

1 Department of Natural Resources

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3 Adopted Permanent Rules Relating to Administration of

4 Mississippi River Management Plan

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6 Rules as Adopted

7 6105.0870 ADMINISTRATION OF MANAGEMENT PLAN.

8 [For text of subps 1 to 10, see M.R.]

9 Subp. 11. Otsego. The municipality of Otsego shall enact  
10 or amend such ordinances and maps as necessary to:

11 A. establish a recreational river land use district,  
12 as identified on the land management maps, plates 1 to 9 in part  
13 6105.0950, and the land use district property descriptions;

14 B. for the recreational river land use district  
15 within Sections 10, 11, 13, 14, and 15, Township 121 North,  
16 Range 24 West and Sections 7 and 18, Township 121 North, Range  
17 23 West, conform to the provisions of parts 6105.0010 to  
18 6105.0250, except that minimum lot size shall be 2-1/2 acres;  
19 and

20 C. for the recreational river land use district west  
21 of State Highway 101 within Sections 14, 23, 26 and Government  
22 Lot 1 and the East 1/2 of the East 1/2 of the Southeast 1/4 of  
23 Section 15, Township 121 North, Range 23 West and for the  
24 recreational river land use district west of CSAH 36 42 in  
25 Section 26, Township 121 North, Range 23 West, conform to the  
26 provisions and administrative procedures of parts 6105.0010 to  
27 6105.0090; 6105.0100, subparts 1 and 2; Urban river class  
28 standards in parts 6120.3100, 6120.3200, and 6120.3300, subpart  
29 2b; 6120.3300, subparts 7 to 12; 6120.3800; and 6105.0110 to  
30 6105.0250 with the following exceptions to the provisions of  
31 these parts:

32 (1) minimum lot size:

33 (a) for lots without public sewer, 40,000  
34 square feet;

35 (b) for riparian lots with public sewer,

1 20,000 square feet; or

2 (c) for nonriparian lots with public sewer,  
3 15,000 square feet; and

4 (2) minimum lot width at the water line and  
5 building line:

6 (a) for lots without public sewer, 150 feet;

7 or

8 (b) for lots with public sewer, 75 feet; and

9 (3) minimum structure setback from the ordinary  
10 high water level:

11 (a) for lots without public sewer, 100 feet;

12 or

13 (b) for lots with public sewer, 75 feet; and

14 (4) minimum structure setback from the bluffline,  
15 30 feet; and

16 (5) impervious surface coverage requirements in  
17 part 6120.3300, subpart 11, item B, may be varied without a  
18 variance if all of the following criteria and standards are met:

19 (a) all structures and impervious surfaces  
20 are located on slopes less than 13 percent. The physical  
21 alteration of slopes shall not be permitted for the purpose of  
22 overcoming this limitation;

23 (b) the site development is designed,  
24 implemented, and maintained using the most applicable  
25 combination of comprehensive practices that prevent flooding,  
26 pollution, erosion, and sedimentation problems consistent with  
27 "Protecting Water Quality in Urban Areas, Best Management  
28 Practices for Minnesota," Minnesota Pollution Control Agency,  
29 October 1989, which is incorporated by reference, is available  
30 at the State Law Library, and is not subject to frequent change;

31 (c) a site development, maintenance, and  
32 inspection plan incorporating the comprehensive practices in  
33 unit (b) is approved by the local government and implemented;  
34 and

35 (d) a permit is granted by the local  
36 government which minimally includes these conditions; and

1           D. for the recreational river land use district  
2 within Sections 10, 14, 15, 16, 17, 23, 25, 26, and 36, Township  
3 121 North, Range 23 West that is not listed in item C, conform  
4 to the provisions and administrative procedures listed in item  
5 C, except minimum lot size shall be 2-1/2 acres and maximum  
6 total lot area covered by impervious surface shall be 25 percent  
7 and not subject to variability.