

**LAKE MINNETONKA CONSERVATION DISTRICT
STATE OF MINNESOTA**

ORDINANCE NO. 240

**AN ORDINANCE MAKING CORRECTIVE AMENDMENTS TO THE
LAKE MINNETONKA CONSERVATION DISTRICT CODE OF ORDINANCES**

THE BOARD OF DIRECTORS OF THE LAKE MINNETONKA CONSERVATION DISTRICT ORDAINS:

Article I. Determination of Authorized Dock Use Area. Article 2, Chapter 3, Section 2-3.03, Subd. 3 of the LMCD Code is hereby amended as follows:

Subd. 3. Width. The width of an authorized dock use area is determined in accordance with the provisions of this subdivision. The width of an authorized dock use area is less than the width of the site due to the need to comply with setbacks imposed from the side site lines.

- (a) Setbacks. The width of an authorized dock use area is limited by the following setbacks, which are measured from the side site lines as extended in the Lake:

For that portion of the length of the authorized dock use area which extends from the shore:	The setback from the side site line as extended in the Lake shall be:
Zero to 50 feet	10 feet
50 to 100 feet	15 feet
100 to 200 feet	20 feet

Where boat slips open toward a side site line, the setback provided shall be at least equal to the slip depth, but shall not be less than 20 feet.

- (b) Setbacks Doubled. Setbacks shall be doubled for all multiple docks or mooring areas and commercial single docks on each side where such structures are not located adjacent to another multiple dock, mooring area, or commercial single docks.
- (1) Exception – May 3, 1978. Multiple docks, mooring areas, and commercial single docks in existence on May 3, 1978 shall be considered nonconforming structures and shall not be subject to setback doubling if such structures are not expanded. The reconfiguration of the structure pursuant to Article 2, Chapter 8 shall not be considered an expansion.
- (c) Sites with 50 feet of Width or Less – February 2, 1970. ~~If For~~ a site in existence on February 2, 1970 ~~has an authorized dock use area~~ with a width of 50 feet or less, the authorized dock use area may be expanded to a side setback limitation of five feet, provided that such setback in no way impairs access to neighboring docks.

- (d) Canopies. Canopies must be setback from side site lines a minimum distance of 20 feet.

Article II. General Standards. Article 4, Chapter 1, Section 4-1.03, Subd. 1 of the LMCD Code is hereby amended as follows:

4-1.03. General Standards.

Subd. 1. License Required. No municipality may locate, construct, install, or maintain a municipal structure on the shoreline of the Lake, or in the waters of the Lake, without first obtaining a license from the LMCD in accordance with Article 6, Chapter 3. A municipality may construct or install a municipal emergency service dock without a license in accordance with Section ~~4-2.07~~ 4-2.09.

Article III. Incorporation of Amendments. The LMCD Attorney is authorized to incorporate these amendments into the LMCD Code and is authorized to make such corrective changes as may be needed to correct formatting, maintain internal consistency, renumber sections, and as may otherwise be needed to implement the changes intended by this ordinance.

Article IV. Declaration. This enactment is adopted by a majority vote of all the members of the Board, has the effect of an ordinance, and is in effect on the first day of publication after adoption.

Adopted this 10th day of February 2021.

BY THE BOARD OF DIRECTORS


Gregg Thomas, Chair

ATTEST:


Dan Baasen, Secretary

Date of Publication: 02-25, 2021.

New material is double-underlined and deleted material is ~~stricken~~.