

Recreational Development Lake - Overview of Douglas County Zoning Ordinance

This overview does not cover all aspects of shoreland regulation, please contact Douglas County Land and Resource Management for site specific information.

Lakes are zoned differently based on size and depth. There are three lake classifications: general development (largest size, lowest restrictions), recreational development (medium size, medium restrictions), and natural environment (smallest size, greatest restrictions). The Douglas County Ordinance is based on this classification system.

Douglas County Zoning Ordinance General Information

Setbacks. Structures must be set back 100 feet from the ordinary high water level of the lake (if the lot was sewerred prior to January 2001, ALASD, the structure setback is 75 feet). This is the minimum distance between a building/structure and the lake. Septic systems have a 75-foot setback. Stairways, landings, and other items permitted by shoreland alteration permits are the only things allowed in this area (See the Ordinance for the specific construction requirements.)

Bluffs. If a bluff exists on the property, the setback is 30 feet from the bluff (this determination may be difficult, please contact Land and Resource Management Department with questions.) The Bluff Impact Zone is the bluff itself and the area within 30 feet of the bluff. Buildings, accessory structures, patios, and walkout basements are not allowed in the bluff impact zone.

Shore Impact Zone is defined as half of the distance from the setback to the lake. This area is the most sensitive area of lake property and requires the most protection. A permit is required for most work done within the shore impact zone, such as vegetation alterations, retaining walls, sand beaches, and the removal of ice ridges. Please call Land and Resource with any questions. Buildings and accessory structures are not allowed in this area.

Impervious Surface Coverage: Twenty-five percent is the maximum amount of land that may be covered by surfaces that repel water. (This includes buildings, sidewalks, decks, landscaping, driveways (gravel or otherwise), etc.)

Alterations of vegetation and topography will be regulated to prevent erosion into public waters, fix nutrients, preserve shoreland aesthetics, preserve historic values, prevent bank slumping, and protect fish and wildlife habitat.

- Erosion control methods must be used as needed to prevent erosion into public waters.
- Use of a fertilizer containing phosphorus is not allowed within 50 feet of the ordinary high water level of the lake.
- Burning is not allowed within 100 feet of the lake. A campfire that is three feet or less in diameter is allowed, only if it is enclosed allowing ash removal.
- A shoreland alteration permit is needed to move any earth within the shore or bluff impact zone if the Department of Land and Resource Management determines that there is a potential for erosion. Over ten cubic yards of fill in the impact zones requires a conditional use permit, which requires public hearings and County Board approval. More than fifty cubic yards of fill anywhere else also requires a conditional use permit.

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- Walkout basements require department approval prior to construction.

Permits - Permit requirements are not determined until a plan has been submitted.

Shoreland Alteration Permits are required for the following:

(any of these projects may require a conditional use permit depending on site conditions and erosion potential)

- Construction of retaining walls three (3) feet high or less
- Repair or reconstruction of existing retaining walls
- Movement of less than ten cubic yards of fill or soil in the impact zones or on steep slopes.
- Movement of more than fifty cubic yards of fill or soil outside of the impact zones in a residential shoreland district.
- Ice ridge removal
- Sand beach area / patio construction
- Stairs (to lake or river) – one set not exceeding a maximum of four (4) feet in width
- Limited clearing of vegetation may be allowed for twenty-five (25) feet of or twenty-five percent (25%) of shoreline whichever is less.
- Any alteration with erosion potential as determined by the Director of Land & Resource Management.

Conditional Use Permits are required for:

- Movement of more than ten cubic yards of fill or soil in the impact zones or on steep slopes.
- Movement of more than fifty cubic yards of fill or soil outside of the impact zones in a residential shoreland district that has a greater erosion potential.
- Any alteration with erosion potential as determined by the Director of Land & Resource Management.

Work without a permit:

- Rip Rap – must have DNR approval and be completed to DNR and County specifications.
- Planting of trees and other vegetation

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To receive any County permit, areas not served by Alexandria Lakes Area Sanitary District may be subject to a compliance inspection of any septic system over five years old. A Certificate of Compliance is valid for three years.

Please contact the Land and Resource Management office with questions 320-762-3863 or visit our website at www.co.douglas.mn.us/land&resource.htm .