Sherburne County Planning and Zoning
Policies, Practices and Regulations to Reduce Rural Stormwater Runoff
Policies, Regulations and Practices

Sherburne County Zoning Ordinance
And Official Zoning Map

Ordinance available at Planning Zoning website:
http://www.co.sherburne.mn.us/zoning

July 5, 1994
LAST AMENDED MAY 2013
Policies

• **Protect and preserve** the County’s natural resources for the benefit of County residents and the natural ecology (**1st Goal from the 2010-2030 Comprehensive Plan**).

• Sherburne County’s natural resources (soil, water, and ecology) provide unique opportunities and constraints. It is the County’s policy to consider these opportunities and constraints when making **land use decisions** (**1st policy from the 2010-2030 Comprehensive Plan**).
The Sherburne Planning And Zoning Department administers the Zoning and Solid Waste Ordinances and the Wetland Conservation Act. The Purpose of these regulations are protect and preserve the Natural resource of the County.

**Wetland Conservation Act:**

A. Achieve no net loss in the quantity, quality, and biological diversity of Minnesota's existing wetlands;
B. increase the quantity, quality, and biological diversity of Minnesota's wetlands by restoring or enhancing diminished or drained wetlands;
C. avoid direct or indirect impacts from activities that destroy or diminish the quantity, quality, and biological diversity of wetlands; and
D. replace wetland values where avoidance of activity is not feasible and prudent.

**The Sherburne County Zoning Ordinance:**

Section 14 Shoreland District Policy:

The uncontrolled use of shorelands of Sherburne County, Minnesota, affects the public health, safety and general welfare not only by contributing to pollution of public waters, but also by impairing the local tax base. Therefore, it is in the best interests of the public health, safety and welfare to provide for the wise subdivision, use and development of shorelands of public waters. The Legislature of Minnesota has delegated responsibility to local governments of the State to regulate the subdivision, use and development of the shorelands of public waters and thus preserve and enhance the quality of surface waters, conserve the economic and natural environmental values of shorelands, and provide for the wise use of waters and related land resources. **This responsibility is hereby recognized by Sherburne County.**

Section 15 Mississippi and Rum River Scenic and Recreational River Ordinance:
Section 17: Controls during Construction:

**Erosion Control**: Soil erosion shall be limited through by staking hay bales on slopes, around lakes, wetlands, steams and ditches; by sodding or seeding and mulching uncovered earth as soon as practical; by grading in stages so as to minimize the time earth is uncovered; by not grading steep slopes; and by minimizing the area where groundcover is removed.

Subdivision 15: Grading, Filling Excavating Temporary

A permit shall be required for all land disturbing activities involving the grading, filling or excavation of an amount of soil or other material greater than 500 cubic yards and less than 100,000 cubic yards.

Section 17.1 Stormwater Management and Erosion Control

The purpose of Section 17.1 is to establish standards and specifications for conservation practices and planning activities to minimize soil erosion and sedimentation, and regulate construction site erosion and stormwater runoff to accomplish the following objectives:

1. Promote local stormwater management;
2. Minimize sedimentation; water pollution from nutrients, heavy metals, chemicals, petroleum products and other contaminants; flooding; and thermal impacts to the water resources of Sherburne County;
3. Promote infiltration and groundwater recharge;
4. Protect functional values of natural water courses and wetlands;
5. Provide a single, consistent set of performance standards for Sherburne County; and
6. Protect public and private property from damage resulting from runoff or erosion.

Section 17.5 Subsurface Sewage Treatment Systems Program
This is what we don’t want.
Practices:

- Building Permits
- Variances
- SSTS and Land Application of Septage
- Sherburne County’s Stormwater Program for the MS4 Permit
- Education
- Wetland Exemptions Reviews
- Shoreland Alteration Permits
- Erosion Control Permits
Building Permits

In 2013:

- There were 113 new homes built in the Townships
- Over 100 septic permits
- In total there were over 1000 building, septic and land use permits issued.

Example:
This was an application for a new 30’x60’ accessory building. The lot was 2.6 acre platted lot that was within the shoreland district. This lot is within 1000ft of a lake therefore the shoreland regulation are applied. Upon reviewing the application it was determined the lot exceed the 25% impervious requirement. The applicant was required to remove impervious surface and returning it to grasses. Because this project was over 200ft from the lake erosion control was not required.
### Variance Example

**Setbacks and Impervious Surface**
- The applicant is requesting three variances to construct an attached garage. A variance to the east lot line, a variance from the road right of way. The third variance is to the impervious surface regulation. The proposed improvement put the lot at 28% impervious surface, maximum permitted is 25%.
- The existing house on this lot was constructed in 2005 there and a garage was not proposed.
- The proposed dimensions for the garage are 20'x22'. The garage doors will face the road right of way.

**Decision**
- The variances were granted with conditions that the owner apply best management practices (BMPs) to control runoff form the property.
- The BMPs were gutter to perforated drain tiles along the east and west side of the house.
- Erosion control consisted of silt fencing.

![Proposed Garage](image)

![28% Impervious](image)
Land Application of Septage

Septic Septage
The Solid Waste department regulates and permits the land application of septage on agricultural fields.

There are 34 sites permitted sites, each site is operated by a licensed MPCA septic pumper. Permit are valid for three years.

All site must comply with strict requirements for setbacks, slopes and soils. Once site are permitted they are inspected periodically.

Manure
The County’s Solid Waste Ordinance requires animal manure to be removed or incorporated into the soil as recommended by the NRCS Field Office Tech Guide But there are no permits required.
Septic Systems

In 2013:
• There were over 100 septic permits issued.
• Compliance inspection are required for property transfer every three years and every 10 years for a new septic permit. If the compliance fails the septic must be repaired or replaced.
• In 2013 there were 13 variances issue for septic systems to close to a lot line or DNR water body.
**Environmental Educator**
Quarterly the Planning and Zoning Department (Johnny Exner) publishes the Environmental Educator. The publication is mailed to all County residents. Each quarter there are opportunities to inform readers of proper disposal methods in regards to delirious materials from entering our water ways. Examples included HHW collection events, compost site, leaf drop events, sediment control, manure management and other preventive practices.

**Property Transfer Letter**
Ever month the Planning and Zoning Department mail notices to all new landowners in the County. These notices provide information about their septic systems, lakes, streams and wetlands.
The question I want to leave you with is do our regulations reflect our policies?

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