

6105.1040 LAND USE MANAGEMENT.

Subpart 1. **Adoption of land use district.** The commissioner of the Department of Natural Resources hereby adopts the recreational river land use districts as identified in the land use district property descriptions. The land use district was derived in accordance with part 6105.0070, subpart 2, item B.

A. The regulations contained in parts 6105.0010 to 6105.0250 and this management plan shall be applicable to all lands which are unincorporated at the time of designation within the recreational river land use district.

B. The land use regulations contained in parts 6120.2600 to 6120.3900 and this management plan shall be applied to all incorporated lands, and shall be administered in conformity with the provisions of parts 6105.0220 to 6105.0250, as applicable.

C. All existing local ordinances and regulations, as adopted in accordance with parts 6120.0200 to 6120.2100, which are more protective than those in parts 6105.0010 to 6105.0250 shall continue to apply within the entire land use district, as applicable.

Subp. 2. **Building height.** The maximum building height restriction contained in part 6105.0110, subpart 3, item D, shall not apply to buildings used primarily for agricultural purposes.

Subp. 3. **Grading and filling.** The grading and filling provisions shall be enforced by local ordinance, which shall require a grading and filling permit. Filling or drainage of federally determined type III-V wetlands (in accordance with U.S. Department of Interior circular No. 39) shall not be allowed within the land use district. A map showing the location and classification of these wetlands shall be provided to the local authority by the commissioner of the Department of Natural Resources.

Subp. 4. **Clear cutting of vegetation.** Clear cutting of vegetation, in accordance with part 6105.0150, shall not be allowed within 200 feet of the normal high water mark, in order to correspond with the existing structural setback.

Statutory Authority: *MS s 104.35*

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