

CUYUNA SHORELAND ORDINANCE
SECTIONS 2.712(2), 5.21(B)(1), 5.21(B)(5) and 5.21(C)

AN ORDINANCE AMENDING THE CUYUNA SHORELAND ORDINANCES, AND
REPEALING INCONSISTENT ORDINANCES

The Council of the City of Cuyuna, Minnesota, ordains:

[2.712(2) replacing current text]

SECTION 2.7 DEFINITIONS

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2.712 **Bluff** “Bluff” means a topographic feature such as a hill, cliff or embankment having the following characteristics (an area with an average slope of less than 18 percent over a distance for 50 feet or more shall not be considered part of the bluff):

- (1) Part or all of the feature is located in a shoreland area;
- (2) The slope rises at least ~~20~~ **25** feet above the ordinary high water level of the waterbody;
- (3) The grade of the slope from the toe of the bluff to a point 25 feet or more above the ordinary high water level averages 30 percent or greater; and
- (4) The slope must drain toward the waterbody.

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[5.21(B)(1) and 5.21(B)(5) replacing current text]

5.2 Placement, Design, and Height of Structures

5.21 Placement of Structures on Lots. When more than one setback applies to a site, structures and facilities must be located to meet all setbacks. Where structures exist on the adjoining lots on both sides of a proposed building site, structure setbacks may be altered with a variance to conform to the adjoining setbacks from the ordinary high water level, provided the proposed building site is not located in a shore impact zone or a bluff impact zone. Structures shall be located as follows:

* * *

B. Additional Structure Setbacks. The following additional structure setbacks apply, regardless of the classification of the waterbody:

<u>Setback From:</u>		<u>Setback (in feet)</u>
(1) top of bluff	50	30
(2) unplatted cemetery	50	
(3) right of way line of federal, state or		

County highway	50	
(4) right of way line of town road, public street, or other Streets or roads not classified; and	30	
(5) adjoining boundary lines	20	10

[5.21(C) insert text]

C. Additional Septic System Setbacks. Regardless of the classification of the waterbody, the setback for a septic system from the top of a bluff shall be **20** feet.

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SECTION 12. Amendment and Repeal. The Cuyuna Shoreland Ordinance, Sections named above, is hereby amended. Additionally, any provision inconsistent with the above items, is hereby repealed, consistent with best practices.

SECTION 13. Effective Date. This ordinance becomes effective upon its passage and publication according to law.

Passed by the council this 2nd day of July, 2009.

ATTEST:

/s/
Lloyd Brix, Mayor

/s/
William Bedard, Clerk

CUYUNA SHORELAND ORDINANCE
NO. 2.712(2), 5.21(B)(1), 5.21(B)(5) and 5.21(C)

The following official summary of Ordinance SECTIONS 2.712(2), 5.21(B)(1), 5.21(B)(5) and 5.21(C) has been approved by the city council of Cuyuna as clearly informing the public of the intent and effect of this ordinance:

The Council of the City of Cuyuna, Minnesota, ordains as follows:

- (1) Section 2.712(definition of a Bluff). Defining a bluff as having a slope that rises at least 25 feet, while the Previous provision was 30 feet;
- (2) Section 5.21 B(1) Additional Structure Setbacks. Requiring a structure setback from the top of a bluff of 30 feet, while the Previous provision was 50 feet;
- (3) Section 5.21 B(5) . Requiring a structure setback from an adjoining property line of 10 feet, while the Previous provision was 20 feet;
- and
- (4) Ordaining a new provision under Section 5.21 requiring Septic System Setbacks from

the top of a bluff of 20 feet;
Repealing all ordinances and parts of ordinances that conflict therewith, consistent with best practices.

A printed copy of the ordinance is available for inspection by any person at the office of the city clerk.

Passed by the council this 2nd day of July, 2009.

/s/

Lloyd Brix, Mayor

ATTEST:

/s/

William Bedard, Clerk

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