



## LAND USE MAP AMENDMENT APPLICATION INFORMATION

Land Services Department  
322 Laurel Street, Suite 15, Brainerd, MN 56401  
Phone: 218.824.1010 Fax: 218.824.1126  
Website: [www.crowwing.gov](http://www.crowwing.gov)  
Email: [landservices@crowwing.gov](mailto:landservices@crowwing.gov)

### ARTICLE 4 – AMENDMENTS TO ORDINANCE TEXT, LAND USE DISTRICT BOUNDARIES, AND DESIGNATION OF SENSITIVE SHORELAND DISTRICTS

#### 4.1 INITIATION OF AMENDMENTS

**A. Initiation of text amendments.** An amendment to the Crow Wing County Land Use Ordinance may be initiated by the County Board or the Planning Commission/Board of Adjustment or any landowner of the County upon individual application therefore.

**B. Initiation of land use district reclassification amendments.** An amendment to the official land use district map may be initiated by the County Board or the Planning Commission/Board of Adjustment or any landowner of the County upon individual application therefore.

**C. Fee waived.** Action to amend the Ordinance of the official land use district map, when initiated by the County Board or the Planning Commission/Board of Adjustment, shall not require the payment of any fee otherwise required under the Ordinance.

#### 4.2 APPLICATION AND HEARING

**A. Application.** Applications for ordinance text or land use district reclassification amendments shall be made to the Administrator.

**B. Hearing.** The Planning Commission/Board of Adjustment shall hold at least one public hearing on the proposed ordinance text amendment or land use district classification change conducted pursuant to Minnesota Statutes, Chapter 394.26 and the adopted Planning Commission/Board of Adjustment rules of business.

**C. Consideration of ordinance text amendments.** Amendments may be offered when the ordinance is under consideration. If amendments are made, the sections of the ordinance amended shall be read as amended before the question of its passage is taken. After review and taking public comment, the Planning Commission shall vote to approve, deny or amend the ordinance or ordinance amendment(s) and forward their recommendations to the County Board. Approval of the ordinance shall constitute the singular recommendation of the Planning Commission/Board of Adjustment to the County Board on the ordinance.

**D. Criteria for consideration of land use district reclassification.** In reviewing a land use district reclassification application, the Planning Commission/Board of Adjustment shall find that:

1. The reclassification is in accord with the comprehensive plan;
2. The reclassification is warranted due to changed land use circumstances of need for additional property in the proposed land use district;
3. The subject property is suitable for development in general conformance with land use standards under the proposed land use classification;



4. The reclassification will not be detrimental to uses or property in the immediate vicinity of the subject property, and;
5. The reclassification promotes the health, safety, and general welfare of the public.

#### **4.3 DESIGNATION OF SENSITIVE SHORELAND DISTRICT (SS)**

**A.** The County Board may assign SS district classification to the shoreland district adjacent to a bay of a lake, or to a clearly defined portion of the shoreline of a lake. The area considered for such classification must have a DNR Sensitive Lakeshore Survey Report based on the classification criteria and procedures set forth in the latest version of the Minnesota Department of Natural Resources document entitled "Minnesota's Sensitive Lakeshore Identification Manual, A Conservation Strategy for Minnesota's Lakeshores".

**B.** The reclassification of a shoreland district and/or water-oriented commercial district to a SS District may be initiated by:

1. Verification from the Minnesota Department of Natural Resources, Division of Ecological and Water Resources that area(s) proposed to be reclassified are consistent with the classification criteria and procedures set forth in Article 4.3 A above.
2. A duly approved motion by the Planning Commission sent to the County Board for approval, along with substantiating data from the Department.

**C. Processing Requests:**

1. The Department shall examine the official land use district maps to assure that the area(s) proposed for reclassification corresponds to existing parcel lines and that no parcel is subjected to multiple districts. District and class boundaries shall be adjusted to best protect sensitive areas.
2. Within 30 days of completion of the verification process, the Planning Commission/Board of Adjustment shall set a date for a public hearing.
3. The public hearing shall be conducted pursuant to the adopted Planning Commission/Board of Adjustment rules of business.

**D. Planning Commission/Board of Adjustment Review:**

1. Planning Commission/Board of Adjustment shall consider the following data and criteria when reviewing a SS district classification application:
  - a. The data listed in the DNR Sensitive Lakeshore Survey Report for the bay(s) or shoreline segment(s).
  - b. The potential benefits of reclassification for the enhancement of water quality, conservation of economic and natural environmental values of shorelands, and wise use of water and related land resources.;
  - c. The public hearing testimony;
  - d. The density and characteristics of existing development in the bay(s) or shoreline segment(s);
  - e. Consistency with the policies and provisions of the Comprehensive Plan and the requirements of all County Ordinances;
  - f. Other factors specific to the application that impact upon public health, safety, and welfare.
2. The Planning Commission/Board of Adjustment shall hear the application according to its adopted rules of business and shall:
  - a. Affirm the application to establish the SS district(s), or;
  - b. Modify the district(s) for reclassification, or;
  - c. Deny the application to establish the SS district(s) and



d. Document the findings of fact for any decision.

**E.** The Planning Commission/Board of Adjustment, if affirming and forwarding the reclassification, shall:

1. Notify the Commissioner of the Minnesota Department of Natural Resources of the recommendation for reclassification
2. Recommend to the County Board that they approve changes in the official land use district map to reflect such reclassification.

#### **4.4 COUNTY BOARD ACTION**

**A. Text amendment actions.** Following their public hearing, the County Board shall publish its decision to approve or deny the text amendments within 15 days. The enactment of any changes shall take effect no sooner than 30 days after the date of their approval. A copy of any approved text amendment-in a shoreland district shall be sent to the Commissioner of the Dept. of Natural Resources within 10 days of final action.

**B. Land use district amendment actions.** The County Board may adopt the land use district amendment or any part thereof in such form as it deems advisable. The Administrator shall make any necessary changes to the official land use district map and provide a revised copy to the County Auditor. Pursuant to Minnesota Statutes, Chapter 394.35, the County Auditor shall record a certified copy thereof with the County Recorder. Paper and/or electronic copies shall be available in the offices of the Department. A copy of any approved map amendment in a shoreland district shall be sent to the Commissioner of the Dept. of Natural Resources within 10 days of final action.

#### **Land Use Map Amendment Application Submission Requirements**

<input type="checkbox"/> Attend a Development Review Team Meeting
<input type="checkbox"/> Authorized Agent Form (if applicable)
<input type="checkbox"/> Site Plan
<input type="checkbox"/> Land Use Map Amendment Findings of Fact
<input type="checkbox"/> Payment of \$546.00 - \$500.00 Application Fee, \$46.00 Recording Fee (if Torrens property, recording fee may be higher)
<input type="checkbox"/> Complete Application

#### **Land Use Map Amendment Site Plan Checklist**

<input type="checkbox"/> Parcel number(s)
<input type="checkbox"/> Lot dimensions
<input type="checkbox"/> Acres identified
<input type="checkbox"/> Lake or River name (if applicable)
<input type="checkbox"/> Location of septic system and well (if applicable)
<input type="checkbox"/> North arrow