this application.)

Signature of Applicant (if different than owner): _____
(By signing the applicant is certifying that they have read and understood the instructions accompanying this application.)

Property Parcel ID (15 Digit # on Tax Statement) 561260020080009

Zoning District Crow wing
Township _____
Will an address assignment (E911#) be needed? No

State nature of request in detail: (What are you proposing for the property? If a new structure, indicate height and foundation type.)

I am proposing to construct two lean to style cottages on the property, each measuring 20' x 20' With one bedroom and one bathroom per, totaling 800 ft² of living space combined.
The cottages are designed to be close to one another, and will be connected. These units are intended as initial quarters/guest house while preparing Construction of a main dwelling on the property.
Height from the peak to the ground for both buildings is 18 feet foundation is pier and Beam.
The will be deemed as main dwelling

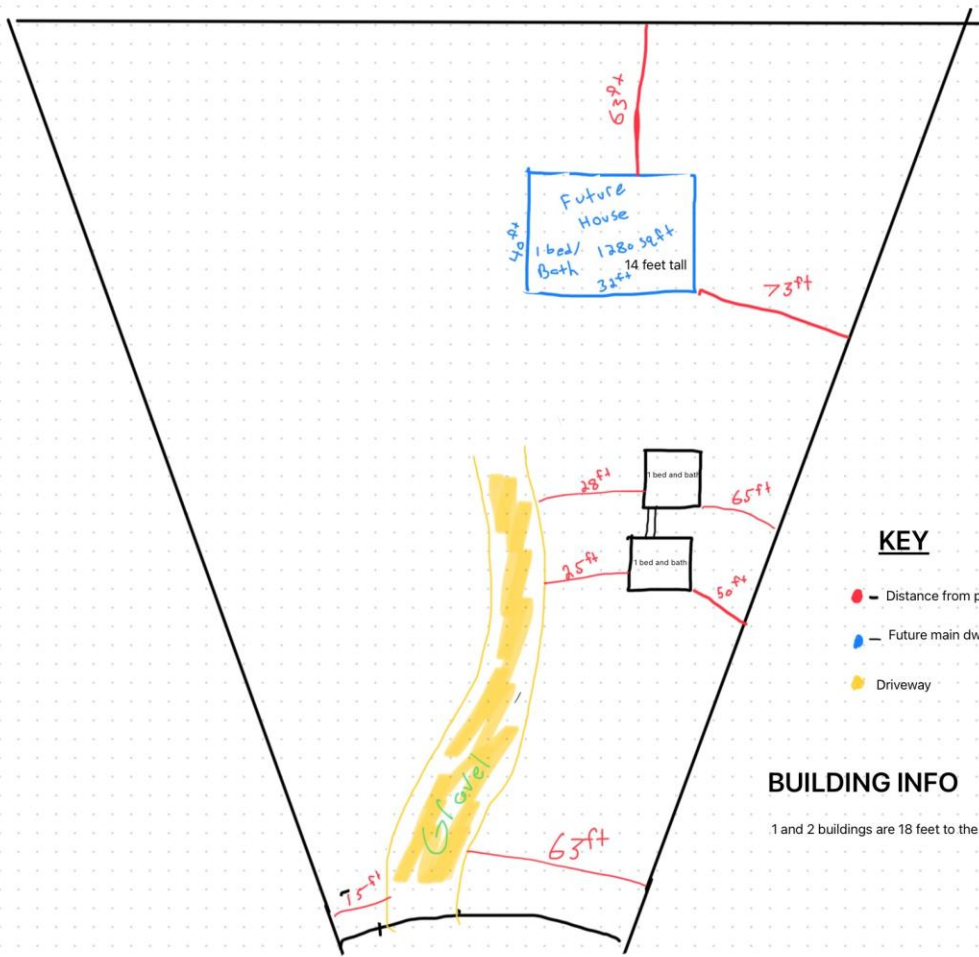
Approved by the Zoning Administrator: _____ Date: _____

CHECKLIST

- _____ Completed application, including signature of property owner, and fee
- _____ Send application electronically to Zoning Administrator
- _____ Sewer Compliance Inspection Report
(5 years from installation date - New Installation)
(3 years from installation date – Existing System)
- _____ All current Township charges paid
- _____ No outstanding violations
- _____ Zoning Administrator Review of Commercial Access to Township Road (if applicable)
- _____ Site plan as close to scale as possible with the following information, as a minimum (unless waived by Zoning Administrator):
 - _____ Size of parcel and dimensions
 - _____ All existing structures, their square footage, height, distance from all property lines and setbacks (including road, bluff and lake OHW level) and each other
 - _____ All proposed structures, their square footage, height, distance from all property lines and setbacks (including road, bluff and lake OHW level) and each other
 - _____ Location on the parcel of existing and proposed sewage treatment systems (ISTS) and wells and their distance from property lines, structures and each other
 - _____ Existing and/or proposed square footage of the driveway (gravel and paved), access roads, parking, sidewalks



2.98 acres



KEY

- - Distance from property line/road
- - Future main dwelling location/size
- - Driveway

BUILDING INFO

1 and 2 buildings are 18 feet to the peak.





To: Crow Wing County Townships

As you are probably all aware, new legislation passed in 2023 authorized the regulation of legal cannabis to be sold at retail in the state of Minnesota. As part of that legislation, local units of government were required to adopt an ordinance regulating cannabis and providing for retailer registration.

The Crow Wing County Board recently updated the county Land Use Ordinance which included Article 15 Commercial Cannabis Use which permits commercial cannabis use as an interim use in a commercial zoned district. The ordinance also limits the number of retail business licenses within Crow Wing County to no more than six and provides for a retail registration procedure. You can review the entire article in the ordinance related to commercial cannabis on the Crow Wing County website at www.crowwing.gov/331/County-Ordinances.

This applies to those townships that are subject to the Crow Wing County Land Use Ordinance only; those towns who regulate their own planning and zoning are not covered by the provisions of this ordinance. The Minnesota Association of Townships recently put out a sample resolution for townships to delegate cannabis retail registration to the county. Your board may choose to adopt the resolution delegating the retail registration and compliance check activities to the county, although it is not required as the county will be the agency responsible for these items as per the ordinance.

For those townships that are not governed by the Crow Wing County ordinance, the responsibility for retail registration and compliance checks would reside with the township, not the county. As such, any delegation from those municipalities would need to be considered by request of the county board.

If you have any questions or need further information, please feel free to contact me.

Sincerely,

Deborah A. Erickson
County Administrator

Deborah A. Erickson
County Administrator

County Administrator's Office
Historic Courthouse
326 Laurel Street, Suite 13
Brainerd, MN 56401

Office: (218) 824-1067
Toll Free: (888) 829-6680
Fax: (218) 822-7031
www.crowwing.gov

Our Vision: Being Minnesota's favorite place.

Our Mission: Serve well. Deliver value. Drive results.

Our Values: Be responsible. Treat people right. Build a better future.

RESOLUTION # _____

_____ Township, _____ County,
Minnesota

RESOLUTION DELEGATING CANNABIS RETAIL REGISTRATION TO THE COUNTY

WHEREAS, Minn. Stat. § 342.22 requires a cannabis microbusiness, cannabis mezzobusiness, cannabis retailers, medical cannabis combination business, or lower-potency hemp edible retailers to register with the city, town, or county in which the retail establishment is located before making retail sales;

WHEREAS, Minn. Stat. § 342.22 requires a local unit of government to conduct compliance checks of every cannabis business and hemp business with a retail registration issued by the local unit of government;

WHEREAS, Minn. Stat. § 342.22 permits the county to issue cannabis retail registration for the jurisdiction in cases where a city or town has provided consent;

WHEREAS, the town board determined that delegating cannabis retail registration and cannabis compliance checks to the county under Minn. Stat. § 342.22 serves the public interest;

NOW, THEREFORE, BE IT RESOLVED, that the town board of _____ Township, _____ County, Minnesota does hereby consent to _____ County to issue cannabis retail registration and conduct cannabis compliance checks for the jurisdiction.

Adopted this _____ day of _____, 20_____.

By the _____ Town Board Attested to by

Town Chair

Town Clerk

Sheet List Table

Sheet Number	Sheet Title
01	TITLE SHEET
02	EROSION CONTROL PLAN
03	GRADING PLAN
04	PLANTING PLAN
05	DETAILS 1
06	DETAILS 2
07	DETAILS 3

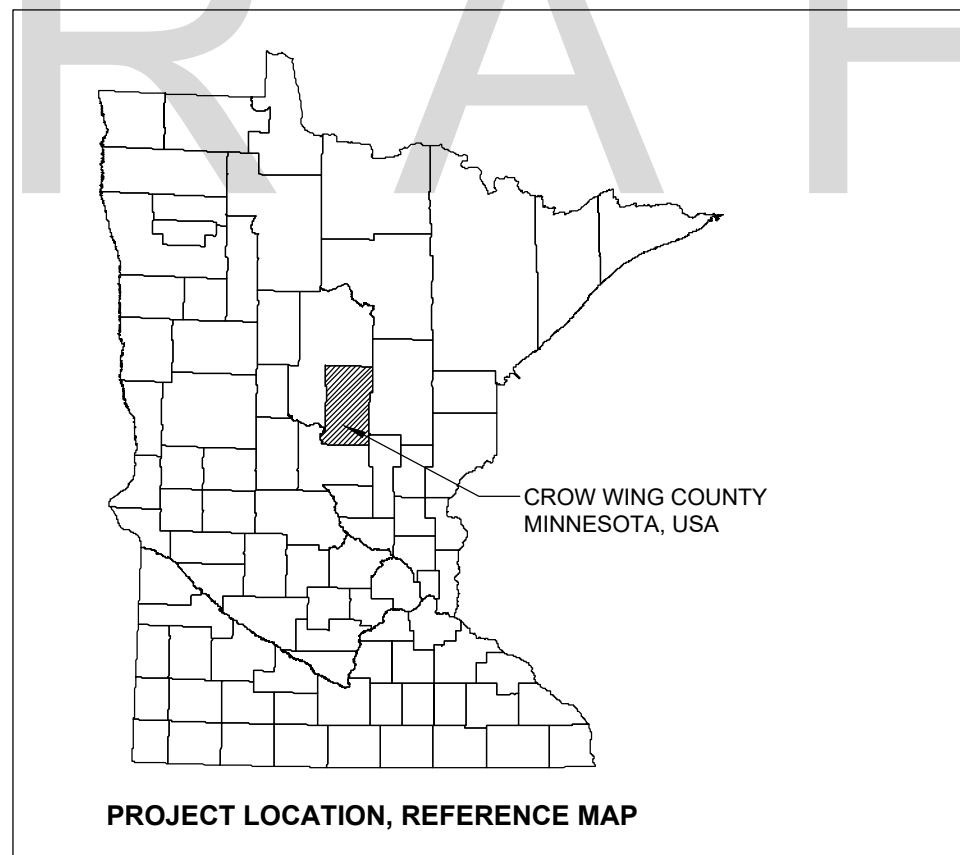


CROW WING SWCD DEASON RAVINE

CROW WING COUNTY, BRAINERD, MN

LEGEND

FEATURE	EXISTING	PROPOSED
TREE PROTECTION FENCE	—	~CF~CF~
SILT FENCE	—	~SF~SF~
SEDIMENT LOGS	—	+++++
OVERHEAD ELECTRIC LINES	— OE —	—
CONTOUR	--- 800 ---	— (1185) —
DRAINAGE FLOW ARROWS	➔	—
PROPERTY BOUNDARY	- . - . - .	—



PROJECT LOCATION, REFERENCE MAP

GENERAL NOTES

EXISTING UTILITIES

THE LOCATION OF UNDERGROUND FACILITIES AND/OR STRUCTURES AS SHOWN ON THE PLANS ARE BASED ON AVAILABLE RECORDS AT THE TIME THE PLANS WERE PREPARED AND ARE NOT GUARANTEED TO BE COMPLETE OR CORRECT.

THE SUBSURFACE UTILITY INFORMATION SHOWN IS UTILITY QUALITY LEVEL D, AS DETERMINED USING THE GUIDELINES OF "C/ASCE 38-02 STANDARD GUIDELINES FOR THE COLLECTION AND DEPICTION OF EXISTING SUBSURFACE UTILITY DATA."

THE CONTRACTOR IS RESPONSIBLE FOR CONTACTING ALL UTILITIES 72 HOURS PRIOR TO CONSTRUCTION TO DETERMINE THE EXACT LOCATION OF ALL FACILITIES AND TO PROVIDE ADEQUATE PROTECTION OF SAID UTILITIES DURING THE COURSE OF WORK.

CONSTRUCTION NOTE

CONTRACTOR SHALL TAKE ALL NECESSARY MEASURES TO MAINTAIN OPERATION OF EXISTING UTILITIES THROUGHOUT THE DURATION OF THE PROJECT. IN THE EVENT THAT AN INTERRUPTION OF SERVICE IS UNAVOIDABLE IN ORDER TO COMPLETE THE WORK, CONTRACTOR SHALL PROVIDE ADEQUATE NOTIFICATION TO ALL AFFECTED ENTITIES A MINIMUM OF 3 WORKING DAYS IN ADVANCE OF ANY INTERRUPTION.

GOVERNING SPECIFICATIONS

THE 2020 EDITION OF THE MINNESOTA DEPARTMENT OF TRANSPORTATION "STANDARD SPECIFICATIONS FOR CONSTRUCTION" SHALL GOVERN.

ALL TRAFFIC CONTROL DEVICES AND SIGNING SHALL CONFORM TO MINNESOTA MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, INCLUDING FIELD MANUAL FOR TEMPORARY CONTROL ZONE LAYOUTS.

GOPHER STATE ONE-CALL

IT IS THE LAW THAT ANYONE EXCAVATING AT ANY SITE MUST NOTIFY GOPHER STATE ONE CALL (GSOC) SO THAT UNDERGROUND ELECTRIC, NATURAL GAS, TELEPHONE OR OTHER UTILITY LINES CAN BE MARKED ON OR NEAR YOUR PROPERTY BEFORE ANY DIGGING BEGINS. A 48-HOUR NOTICE, NOT INCLUDING WEEKENDS, IS REQUIRED. CALLS CAN BE MADE TO GSOC AT 1-800-252-1166 OR (651) 454-0002, MONDAY THROUGH FRIDAY (EXCEPT HOLIDAYS) FROM 7 A.M. TO 5 P.M.



I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

KYLE D. CRAWFORD DATE: 01/01/2022 LICENSE #54906

DATE	NO.	DESCRIPTION
01/01/2023	1	CONCEPT DESIGN
	2	
	3	
	4	
	5	
	6	

DESIGNED BY: MB

DRAWN BY: MB

CHECKED BY: KDC

EOR JOB #1040_13

DEASON RAVINE

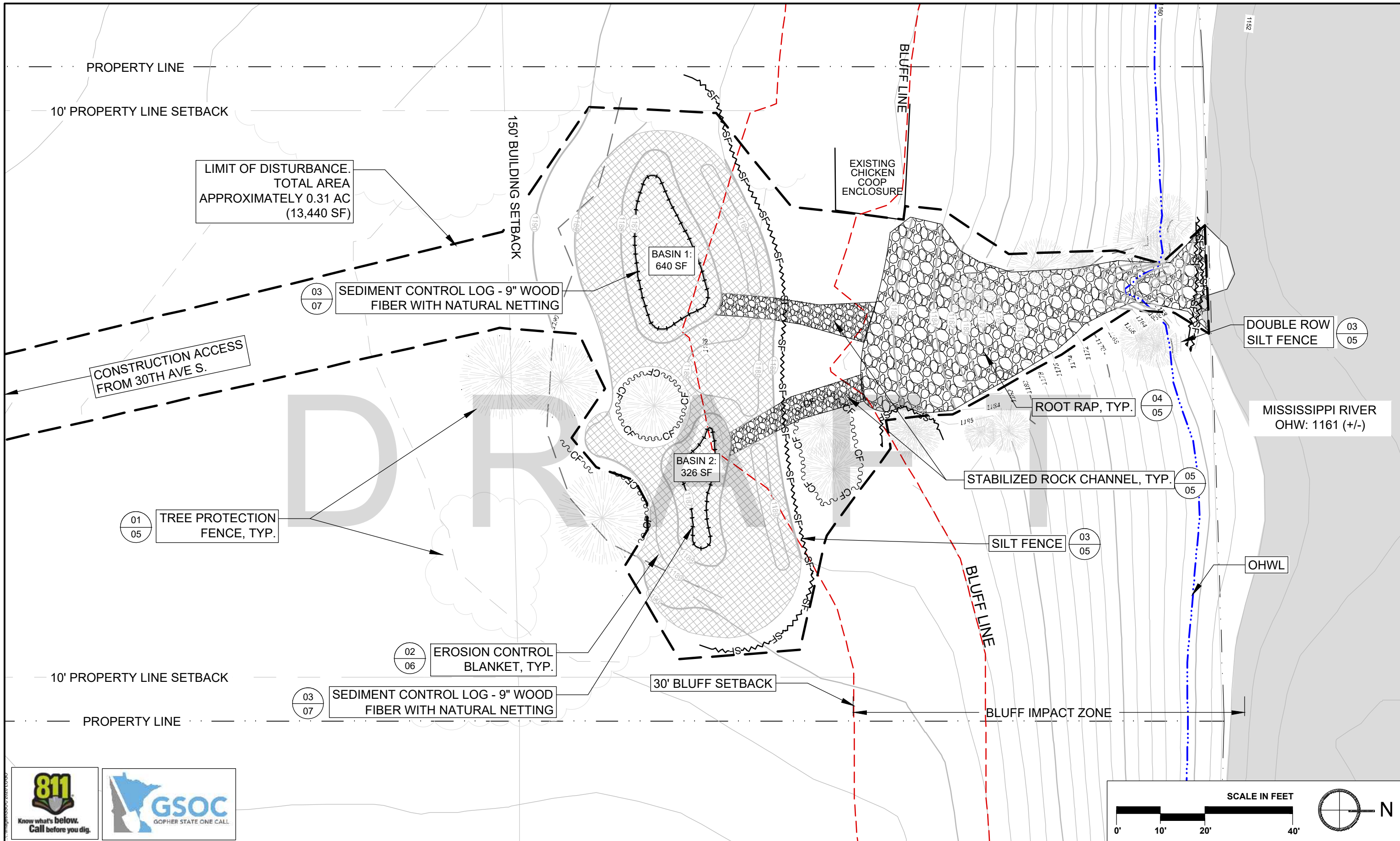
CROW WING COUNTY, BRAINERD, MN

CROW WING SWCD

BRAINERD, MN 56401

TITLE SHEET

SHEET 01 OF 08



DRAFT



I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

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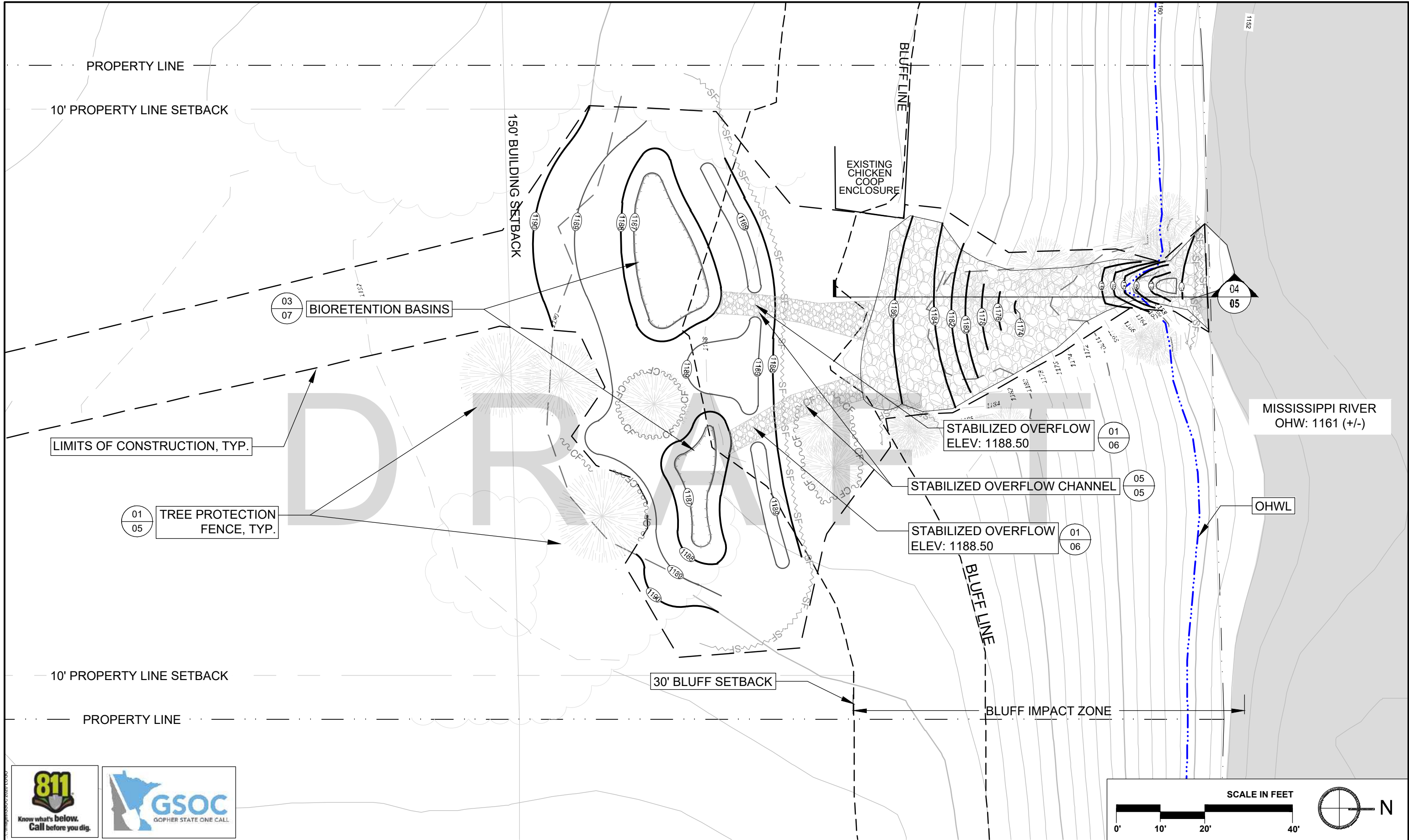
DESIGNED BY: MB	
DRAWN BY: MB	
CHECKED BY: KDC	
EOR JOB #1040_13	CLIENT PROJECT #999-999

DEASON RAVINE	
CROW WING COUNTY, BRAINERD, MN	
CROW WING SWCD	BRAINERD, MN 56401

EROSION CONTROL PLAN	
SHEET 02 OF 08	



Plot Date: 07/24/2024
 Drawing name: X:\clients_ave\01040_crow_wing\01013_deason_ravine_stabilization09_GNIS\dwg\Sheets\1040_13-Deason ESC.dwg
 User: jld@lorinc.com
 Path: \\server\img\cadd\img\p\01040_crow_wing\01013_deason_ravine_stabilization09_GNIS\dwg\Sheets\1040_13-Deason ESC.dwg



Plot Date: 07/24/2024
 Drawing name: X:\clients_ave\01040_crow_wing\01013_deason_ravine_stabilization\09_GIS\dwg\Sheets\1040_13-Deason Grading.dwg
 User: jld@lor.com
 Plot Date: 07/24/2024



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 KYLE D. CRAWFORD DATE: 01/01/2022 LICENSE #54906

DATE	NO.	DESCRIPTION
01/01/2023	1	CONCEPT DESIGN
	2	
	3	
	4	
	5	
	6	

DESIGNED BY: MB
 DRAWN BY: MB
 CHECKED BY: KDC
 EOR JOB #1040_13 CLIENT PROJECT #999-999

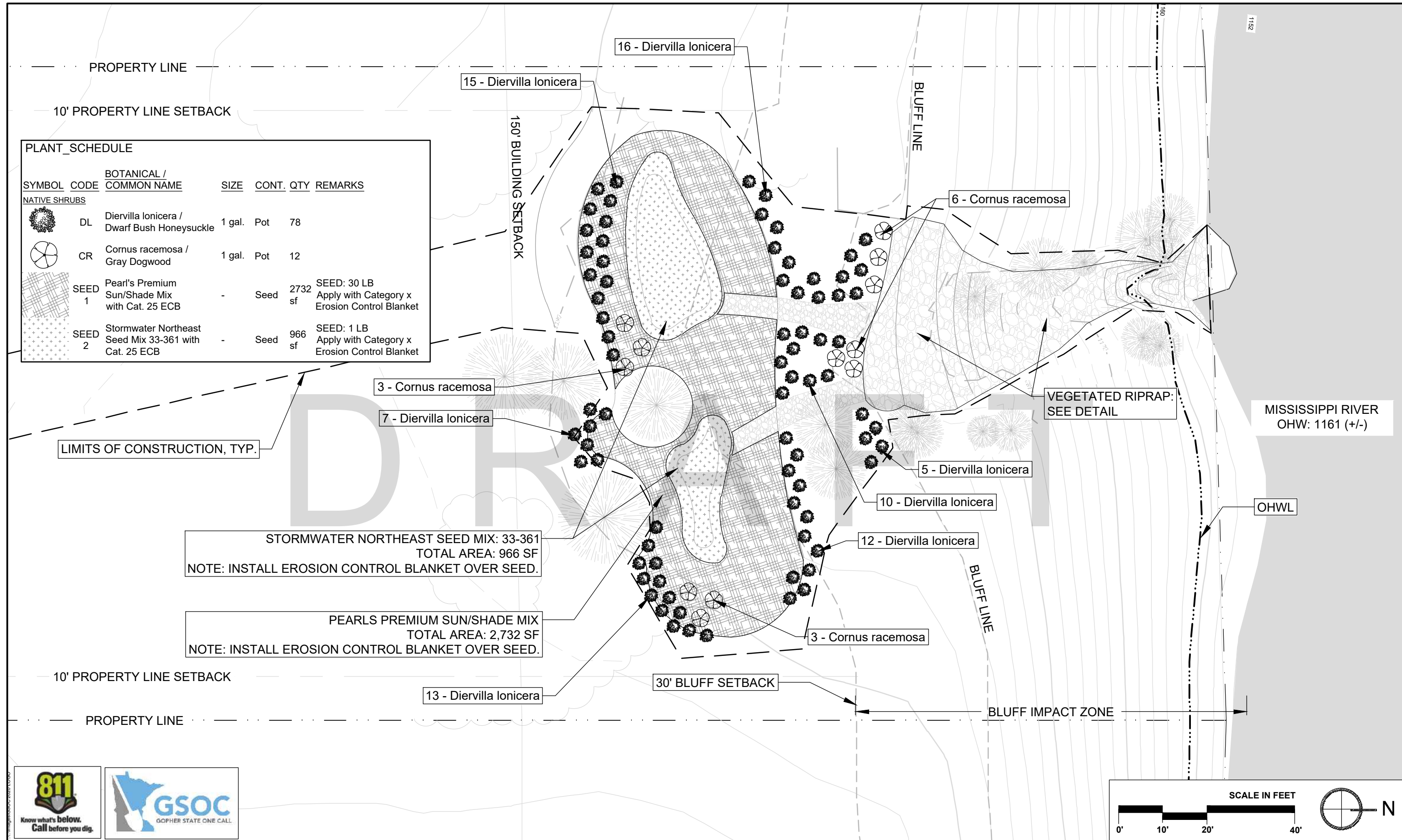
DEASON RAVINE
 CROW WING COUNTY, BRAINERD, MN
 CROW WING SWCD BRAINERD, MN 56401

GRADING PLAN
 SHEET 03 OF 08



PLANT_SCHEDULE

SYMBOL	CODE	BOTANICAL / COMMON NAME	SIZE	CONT.	QTY	REMARKS
NATIVE SHRUBS						
	DL	Diervilla lonicera / Dwarf Bush Honeysuckle	1 gal.	Pot	78	
	CR	Cornus racemosa / Gray Dogwood	1 gal.	Pot	12	
	SEED 1	Pearl's Premium Sun/Shade Mix with Cat. 25 ECB	-	Seed	2732 sf	SEED: 30 LB Apply with Category x Erosion Control Blanket
	SEED 2	Stormwater Northeast Seed Mix 33-361 with Cat. 25 ECB	-	Seed	966 sf	SEED: 1 LB Apply with Category x Erosion Control Blanket



STORMWATER NORTHEAST SEED MIX: 33-361
TOTAL AREA: 966 SF
NOTE: INSTALL EROSION CONTROL BLANKET OVER SEED.

PEARLS PREMIUM SUN/SHADE MIX
TOTAL AREA: 2,732 SF
NOTE: INSTALL EROSION CONTROL BLANKET OVER SEED.



EOR water ecology community
EMMONS & OLIVIER RESOURCES, INC.
1919 J.NIV. AVL. W. #300 ST. PAUL, MN
ILL: 651.770.8449 WWW.LORINC.COM

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.
KYLE D. CRAWFORD DATE: 01/01/2022 LICENSE #54906

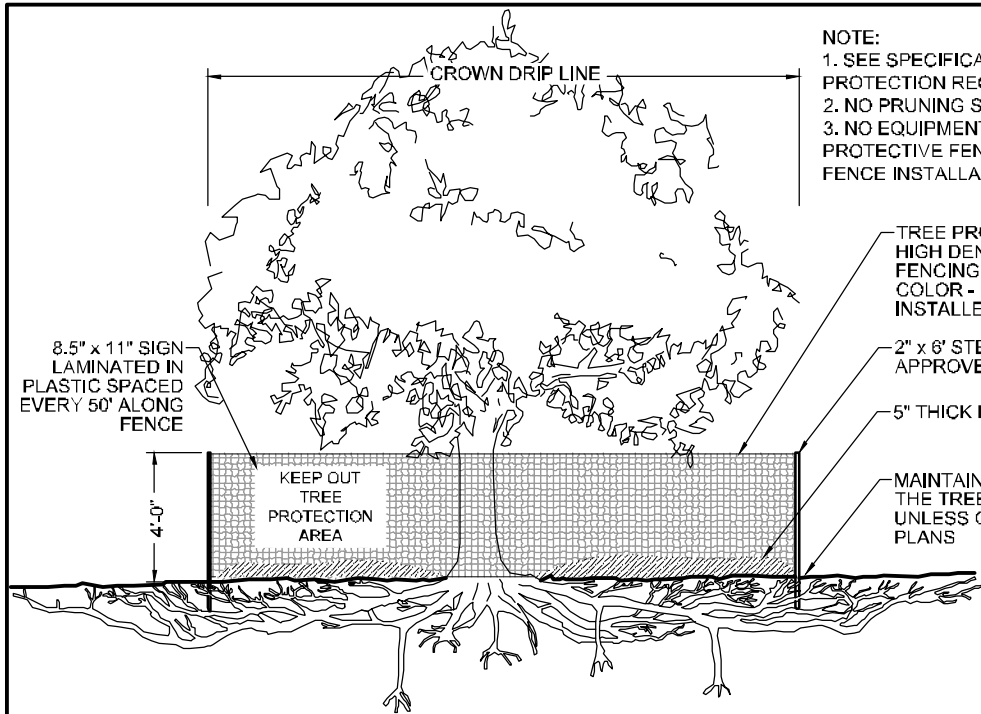
DATE	NO.	DESCRIPTION
01/01/2023	1	CONCEPT DESIGN
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	6	

DESIGNED BY: MB
DRAWN BY: MB
CHECKED BY: KDC
EOR JOB #1040_13

DEASON RAVINE
CROW WING COUNTY, BRAINERD, MN
CROW WING SWCD BRAINERD, MN 56401

PLANTING PLAN
SHEET 04 OF 08

Plot Date: 07/24/2024
 Drawing name: X:\clients_awc\1040_crow_wing\01013_deason_ravine_stabilization\09_GIS\dwg\Sheets\1040_13-Deason Planting Plan.dwg
 User: j1040_13-Deason
 Project: 1040_13-Deason



NOTE:
 1. SEE SPECIFICATIONS FOR ADDITIONAL TREE PROTECTION REQUIREMENTS.
 2. NO PRUNING SHALL BE PERFORMED.
 3. NO EQUIPMENT SHALL OPERATE INSIDE THE PROTECTIVE FENCING, INCLUDING DURING FENCE INSTALLATION AND REMOVAL.

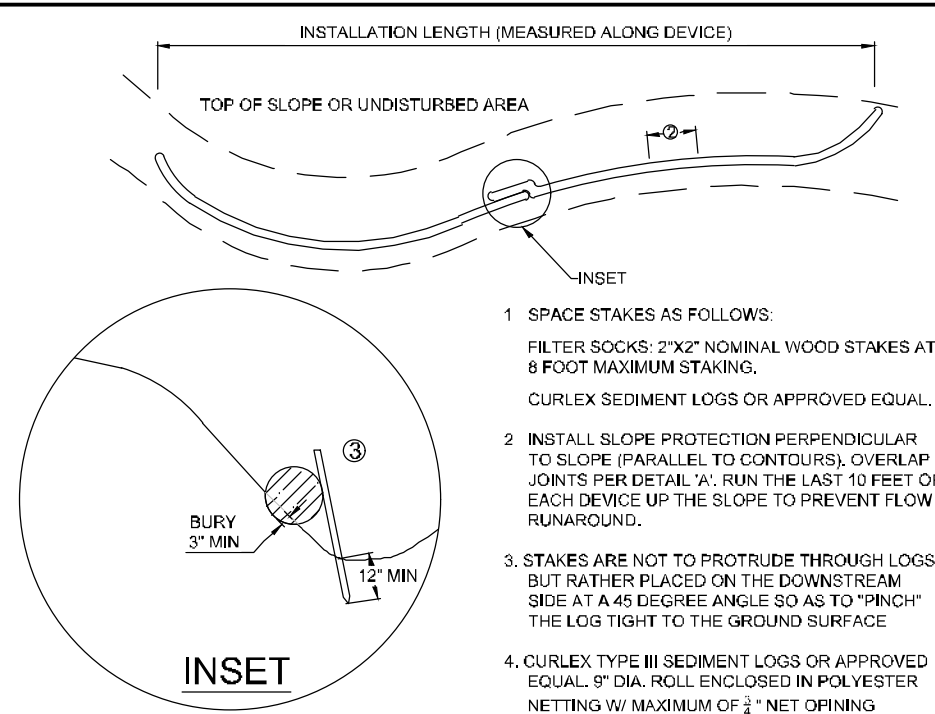
TREE PROTECTION FENCE:
 HIGH DENSITY POLYETHYLENE FENCING WITH 3.5" x 1.5" OPENINGS; COLOR - ORANGE. STEEL POSTS INSTALLED AT 8' O.C.

2" x 6" STEEL POSTS OR APPROVED EQUAL

5" THICK LAYER OF MULCH

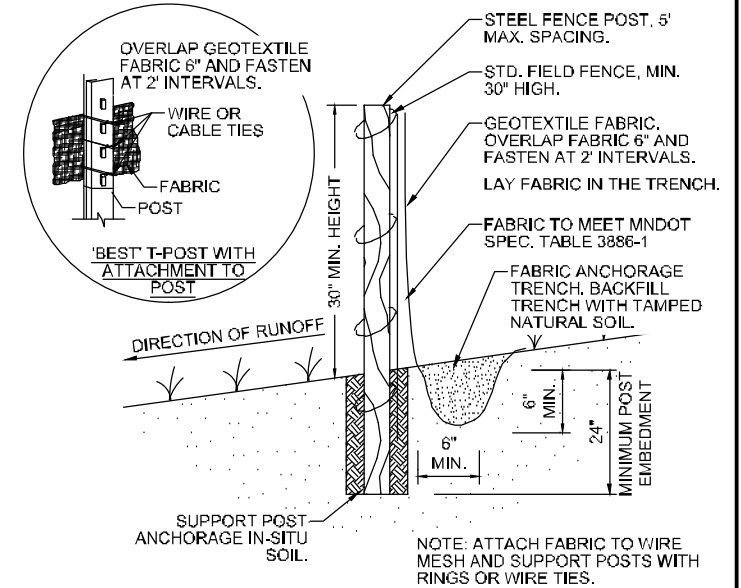
MAINTAIN EXISTING GRADE WITH THE TREE PROTECTION FENCE UNLESS OTHERWISE INDICATED ON PLANS

01 TREE PROTECTION FENCE
 05 NOT TO SCALE

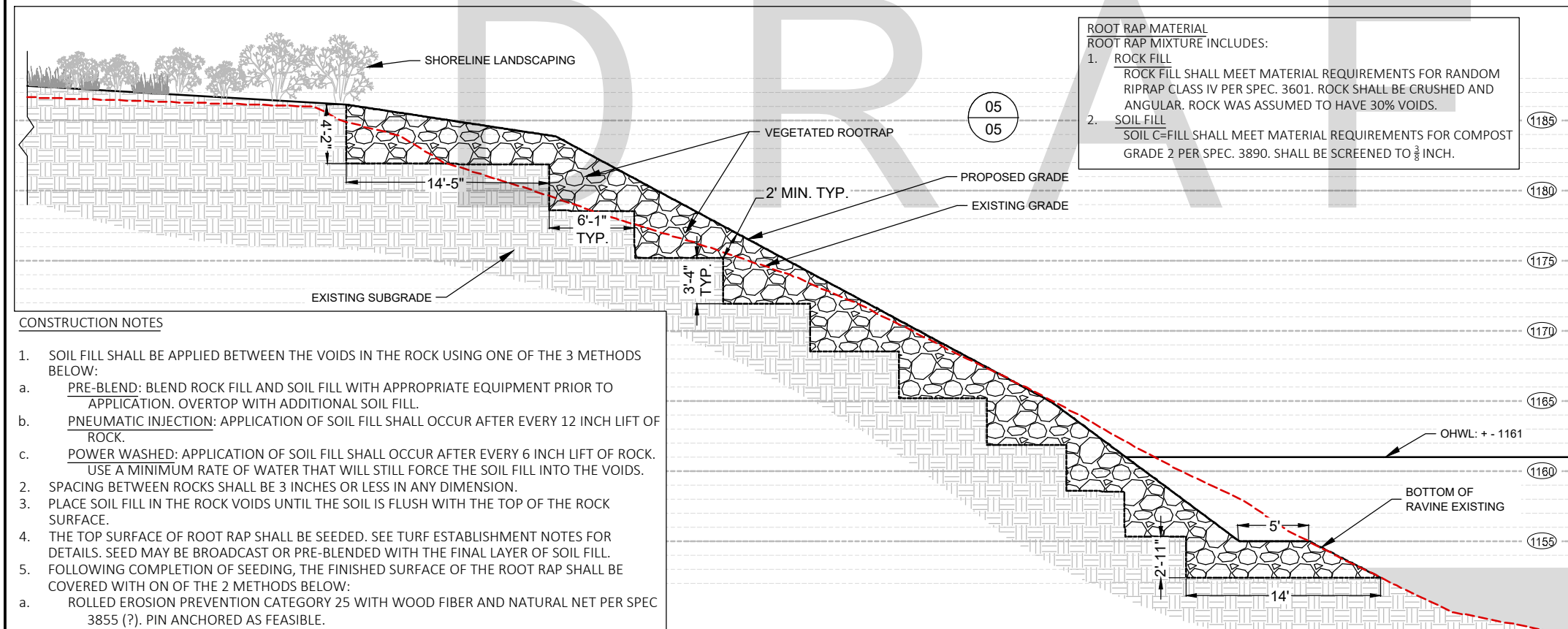


- 1 SPACE STAKES AS FOLLOWS:**
 FILTER SOCKS: 2"x2" NOMINAL WOOD STAKES AT 8 FOOT MAXIMUM STAKING.
 CURLEX SEDIMENT LOGS OR APPROVED EQUAL.
- 2 INSTALL SLOPE PROTECTION PERPENDICULAR TO SLOPE (PARALLEL TO CONTOURS). OVERLAP JOINTS PER DETAIL 'A'. RUN THE LAST 10 FEET OF EACH DEVICE UP THE SLOPE TO PREVENT FLOW RUNAROUND.**
- 3. STAKES ARE NOT TO PROTRUDE THROUGH LOGS, BUT RATHER PLACED ON THE DOWNSTREAM SIDE AT A 45 DEGREE ANGLE SO AS TO "PINCH" THE LOG TIGHT TO THE GROUND SURFACE**
- 4. CURLEX TYPE III SEDIMENT LOGS OR APPROVED EQUAL. 9" DIA. ROLL ENCLOSED IN POLYESTER NETTING W/ MAXIMUM OF 3/4" NET OPINING**

02 SEDIMENT CONTROL LOG
 05 NOT TO SCALE



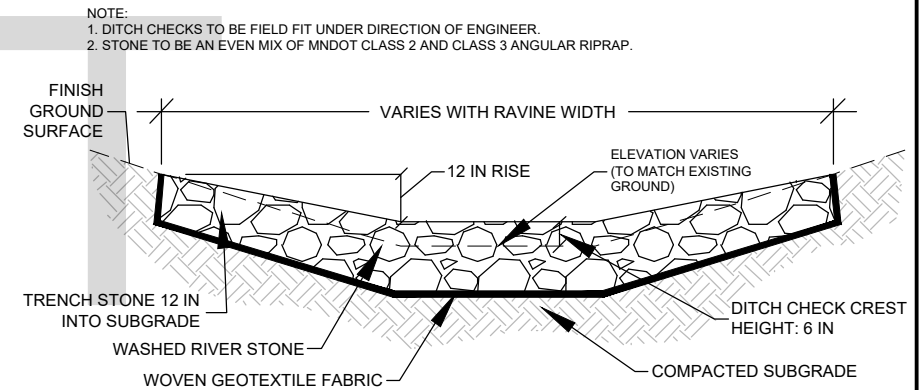
03 SILT FENCE
 05 NOT TO SCALE



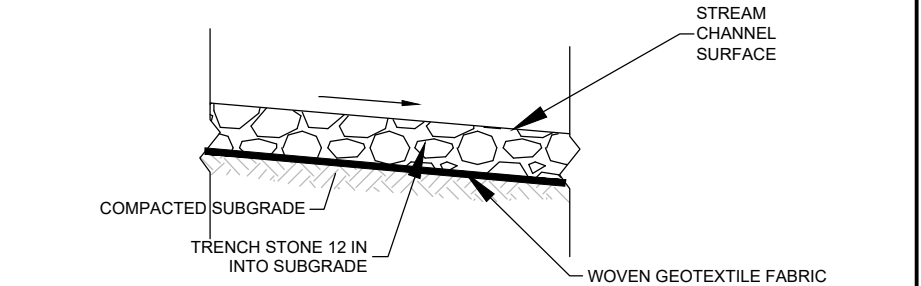
ROOT RAP MATERIAL
 ROOT RAP MIXTURE INCLUDES:
 1. **ROCK FILL**
 ROCK FILL SHALL MEET MATERIAL REQUIREMENTS FOR RANDOM RIPRAP CLASS IV PER SPEC. 3601. ROCK SHALL BE CRUSHED AND ANGULAR. ROCK WAS ASSUMED TO HAVE 30% VOIDS.
 2. **SOIL FILL**
 SOIL C= FILL SHALL MEET MATERIAL REQUIREMENTS FOR COMPOST GRADE 2 PER SPEC. 3890. SHALL BE SCREENED TO 3/8 INCH.

- CONSTRUCTION NOTES**
- SOIL FILL SHALL BE APPLIED BETWEEN THE VOIDS IN THE ROCK USING ONE OF THE 3 METHODS BELOW:
 - PRE-BLEND:** BLEND ROCK FILL AND SOIL FILL WITH APPROPRIATE EQUIPMENT PRIOR TO APPLICATION. OVERTOP WITH ADDITIONAL SOIL FILL.
 - PNEUMATIC INJECTION:** APPLICATION OF SOIL FILL SHALL OCCUR AFTER EVERY 12 INCH LIFT OF ROCK.
 - POWER WASHED:** APPLICATION OF SOIL FILL SHALL OCCUR AFTER EVERY 6 INCH LIFT OF ROCK. USE A MINIMUM RATE OF WATER THAT WILL STILL FORCE THE SOIL FILL INTO THE VOIDS.
 - SPACING BETWEEN ROCKS SHALL BE 3 INCHES OR LESS IN ANY DIMENSION.
 - PLACE SOIL FILL IN THE ROCK VOIDS UNTIL THE SOIL IS FLUSH WITH THE TOP OF THE ROCK SURFACE.
 - THE TOP SURFACE OF ROOT RAP SHALL BE SEEDED. SEE TURF ESTABLISHMENT NOTES FOR DETAILS. SEED MAY BE BROADCAST OR PRE-BLENDED WITH THE FINAL LAYER OF SOIL FILL.
 - FOLLOWING COMPLETION OF SEEDING, THE FINISHED SURFACE OF THE ROOT RAP SHALL BE COVERED WITH ON OF THE 2 METHODS BELOW:
 - ROLLED EROSION PREVENTION CATEGORY 25 WITH WOOD FIBER AND NATURAL NET PER SPEC 3855 (?). PIN ANCHORED AS FEASIBLE.
 - REINFORCED FIBER MATRIX PER SPEC. 3884 (?)

04 RAVINE STABILIZATION SECTION
 05 NOT TO SCALE



CHANNEL SECTION



CHANNEL PROFILE

05 STABILIZED OVERFLOW CHANNEL
 05 NOT TO SCALE

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EOR water ecology community
 EMMONS & OLIVIER RESOURCES, INC.
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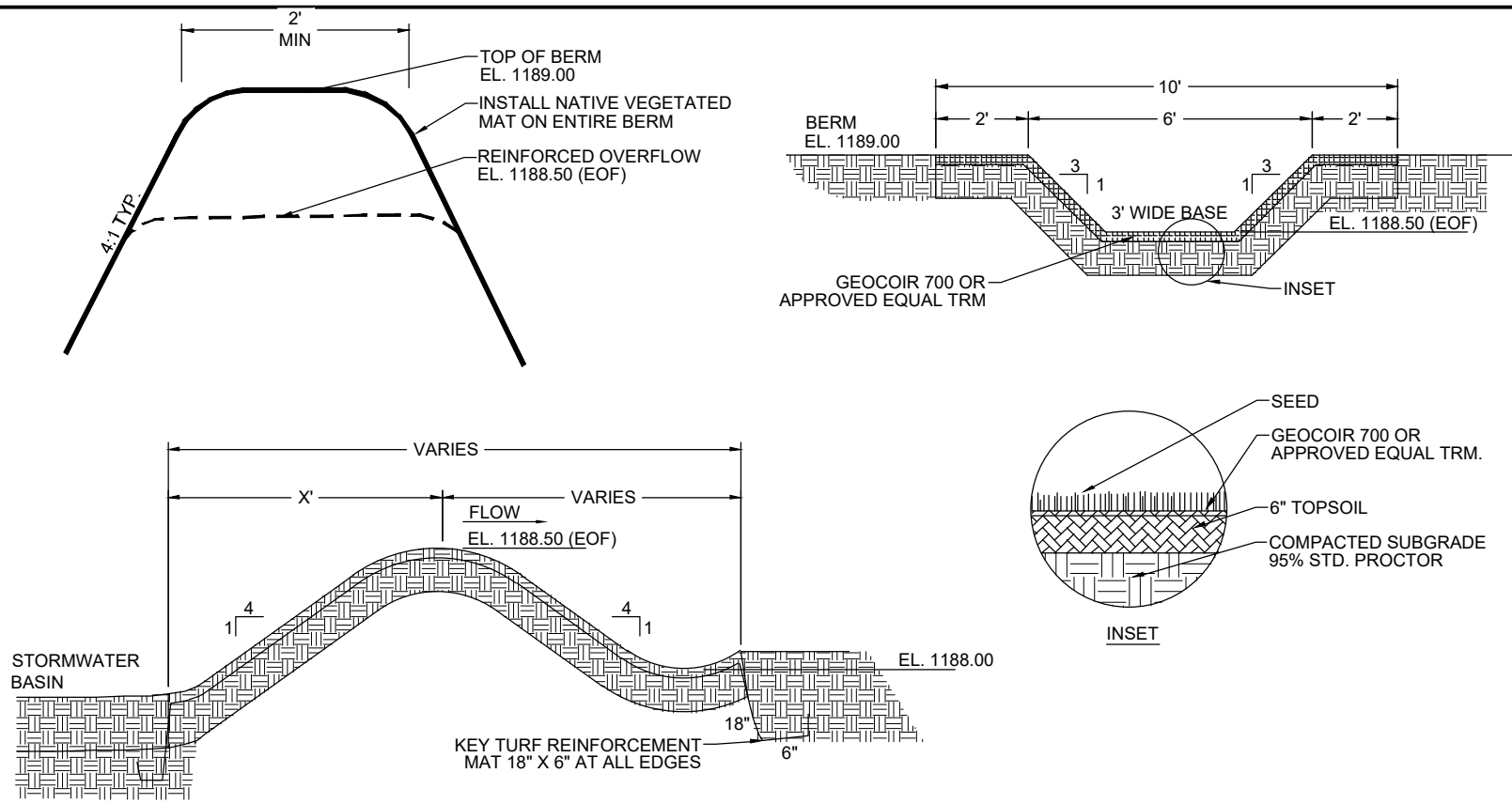
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 KYLE D. CRAWFORD DATE: 01/01/2022 LICENSE #54906

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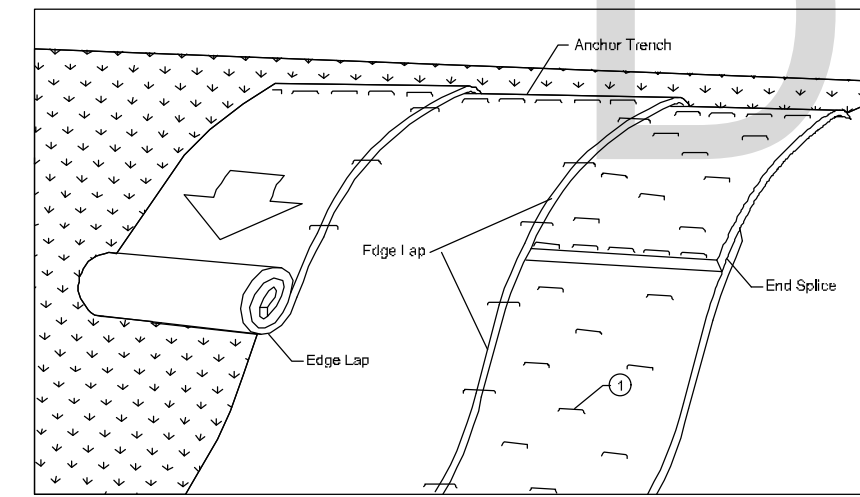
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DEASON RAVINE
 CROW WING COUNTY, BRAINERD, MN
 CLIENT PROJECT #999-999
 CROW WING SWCD BRAINERD, MN 56401

DETAILS 1
 SHEET 05 OF 08



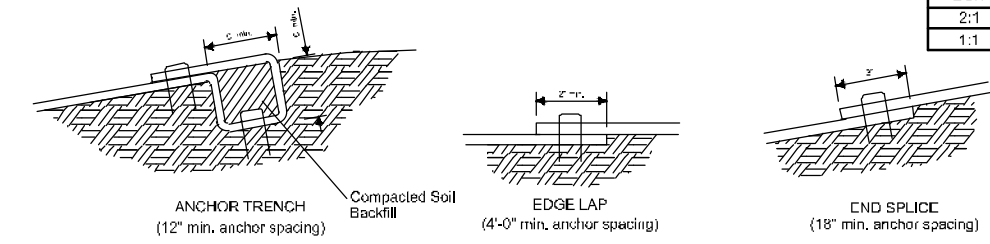
01 STABILIZED OVERFLOW
06 NOT TO SCALE



- NOTES:
1. SECURE BLANKET TO GROUND ACCORDING TO MANUFACTURER'S RECOMMENDED ANCHORING PATTERN AND MINIMUM SHOWN IN TABLE 1.
 2. SPACE TOP ROW OF STAPLES AT 18 INCH, BOTTOM ROW AT 36 INCH CENTERS, AND ALL OTHERS AT 24 INCH CENTERS. APPROXIMATELY 30 STAPLES REQUIRED PER SQUARE (100 SQ.-FT.) OF EROSION CONTROL MAT.
 3. WHERE EROSION GULLIES HAVE DEVELOPED IN BACKSLOPE, FILL WITH SOIL AND COMPACT PRIOR TO PLACEMENT OF EROSION CONTROL MAT.
 4. 4 FEET MINIMUM TO 8 FEET MAXIMUM OR AS SPECIFIED, PLACE STAPLES THE SAME AS FOR SPECIAL DITCH CONTROL.
 5. 4 FEET UNLESS SPECIFIED OTHERWISE FOR FORESLOPE PROTECTION.
 6. IF EROSION RILL HAS DEVELOPED ADJACENT TO SHOULDER MATERIAL, FILL WITH SUITABLE SOIL AND COMPACT PRIOR TO PLACEMENT OF MAT.

TABLE 1

Max. slope	Min. anchors
≤ 3:1	1.5/yd ²
2:1	2/yd ²
1:1	2.5/yd ²



02 EROSION CONTROL BLANKET
06 NOT TO SCALE

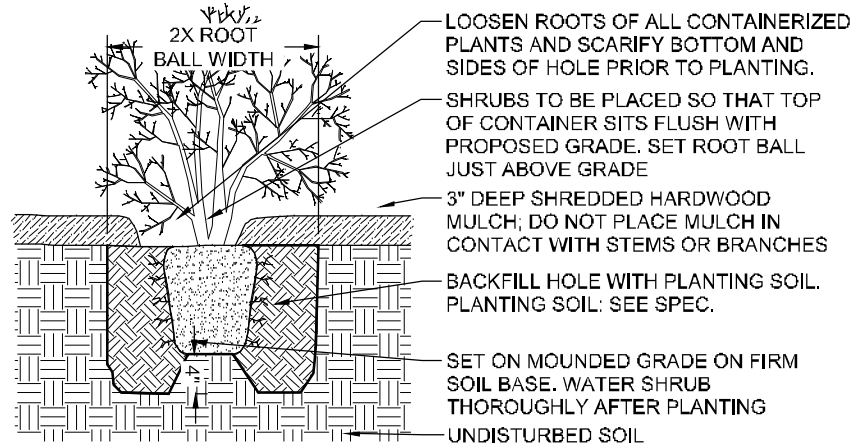
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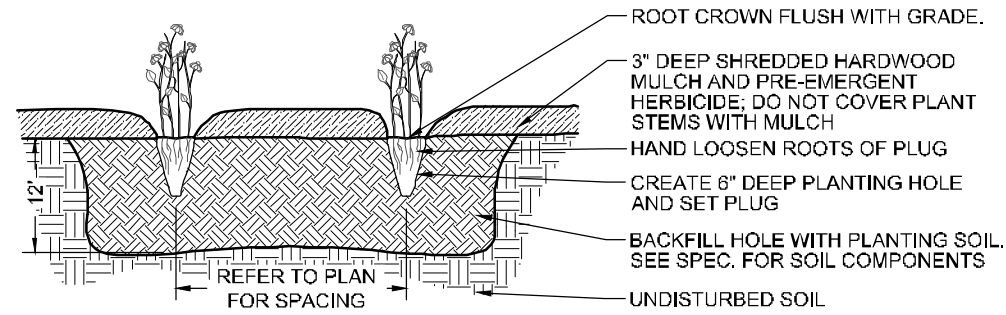
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01 DECIDUOUS SHRUB PLANTING

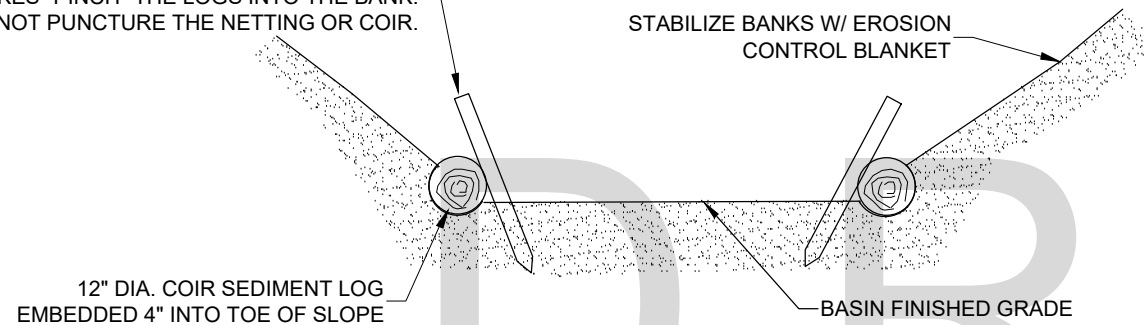
07 NOT TO SCALE



02 PERENNIAL PLUG PLANTING

07 NOT TO SCALE

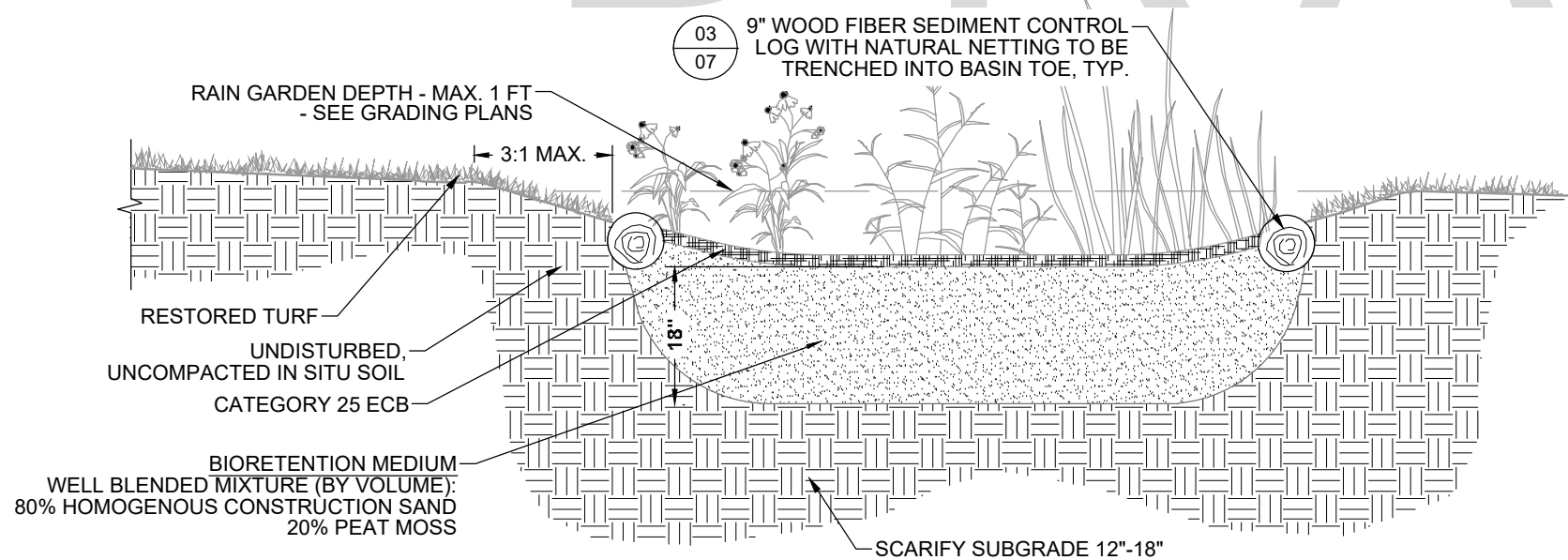
SEDIMENT LOGS SHOULD BE STAKED SUCH THAT THE STAKES "PINCH" THE LOGS INTO THE BANK. STAKES SHALL NOT PUNCTURE THE NETTING OR COIR.



NOTES:
1) ALL COIR LOG MATERIALS SHALL BE FULLY BIODEGRADABLE.

03 SEDIMENT CONTROL LOG AT BASIN TOE

07 NOT TO SCALE



04 BIOINFILTRATION BASIN

07 NOT TO SCALE

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DEASON RAVINE

CROW WING COUNTY, BRAINERD, MN

CROW WING SWCD

BRAINERD, MN 56401

DETAILS 3

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GENERAL NOTES

- LANDSCAPE CONTRACTOR SHALL INSPECT THE SITE AND BECOME FAMILIAR WITH EXISTING CONDITIONS RELATING TO THE NATURE AND SCOPE OF WORK.
- LANDSCAPE CONTRACTOR SHALL VERIFY PLAN LAYOUT AND BRING TO THE ATTENTION OF THE LANDSCAPE ARCHITECT DISCREPANCIES WHICH MAY COMPROMISE THE DESIGN OR INTENT OF THE LAYOUT.
- LANDSCAPE CONTRACTOR SHALL ASSURE COMPLIANCE WITH APPLICABLE CODES AND REGULATIONS GOVERNING THE WORK AND MATERIALS SUPPLIED.
- LANDSCAPE CONTRACTOR SHALL VERIFY ALIGNMENT AND LOCATION OF UNDERGROUND AND ABOVE GRADE UTILITIES AND PROVIDE THE NECESSARY PROTECTION FOR SAME BEFORE CONSTRUCTION BEGINS.
- LANDSCAPE CONTRACTOR SHALL REVIEW THE SITE FOR DEFICIENCIES IN SITE CONDITIONS WHICH MIGHT NEGATIVELY AFFECT PLANT ESTABLISHMENT, SURVIVAL OR WARRANTY. UNDESIRABLE SITE CONDITIONS SHALL BE BROUGHT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT PRIOR TO BEGINNING OF WORK.
- LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR ONGOING MAINTENANCE OF NEWLY INSTALLED MATERIALS UNTIL TIME OF FINAL ACCEPTANCE BY ENGINEER. REPAIR OF ACTS OF VANDALISM OR DAMAGE WHICH MAY OCCUR PRIOR TO FINAL ACCEPTANCE SHALL BE THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR.
- LANDSCAPE CONTRACTOR SHALL PROTECT ALL TREES IN THE PROJECT WORK AREA. INSTALL TREE PROTECTION FENCE PER PLAN AND DETAIL.

EROSION CONTROL AND POLLUTION PREVENTION NOTES

EROSION PREVENTION NOTES

- STABILIZE ALL EXPOSED SOIL AREAS (INCLUDING STOCKPILES) WITH TEMPORARY EROSION CONTROL (SEED AND MULCH OR BLANKET) WITHIN 7 DAYS AFTER CONSTRUCTION ACTIVITIES IN THE AREA HAVE TEMPORARILY OR PERMANENTLY CEASED.
- IDENTIFY LOCATION, TYPE AND QUANTITY OF TEMPORARY EROSION PREVENTION PRACTICES.
- IDENTIFY PERMANENT VEGETATION.

SEDIMENT CONTROL

- SEDIMENT CONTROL PRACTICES WILL BE PLACED DOWN-GRADIENT BEFORE UP-GRADIENT LAND DISTURBING ACTIVITIES BEGIN.
- VEHICLE TRACKING PRACTICES MUST BE IN PLACE TO MINIMIZE TRACK OUT OF SEDIMENT FROM THE CONSTRUCTION SITE. STREETS MUST BE CLEANED IF TRACKING PRACTICES ARE NOT ADEQUATE TO PREVENT SEDIMENT FROM BEING TRACKED ONTO THE STREET.

INSPECTIONS AND MAINTENANCE

- APPLICANT MUST INSPECT ALL EROSION PREVENTION AND SEDIMENT CONTROL PRACTICES ONCE EVERY 7 DAYS OR AFTER A 1/2" RAIN EVENT TO ENSURE INTEGRITY AND EFFECTIVENESS. ALL NONFUNCTIONAL PRACTICES MUST BE REPAIRED, REPLACED OR ENHANCED THE NEXT BUSINESS DAY AFTER DISCOVERY.
- PLANS SHALL INCLUDE CONTACT INFORMATION INCLUDING EMAIL AND A PHONE NUMBER OF THE PERSON RESPONSIBLE FOR INSPECTION AND COMPLIANCE WITH EROSION AND SEDIMENT CONTROL.

POLLUTION PREVENTION

- SOLID WASTE MUST BE STORED, COLLECTED AND DISPOSED OF IN ACCORDANCE WITH STATE LAW.
- PROVIDE EFFECTIVE CONTAINMENT FOR ALL LIQUID AND SOLID WASTES GENERATED BY WASHOUT OPERATIONS (CONCRETE, STUCCO, PAINT, FORM RELEASE OILS, CURING COMPOUNDS).
- HAZARDOUS MATERIALS THAT HAVE POTENTIAL TO LEACH POLLUTANTS MUST BE UNDER COVER TO MINIMIZE CONTACT WITH STORMWATER.

CONSTRUCTION STAGING NOTES

CONTRACTOR SHALL FOLLOW CONSTRUCTION STAGING AS LISTED BELOW. ANY DEVIATION FROM THE PLAN SHALL FIRST BE CONFIRMED WITH OWNER/ENGINEER:

- ALL PERIMETER EROSION AND SEDIMENT CONTROL SHALL BE INSTALLED PRIOR TO ANY GRADING ACTIVITIES.
- ALL COMPLETED RESTORATION AREAS SHALL BE SEEDED AND STABILIZED AT THE END OF EACH WORKING DAY AND NO LATER THAN 24 HOURS FOLLOWING COMPLETION OF GRADING ACTIVITIES IN THAT AREA.
- EXCAVATE BASIN 1 AND BASIN 2 TO FINISHED GRADE (DO NOT SUBCUT AND INSTALL BIORETENTION MEDIUM AT THIS TIME).
- CONSTRUCT BASIN STABILIZED OVERFLOWS CONNECTING TO RAVINE.
- RAVINE CONSTRUCTION SHALL OCCUR BEGINNING AT BOTTOM (RIVER'S EDGE) AND CONTINUE UPSLOPE UNTIL CONNECTING TO THE STABILIZED OVERFLOWS.
- EXCAVATE 18" SUBCUT, DECOMPACT SUBGRADE WITH BUCKET TEETH AND INSTALL BIORETENTION MEDIUM. TO PREVENT INCIDENTAL COMPACTION, NO EQUIPMENT SHALL BE ALLOWED IN THE BOTTOM OF THE BASINS DURING EXCAVATION OR INSTALLATION OF MEDIUM. IMMEDIATELY INSTALL PERIMETER EROSION AND SEDIMENT CONTROLS TO PROTECT THE BASINS. ALL EROSION AND SEDIMENT CONTROL SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION AND UNTIL FULL VEGETATION ESTABLISHMENT IS ACHIEVED FOR THE ENTIRE DRAINAGE AREA IMPACTED.
- THROUGHOUT CONSTRUCTION, CONTRACTOR SHALL TAKE CARE TO LIMIT AREAS OF DISTURBANCE TO ONLY WHAT CAN BE STABILIZED BY THE END OF EACH WORKING DAY.

PLANTING NOTES

- NO PLANTS WILL BE INSTALLED UNTIL FINAL GRADING AND CONSTRUCTION HAS BEEN COMPLETED IN THE IMMEDIATE AREA.
- PROPOSED PLANT MATERIAL SHALL COMPLY WITH THE CURRENT EDITION OF THE AMERICAN STANDARD FOR NURSERY STOCK, ANSI Z60.1. UNLESS NOTED OTHERWISE, DECIDUOUS SHRUBS SHALL HAVE AT LEAST 5 CANES AT THE SPECIFIED HEIGHT. ORNAMENTAL TREES SHALL HAVE NO 'V' CROTCHES AND SHALL BEGIN BRANCHING NO LOWER THAN 3' FEET ABOVE THE ROOT BALL. STREET AND BOULEVARD TREES SHALL BEGIN BRANCHING NO LOWER THAN 6' ABOVE PAVED SURFACE.
- PLANT SYMBOLS ON PLAN DRAWING TAKES PRECEDENCE OVER PLANT SCHEDULE IF DISCREPANCIES IN QUANTITIES EXIST. SPECIFICATIONS AND DETAILS TAKE PRECEDENCE OVER NOTES.
- NO PLANT MATERIAL SUBSTITUTIONS WILL BE ACCEPTED UNLESS APPROVAL IS GRANTED BY THE LANDSCAPE ARCHITECT TO THE LANDSCAPE CONTRACTOR.
- ADJUSTMENTS IN LOCATION OF PROPOSED PLANT MATERIALS MAY BE NEEDED IN FIELD. LANDSCAPE ARCHITECT MUST BE NOTIFIED PRIOR TO ADJUSTMENT OF PLANTS.
- PLANT MATERIALS TO BE INSTALLED PER PLANTING DETAILS.
- WATER ALL PLANT MATERIAL WITHIN 2 HOURS OF PLANTING. APPLY ENOUGH WATER TO THOROUGHLY SATURATE ALL PLANTING SOIL.
- LANDSCAPE CONTRACTOR SHALL WARRANTY NEW PLANT MATERIAL THROUGH ONE (1) CALENDAR YEAR FROM THE DATE OF FINAL ACCEPTANCE BY LANDSCAPE ARCHITECT. NO PARTIAL ACCEPTANCE WILL BE CONSIDERED.

SEEDING NOTES

- SEEDING SHALL FOLLOW MNDOT SEEDING MANUAL 2014 EDITION.
- SEED SHALL BE LOCAL ORIGIN AND WILD ECOTYPE. SEED ORIGIN SHALL BE CERTIFIED BY THE MN CROP IMPROVEMENT ASSOCIATION. LOCAL ORIGIN SHALL MEAN WITHIN 200 MILES OF PROJECT SITE. PROVIDE MCIA DOCUMENTATION TO LANDSCAPE ARCHITECT PRIOR TO SEEDING. LANDSCAPE ARCHITECT RESERVES THE RIGHT TO REJECT THE PROPOSED SEED SUPPLIER AND REQUEST A DIFFERENT ONE.
- SOW SEED MIXES ON DISTURBED AREAS AFTER ALL GRADING ACTIVITIES HAVE BEEN COMPLETED.
- PREPARE SEED BED PRIOR TO SEEDING PER MNDOT SPEC. 2574.3.A.4. LOOSEN SOIL TO A DEPTH OF 3" PRIOR TO SEEDING.
- ACCEPTABLE SEEDING DATES FOR NATIVE SEED ARE APRIL 15 - JULY 20 IN THE SPRING, OR SEPTEMBER 20 - OCTOBER 20 IN THE FALL. WRITTEN PERMISSION MUST BE GRANTED BY THE LANDSCAPE ARCHITECT TO PERFORM SEEDING OPERATIONS ON ANY OTHER DATES OF THE YEAR.
- INCLUDE A COVER CROP OF OATS WITHIN NATIVE SEED MIXES AT A RATE OF 30 LB PER ACRE. INCIDENTAL TO NATIVE SEED BID ITEM.
- DO NOT APPLY FERTILIZER WITH NATIVE SEED MIXES.
- STABILIZE ALL SEED MIXES WITH CATEGORY 25 EROSION CONTROL BLANKET.
- USE TEMPORARY EROSION CONTROL DEVICES (SEDIMENT LOGS, SILT FENCE) AS NEEDED TO PREVENT EROSION PRIOR TO AND DURING SEED ESTABLISHMENT.
- REPAIR ALL DISTURBED AREAS OUTSIDE OF PLAN SEEDING LIMITS WITH CUSTOM NATIVE SEED MIX, EROSION CONTROL BLANKET, OR TURF SOD PER ENGINEER'S DIRECTION.
- WARRANTY FOR ALL SEEDING AREAS RUNS FOR ONE YEAR FROM DATE OF FINAL ACCEPTANCE. IF AFTER ONE YEAR ALL AREAS DO NOT HAVE >90% GERMINATION, BARE AND SPARSE AREAS SHALL BE RE-SEEDED PER PLAN UPON THE DIRECTION OF THE ENGINEER.

SEED ESTABLISHMENT NOTES (BY OWNER)

- ESTABLISHMENT PERIOD COMMENCES UPON ACCEPTANCE OF SEEDING (ADEQUATE COVER CROP GERMINATION AND COVERAGE) AND RUNS FOR TWO YEARS FROM THIS DATE.
- MONITOR THE SITE MONTHLY DURING THIS PERIOD TO DETECT AREAS OF WEED COLONIZATION. CUT OR TREAT ALL NOXIOUS WEEDS (AS CURRENTLY DEFINED BY MN DEPARTMENT OF AGRICULTURE) WITH GLYPHOSATE HERBICIDE AS SOON AS DETECTED.
- DURING THE FIRST GROWING SEASON MOW OR CUT THE ENTIRE SEEDED AREA EVERY 30 DAYS UNTIL SEPTEMBER 30TH AT A HEIGHT OF 5-8".
- DURING THE SECOND GROWING SEASON MOW OR CUT THE ENTIRE SEEDED AREA ONCE IN MID-JUNE AND ONCE IN MID-AUGUST AT A HEIGHT OF 5-8".
- IF AREAS OF BARE GROUND PERSIST AFTER FIRST GROWING SEASON RESEED PER PLAN.
- AFTER THE FIRST TWO GROWING SEASONS MOW OR CUT NATIVE SEED AREAS IN LATE FALL OR EARLY SPRING (EACH YEAR). RAKE OUT AND REMOVE DOWNED VEGETATION.

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PROJECT NOTES
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