

LOWER ST. CROIX NATIONAL SCENIC RIVERWAY

BEST PRACTICES FOR ZONING APPLICATIONS

This resource is most useful for landowners (and their representatives) considering making changes to a property in the St. Croix Riverway District. The following processes and worksheets are helpful tools for landowners, developers, realtors, and local governments to collaborate and communicate early on development projects in the St. Croix Riverway.

Work with your local zoning administrator and relevant local, state, and federal agencies to learn more about the restrictions on your property and best practices for zoning applications in the Riverway. This will save everyone time and money, and will help preserve the St. Croix River's Wild and Scenic characteristics.

The Lower St. Croix Riverway was included in the Wild and Scenic Rivers Act in 1972 to protect its free flowing character, water quality, and outstanding geologic, scenic and recreational values. The National Park Service manages the upper 26 miles between the north City Limits of Stillwater, MN and the hydroelectric dam at Taylors Falls, MN. The states (MN & WI), counties, township municipalities, and units of local government cooperatively manage the lower 26 miles of this nationally significant resource.

Visit stcroixriverassociation.org to learn more about the St. Croix Riverway's history, significance, unique protections, and to view the *Landowner's Guide to the Lower St. Croix Riverway*, which illustrates the land-use regulations in the Riverway District.



TABLE OF CONTENTS

- Pre-application Process _____ 3
- Pre-application Worksheet _____ 4 - 6
- Pre-application Meeting Contacts and Summary _____ 7 - 8
- Applications that Require Approval _____ 9 - 10
- Application Process _____ 11
- Planning and Zoning Applications Timeline _____ 12
- Application Requirements _____ 13
- Development Permits _____ 14
- Building Process _____ 15

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For more information on how to be a river steward, visit stcroixriverassociation.org

PRE-APPLICATION PROCESS

It is important to have a pre-application meeting for all projects in the St. Croix Riverway to discuss ideas, minimizing impact, and alternatives, if necessary. The Lower St. Croix River is protected through building restrictions in local ordinances that prioritize water quality, vegetation screening of structures as seen from the river, and natural habitat. It is important that all projects align with the intent of these protections to preserve and improve the Riverway for landowners and visitors alike. Please reference the Landowner's Guide to the Lower St. Croix Riverway and your local ordinances to learn more about Riverway regulations.



Local process
may vary.

Work closely
with your zoning
administrator.



CONTACT ZONING ADMINISTRATOR

Before investing in plans for a project, landowners and/or their representatives should contact the zoning administrator to share ideas and learn about any restrictions on the property.



PRE-APPLICATION MEETING & SITE VISIT

Development projects should go through a clear and orderly process, starting with a pre-application meeting and site visit to better understand the project idea, applicable regulations, and to discuss alternatives, if necessary. It is important to provide a design sketch at the pre-application meeting before investing in a formal site plan. Involved parties will communicate concerns and suggestions at this time. Work with your zoning administrator to minimize the impact of a project and, if possible, eliminate the need for a variance or conditional use permit.



BEGIN APPLICATIONS

Zoning applications require approval from the local government. It is important to invest in quality information to save time and money on revisions. An incomplete application will not be accepted.

PRE-APPLICATION WORKSHEET

Fill out this document to the best of your ability before your pre-application meeting. Work with your zoning administrator and other agencies to fill out the questions you cannot answer. The purpose of this worksheet is to make sure you understand all of the restrictions on your property before investing time and money in your project, and to share your project idea with your zoning administrator. Be flexible with your ideas, they may need to change to fit the intent of the Riverway protections and local ordinances.

First Name

Last Name

Status (check only one):

Owner

Agent

Prospective Buyer

Other:

WHO IS THE OWNER OF THE PROPERTY?

First Name

Last Name

PROPERTY IN CONSIDERATION:

Address (line 1)

Address (line 2)

City

State

Parcel ID Number

How many acres is your property?

Visit the county website's public property search or contact the county records department to learn more about the property.
Washington County - <http://maps.co.washington.mn.us/propertyviewer/>
Chisago County - <https://gis.chisagocounty.us/Link/jsfe/index.aspx>

IN ACCORDANCE WITH ST. CROIX RIVERWAY REGULATIONS, THE PROPERTY IS ZONED:

Look at your local zoning map (if not available online, ask your zoning administrator for a copy) to learn how your property is zoned. Take into account local zoning and overlay zoning (shoreland, Riverway, historic, etc.). Ask your zoning administrator how your local zoning corresponds with Riverway zoning.

- Rural Urban Urban with public sewer and water

OTHER OVERLAY ZONING RULES THAT MAY APPLY:

ARE THERE ANY EASEMENTS ON YOUR PROPERTY? Yes No

An easement is a part of your property that is managed by another entity. For example, a city might have a public utility easement on your land for power, water, and sewer lines, or, the National Park Service might have a scenic easement on your property to preserve habitat and scenery along the river corridor. Ask your zoning administrator and collaborating agencies about easements on your property.

If yes, explain:

WHAT IS YOUR REMODEL/REBUILD IDEA?

- | | | |
|--|---|---|
| <input type="checkbox"/> A new structure on the property | <input type="checkbox"/> Updating within the current footprint | <input type="checkbox"/> Extending the current footprint |
| <input type="radio"/> Principal structure | <input type="checkbox"/> Adding another story to the existing structure | <input type="checkbox"/> Floodproofing or elevating on fill |
| <input type="radio"/> Accessory structure | | |

Other:

Other:

Explain what you would like to do on your property:

Do you have a recent survey of your property with elevations?

Yes No

Visit your city or county to find if a recent survey of your property is on record. You will most likely need to survey your property before making changes to your land.

SUBSTANDARD LOTS AND STRUCTURES

Substandard lots and structures are legally non-conforming. It may be more difficult to make changes to your property if you have a substandard lot or structure. Work closely with your zoning administrator to learn about your options!

DO YOU HAVE A
SUBSTANDARD LOT?

Yes No

ARE THERE ANY SUBSTANDARD STRUCTURES
ON YOUR PROPERTY? Yes No

(If you do not know, please ask your local zoning administrator.)

If yes for either of these questions, explain:

HAVE YOU STARTED WORKING WITH A BUILDER OR ARCHITECT YET ON THE CONCEPT DESIGN?

Yes No

If you live in the St. Croix Riverway, share information about the Riverway regulations with your architect or builder. Understanding the building restrictions along the river will save you time and money when making plans for your property. Please visit www.stcroixriverassociation.org for more information about the Lower St. Croix National Scenic Riverway, including the Landowner's Guide to the Lower St. Croix Riverway and local, state, and federal contact information.



Remember to wait until *after* your pre-application meeting and site visit to invest in plans for your property. This will save you time and money!

PRE-APPLICATION MEETING CONTACTS AND SUMMARY

Fill this worksheet out at your pre-application meeting to document who is there, how to contact them, and what they suggest to minimize the impact of your project. Work with these stakeholders to eliminate the need for a variance, if possible. Summarize what you need to do to move forward with your project idea.

POSSIBLE ATTENDEES

- Zoning Administrator
- Planner
- Engineer
- Building Inspector
- Tree Consultant
- Watershed District or Watershed Management Organization
Any project concerning impervious surface, grading, filling, or other land alteration activities
- National Park Service
Scenic easements (from Stillwater Township North)
- Department of Natural Resources
Any project concerning floodplain rules, land-use rules in the Lower St. Croix Riverway, and permit activities below the ordinary high water line (OHWL) such as docks, excavation, fill, and structures
- Army Corps of Engineers
Permits activities below ordinary high water line (OHWL) such as docks, excavation, fill, structures, and wetlands

<input type="text"/>	<input type="text"/>	<input type="text"/>
Full Name	Phone Number	E-Mail

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Full Name	Phone Number	E-Mail

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Full Name	Phone Number	E-Mail

OVERALL SUMMARY OF PRE-APPLICATION MEETING

What additional information do you need to gather?

What do you need to change about your plans?

What applications are necessary for your project?

APPLICATIONS THAT REQUIRE APPROVAL

LOCAL APPLICATIONS MAY VARY. OTHER APPLICATIONS MAY BE REQUIRED.

TYPE	DESCRIPTION	AUTHORITY
Grading Permit	Needed when making changes to the earth's topography.	Local Government
Erosion Control Plan	Included in grading permit. Shows how the project will prevent or control wind or water erosion during construction.	Local Government
Watershed Review	Fill out separately through the watershed management organization or watershed district. They will review the project plans and provide recommendations.	Local Watershed Management Organization (WMO) or watershed district
National Park Service Scenic Easement Review	For properties with scenic easements, verify separately through the National Park Service (NPS). The NPS will review project plans, provide suggestions, and approve or deny the project based on the terms of the scenic easement.	National Park Service (NPS)
Well or Boring License	Needed for projects concerned with drilling, constructing, repairing, and sealing wells and for installing pumps, excavating, drilling, repairing, and sealing elevator borings.	State Department of Health
Septic Permit	For installing new septic tanks and/or soil treatment areas (drain fields, at-grades and mounds). All repair or modification of existing systems and components. Changes in the facility served by the system may trigger a permit.	County Government



Local process may vary.
Work closely with your zoning administrator.

TYPE	DESCRIPTION	AUTHORITY
Zoning Applications	Contact your city administrator to determine what zoning applications are required for your proposed project.	Local Government
Floodplain Variance or CUP	For construction projects in the floodplain or floodway, and projects that require floodproofing.	Local Government
Variance Application	If there are *practical difficulties on the property, the applicant may request a variance to a local ordinance.	Local Government
Riverway Variance	There are unique building restrictions in the Riverway overlay zone bordering the St. Croix River.	Local Government
Conditional Use Permit (CUP)	A conditional use permit is a document a city issues to grant a conditional use when the ordinance standards have been met by the applicant.	Local Government
Certificate of Compliance	Required for individual projects that meet all zoning requirements. May require administrative oversight by the local government.	Local Government
Other: <i>(Please insert information into the blank columns)</i>		
Other: <i>(Please insert information into the blank columns)</i>		



Local process may vary. Work closely with your zoning administrator.

* "Practical difficulties" is a legal standard set forth in law that cities and counties must follow when considering applications for variances. It is a three-factor test (in which all three factors must be satisfied) that applies to all variance requests.

APPLICATION PROCESS



SUBMIT APPLICATION

Applicant submits zoning application(s) to local unit of government.

Application Completeness: Incomplete applications or submittals that do not meet application standards will be returned.

Pay Fees and Escrow Payment: This money will be used for engineers, planners, legal review, and other work during the application review process. Money in escrow is held until all appropriate review requirements are met. Applicants are responsible for all expenses that exceed the escrow amount.



ZONING APPLICATION REVIEW PROCESS

The review process may vary based on local government and type of application. Once all necessary reviews are complete, the application will go to the planning commission and/or the local governing body for final approval.

Public Hearing: Local officials will review zoning applications at a public hearing. Applicants and other interested parties may argue their case at this time.

Application Approval or Denial: If approved, the local government may include conditions of approval. If denied, the landowner cannot implement the project or may choose to appeal the decision.



APPLY FOR DEVELOPMENT-RELATED PERMITS

If approved, applicants will need to apply for permits to implement the project. If expenses have exceeded the escrow amount those fees must be paid before starting the building process.



Local process may vary. Work closely with your zoning administrator.

PLANNING & ZONING APPLICATIONS TIMELINE

Work with your zoning administrator to make changes to your project and, where possible, eliminate the need for variances. If the zoning administrator determines that a planning and zoning application is required, submit the application form, fee, and supplemental application materials to the local unit of government. Typically, the application review and approval process takes approximately three months. Please keep in mind that additional information and time may be necessary for projects and properties located in the floodplain or St. Croix Riverway districts.

PROCESS BEFORE THE PUBLIC HEARING

- Applicant submits abstractor's certificate showing names and addresses of all property owners within 500 feet of the affected property.
- The local Zoning Administrator sends notice and copies of the applicant's information to all involved agencies/organizations.
- Notice of the purpose, time, and place of the public hearing is:
 - Mailed to all property owners listed in division
 - Published in the official newspaper of the city

PROCESS AFTER THE PUBLIC HEARING

- Applicants can appeal the decision.
- Local government sends application and decision to:
 - The Minnesota Department of Natural Resources
 - The National Park Service (for scenic easements)

APPLICATION REQUIREMENTS

REQUIREMENTS FOR ZONING APPLICATIONS IN THE ST. CROIX RIVERWAY MAY VARY BY PROJECT AND LOCAL GOVERNMENT.

- Location of floodway and floodplain shown on a map or survey
- Information regarding septic system including type, size, and location
- Provide description of property use
- Surveyed plat including:
 - Ordinary High Water Mark
 - Blufflines
 - Property location
 - Boundaries
 - Existing and proposed structures with elevations
 - Setbacks
 - Dimensions
 - Elevations
 - Utility and Roadway Corridors
 - Summary of existing vs. proposed impervious surface
- Location of existing and proposed alterations of vegetation and topography
- Most recent aerial view of property with property lines
- Location of and information for water supply system
- Pictures of the property as viewed from the river
- Any vegetation alterations
- National Park Service Approval (if required)
- Watershed Approval (if required)
- Additional materials requested by the local government:
 - Other:
 - Other:
 - Other:

DEVELOPMENT PERMITS

TYPE	DESCRIPTION	AUTHORITY
Building Permit	Allows new construction, or adding onto pre-existing structures, and in some cases for major renovations.	Local Government
Mechanical Permit / HVAC	Allows the installation or replacement of a furnace, air conditioner, fireplace, wood stove, HRV unit, alteration or repair of gas piping between the meter and an appliance or other equipment, including all liquefied petroleum gas piping.	Local Government
Electrical Permit	Allows the installation or alteration any permanent wiring or electrical device. Allows additional wiring and installation of an electrical outlet, light fixture, a receptacle for a garage-door opener, or conversion from fuse box to circuit breakers.	State: MN State Electrical
Plumbing	Allows the replacement of water heaters and underground piping, alterations of piping inside a wall or ceiling, or beneath a floor, and for plumbing in all new installations. Emergency repair, alteration, or replacement of freeze-damaged or leaking concealed piping.	MN State Department of Labor and Industry
Demolition Permit	Allows a building to be raised or removed in its entirety.	Local Government
Vegetative Cutting Permit	A local permit is required to cut live vegetation within the Riverway district. Discuss specific standards with your zoning administrator before starting any vegetation removal project.	Local Government
Utility / Right of Way Permit	Allows construction or excavation in the City right of way. Some of the activities permitted are driveways, curbs, sidewalks, pipe installation, ditch excavation, cable installation, or any construction in the right of way.	Depends on who owns the right of way



Local process may vary.
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BUILDING PROCESS



START PROJECT

The landowner can begin construction once zoning applications are approved and necessary building permits are acquired.



DEVELOPMENT INSPECTIONS

The building inspector will check in on the project during construction to ensure all requirements and conditions are being met.



FINISH PROJECT

Submit as-built survey and pictures: Applicants submit as-built surveys and pictures to document the completed project with the local government.

Post-project inspection: The building official will inspect the project when construction is complete.

Certificate of Occupancy: Certifies a building's compliance with applicable building codes and other laws, and indicating it to be in a condition suitable for occupancy.



Project documentation requirements vary by project and local government.

