

375263

STATE OF MINNESOTA
COUNTY OF RAMSEY

DEPARTMENT OF NATURAL
RESOURCES

In the Matter of the Proposed
Adoption by the Commissioner
of Natural Resources, for Pine
County, of an Ordinance Regulating
Land Use Along the Kettle Wild
and Scenic River.

ORDER ADOPTING ORDINANCE
FOR PINE COUNTY

WHEREAS, one and a half years have passed since the
Kettle River in Pine County was designated the first component
of our state wild and scenic river system; and

WHEREAS, Pine County has chosen not to adopt the
required land use ordinance for the shores of the Kettle
River; and

WHEREAS, the Minnesota Wild & Scenic Rivers Act
requires me to adopt the required ordinance for a local unit
of government when the local unit does not do so itself; and

WHEREAS, the hearing examiner in this matter has
conducted a public hearing and reviewed the record, and has
found no justification for further delay in carrying out the
department's statutory duty; and

WHEREAS, based on review of the record the hear-
ing examiner has found that the proposed ordinance, with
certain changes, conforms to the wild & scenic rivers act,
the statewide standards and criteria, and the management plan
for the Kettle River;

THEREFORE, the Commissioner of Natural Resources
now adopts, for Pine County, the ordinance attached to this
order.

FILED

This 11 day of Aug A.D. 19 27

Ina O'Clout

CLERK COURT

By _____
DEPUTY CLERK

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Copies of this order and the ordinance shall be filed with the county auditor and the county recorder, and copies shall be mailed to the county board of commissioners, the planning commission, the board of adjustment, the zoning administrator, and the county attorney. Legal publication requirements shall be satisfied.

The costs which are by law to be reimbursed by the county to the state shall be the costs of noticing the hearing and noticing this action, the fee of the court reporter, and travel expenses for Department of Natural Resources personnel to and from the hearing.

Dated: March 25th, 1977.

C. B. Buckman
C. B. BUCKMAN
Special Assistant to the Commissioner
Department of Natural Resources

KATHRYN HEIDER, Court Administrator
Pine County, State of Minnesota does hereby
Certify that this attached instrument is a true
and correct copy of the original on file and of
record in this office.

Dated this 21 day of Oct, 1978

KATHRYN HEIDER, Court Administrator

By [Signature] Deputy

File No. 11493

OFFICE OF REGISTRAR OF TITLES
STATE OF MINNESOTA
COUNTY OF PINE

This is to certify that the within document was filed in this office on the 21st day of October, 1978 at 4:00 o'clock P. M.
Document # 9889
Cert. # — BK — PG —

Edie Larson Teich
Registrar of Titles

By — Dep.
Rec'd. — Ret. AUD WC Rec'd. —

OFFICE OF COUNTY RECORDER
STATE OF MINNESOTA
COUNTY OF PINE

This is to certify that this instrument was filed in this office on the 21 day of October, 1978 at 4 o'clock P. M.
and was recorded as
Document # 375263

EDIE LARSON TEICH

County Recorder

By [Signature] Dep.
Rec'd. — Ret. AUD WC Rec'd. —

OUTLINE - KETTLE HOLE WILD, AND SCENIC RIVER OF MINNAPOLIS, PINE COUNTY

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County of Pine, Minnesota

Kettle Wild and Scenic River Ordinance

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Section 1. Policy and Authorization.

101. An ordinance for the controlling of bluffland and riverland development in order to protect and preserve the outstanding scenic, recreational, natural, historical and scientific values of the Kettle River in Pine County, Minnesota, in a manner consistent with Minnesota Statutes, Sections 104.31-104.40, Minnesota Regulations NR 78-81, and the State of Minnesota Regulations, the Management Plan for the Kettle River hereafter referred to as NR 2300.

The Commissioner of Natural Resources for the Board of Commissioners of the County of Pine, Minnesota does ordain:

Section 2. Title.

201. Short title. This ordinance shall be known, cited and referred to as the County of Pine, Kettle River Wild and Scenic River Ordinance; except as referred to herein, where it shall be known as, "This Ordinance".

Section 3. Purpose.

301. This ordinance is adopted to achieve the policy of Section 1 and to:
- (1) Designate land use districts along the bluffland and shoreline of the Kettle River as required by NR 2300.
 - (2) Regulate the area of a lot, and the length of bluffland and water frontage suitable for building sites.

- (3) Regulate the setback of structures and sanitary waste treatment facilities from blufflines and shorelines to protect the existing and/or natural scenic values, vegetation, soils, water quality, floodplain areas, and bedrock from disruption by man-made structures or facilities.
- (4) Regulate alterations of the natural vegetation and topography.
- (5) Maintain property values and prevent poorly planned development.
- (6) Conserve and protect the natural scenic values and resources of the Kettle River and to maintain a high standard of environmental quality.
- (7) To comply with Minnesota Regulations NR 78-81 and NR 2300.

Section 4. General Provisions

401. Jurisdiction. This jurisdiction of this ordinance shall include all unincorporated lands designated within the Kettle River land use districts within Pine County defined in NR 2300.
402. Compliance. The use of any land within the Kettle River land use district; the size and shape of lots; the use, size, type and location of structures on lots; the installation and maintenance of water supply and waste disposal facilities; the filling, grading, lagooning, or dredging or any river area; the cutting of vegetation or alteration of the natural topography within the district; and the subdivision of lots shall be in full compliance with the terms of this ordinance, the Ordinance for the Management of Shoreland Areas of Pine County and other applicable regulations. Permits from the zoning administration are required by this ordinance and/or the Pine County Shoreland Ordinance for the construction of buildings, public or private water supply and sewage disposal systems, the grading and filling of the natural topography and erection of signs within the Kettle River land use district.
403. Rules
 - 403.01 It is not intended by this ordinance to repeal, abrogate or impair any existing easement, covenants, deed restrictions, or land use controls. Where this ordinance imposes greater restrictions, the provision of this ordinance shall prevail.

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403.02. In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements, and shall not be deemed a limitation or repeal of any powers or rights granted by Minnesota Statutes.

403.03 The provisions of this ordinance shall be severable, and the invalidity of any paragraph, subparagraph, or subdivision thereof shall not make void any other paragraph, subparagraph, subdivision or any other part. If any court of competent jurisdiction shall adjudge invalid any provision of this ordinance or the application of this ordinance to a particular property, building, or other structure, such judgement shall not affect any other provision of this ordinance or any other property, building or structure not specifically included in said judgment.

404. Definitions

404.01. For the purpose of this ordinance, certain terms and words are hereby defined as follows:

- (1) "Agricultural use" means the use of land for the production of food or fiber, their storage on the area, and/or the raising thereon of domestic pets and domestic farm animals.
- (2) "Bluffline" means a line along the top of a slope connecting the points at which the slope becomes less than 13%. This applies to those slopes within the land use district which are beyond the setback provisions from the ordinary high water mark.
- (3) "Building Line" means that line measured across the width of the lot at the point where the main structure is placed in accordance with setback provisions.
- (4) "Campground" means an area accessible by vehicle and containing campsites or camping spurs for tents and trailer camping.
- (5) "Clear-cutting" means the removal of an entire stand of vegetation.

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- (6) "Commissioner" means the Commissioner of Natural Resources.
- (7) "Conditional Use" means a use of land which is permitted only when allowed by the Pine County Planning Commission after a public hearing, if certain conditions are met which eliminate or minimize the incompatibility with other permitted uses of the district.
- (8) "Essential Services" means underground or overhead gas, electrical, steam or water distribution systems: collection, communication, supply, or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, traffic signals, hydrants and other similar equipment and accessories in conjunction therewith; but not including buildings or transmission services.
- (9) "Forestry" means the use and management, including logging, of a forest, woodland or plantation and related research and educational activities, including the construction, alteration or maintenance of woodroads, skidways, landings, and fences.
- (10) "Hardship" means, as used in connection with a variance under this ordinance, the property in question cannot be put to a reasonable use under the conditions allowed by this ordinance. Economic considerations alone shall not constitute a hardship if any reasonable use for the property exists under the terms of this ordinance.
- (11) "Lot" means a parcel of land designated by metes and bounds, registered land survey, auditors plot, or other accepted means and separated from other parcels or portions by said description for the purpose of sale, lease, or separation thereof. For the purposes of these regulations, a lot shall be considered to be an individual building site which shall be occupied by no more than one principal structure equipped with sanitary facilities.

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- (12) "Mining Operation" means the removal of stone, sand and gravel, coal, salt, iron, copper, nickel, petroleum or other material from the land for commercial, industrial, or governmental purposes.
- (13) "Non conforming Use" means any use of land established before the effective date of this ordinance which does not conform to the use restrictions of a particular zoning district. This should not be confused with substandard dimensions of a conforming use.
- (14) "Open Space Recreation Uses" means recreation use particularly oriented to and utilizing the outdoor character of an area; including hiking and riding trails, primitive campsites, campgrounds, waysides, parks and recreational areas.
- (15) "Ordinary High Water Mark" means a mark delineating the highest water level which has been maintained for a sufficient period of time to leave evidence upon the landscape. The ordinary high water mark is commonly that point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial. In areas where the ordinary high water mark is not evident, setbacks shall be measured from the stream bank of the following water bodies that have permanent flow or open water: the main channel, adjoining side channels, backwaters and sloughs.
- (16) "Planned Cluster Development" means a pattern of subdivision development which places dwelling units into compact groupings while providing a commonly owned or dedicated open space.
- (17) "Primitive Campsites" means an area that consists of individual remote campsites accessible only by foot or water.
- (18) "Screened" means when a structure is built or placed on a lot or vegetation is planted such that when the structure is built it is visually inconspicuous as viewed from the river during the summer months. Visually inconspicuous means difficult to see or not readily noticeable in summer months as viewed from the river.
- (19) "Selective Cutting" means the removal of single scattered trees.

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- (20) "Setback" means the minimum horizontal distance between a structure and the ordinary high water mark, bluffline, or highway.
- (21) "Sewage Treatment System" means any system for the collection, treatment and dispersion of sewage including but not limited to septic tanks, soil absorption systems and drain fields.
- (22) "Structure" means any building, sign, or appurtence thereto, except, aerial or underground utility lines, such as sewer, electric, telephone, telegraph, or gas lines, including towers, poles, and other supporting appurtences.
- (23) "Subdivision" means improved or unimproved land or lands which are divided for the purpose of ready sale or lease, or divided successively within a five year period for the purpose of sale or lease, into three or more lots or parcels of less than five acres each, contiguous in area and which are under common ownership or control.
- (24) "Substandard Use" means any use within the land use district existing prior to the date of enactment of this ordinance which is permitted within the applicable land use district but does not meet the minimum lot area, length of water frontage, structure setbacks or other dimensional standards of the ordinance.
- (25) "Variance" means any modification or variation of official controls where it is determined that by reason of exceptional circumstances, the strict enforcement of the official controls would cause unnecessary hardship.
- (26) "Watershed Management or Flood Control Structure" means a dam, floodwall, wingdam, dike, diversion channel, or an artificially deepened or widened stream channel following the same or approximately the same course as the natural channel, or any other structure for altering or regulating the natural flow condition of a river or steam. The term "watershed management or flood control structure" does not include pilings, retaining walls, gabion baskets, rock riprap, or other facilities intended primarily to prevent erosion and which must be authorized by permit from the Commissioner of Natural Resources.

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(27) "Wetland" means land which is annually subject to periodic or continual inundation by water and commonly referred to as a bog, swamp, or marsh.

Section 5. Land Use District Provisions

501. Designation of Districts

501.01 In order to preserve and protect the Kettle River and its adjacent lands which possess outstanding scenic, recreational, natural, historical, scientific and similar values; The Kettle River in Pine County has been given the Wild and Scenic River classification and the uses and classification of this river and its adjacent lands are hereby designated by land use zoning districts, the boundaries of which are based on the Kettle River Management Plan, NR 2300.

501.02 The boundaries of the Kettle River Wild and, Scenic land use districts are as shown on the map designated as the County of Pine official zoning map, which is made a part of this ordinance and is on file with the Pine County zoning administrator. In case of conflict between the map and the property descriptions in NR 2300, the latter shall prevail.

502. Minimum District Dimensional Requirements.

502.01 The following chart sets forth the minimum area, setbacks, and other requirements of each district:

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- (1) Minimum lot size above ordinary high water mark
- (2) Lot width at building line
- (3) Lot width at ordinary high water mark
- (4) Building setback from ordinary high water mark
- (5) Building setback from bluffline
- (6) On site sewage treatment system setback from ordinary high water mark
- (7) Maximum structure height
- (8) Controlled vegetative cutting area (see section 801)
setback from ordinary high water mark
setback from bluffline

Land Use Districts	
Wild	Scenic
6 Acres	4 Acres
300'	250'
300'	250'
200'	150'
40'	30'
150'	100'
35'	35'
200'	150'
40'	30'

502.02 On all tributaries designated in NR 2300 the following setbacks also apply within the land use district:

- (1) Building setbacks from ordinary high water mark - 100'
- (2) On site sewage treatment system setback from ordinary high water mark - 75'
- (3) Controlled vegetative cutting area setback from ordinary high watermark - 100' (see section 801)

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502.03 No structure shall be placed on any slope greater than 13% (13 feet vertical rise in 100 feet horizontal distance) unless such structures can be screened and sewage disposal system facilities can be installed so as to comply with the Sanitary Provisions of Section 7.

502.04 No structures shall be placed in any floodway. Structures proposed within a floodplain shall be consistent with the local ordinance and statewide Standards and Criteria for Management of Flood Plain Areas of Minnesota. (Minnesota Regulations NR 85-93)

503. Substandard Lots

503.01 Lots of record in the office of the Pine County Recorder on the effective day of enactment of this ordinance which do not meet the dimensional requirements of this ordinance shall be allowed as building sites provided: such use is permitted in the land use district, the lot was in separate ownership on the date of enactment of this ordinance, and all sanitary and dimensional requirements are complied with insofar as practicable.

503.02 If in a group of contiguous platted lots under a single ownership, any individual lot does not meet the lot width minimum requirements of this Ordinance, such individual lot cannot be considered as a separate parcel of land for purposes of sale or development, but must be combined with adjacent lots under the same ownership so that the combination of lots will equal one or more parcels of land each meeting the lot width requirements of this ordinance, or to the greatest extent practicable.

Section 6. Uses Within the Land Use Districts

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601 Purpose. The purpose of establishing standards and criteria for uses in the Kettle River land use district shall be to protect and preserve existing natural, scenic, historical, scientific, and recreational values, to maintain proper relationships between various land use types, and to prohibit new residential, commercial, or industrial uses that are inconsistent with the statewide standards and criteria for Wild and Scenic Rivers, NR 78-81, and NR 2300.

602 Permitted and Conditional Uses

602.01 In the following table of uses:

P means Permitted Use

C means Conditional Use

N means Nonpermitted Use

Certain of the following uses are subject to the ZONING DIMENSION PROVISIONS and SANITARY PROVISIONS of Sec. 5 and Sec. 7. All of the following uses are subject to the VEGETATIVE CUTTING PROVISIONS of Sec. 8.

	LAND USE DISTRICTS	
	<u>Wild River</u>	<u>Scenic River</u>
(1) Governmental campgrounds, subject to management plan specifications.	N	C
(2) Private campgrounds, subject to management plan specifications.	N	C
(3) Public accesses, road access type with boat launching facilities subject to management plan specifications.	N	P
(4) Public accesses, trail access type, subject to management plan specifications.	P	P

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(5) Temporary docks.	C	C
(6) Other governmental open space recreational uses, subject to management plan specifications.	C	C
(7) Other private open space recreational uses, subject to management plan specifications.	C	C
(8) Agricultural uses.	P	P
(9) Single family residential uses	P	P
(10) Forestry uses.	P	P
(11) Essential services.	P	P
(12) Sewage disposal systems.	P	P
(13) Private roads and minor public streets.	P	P
(14) Signs approved by federal state, or local government which are necessary for public health and safety and signs indication areas that are available or not available for public use.	P	P
(15) Signs not visible from the river that are not specified in (14)	P	P
(16) Governmental resource management for improving fish and wildlife habitat; wildlife management areas; nature areas; accessory roads.	P	P
(17) Underground mining that does not involve surface excavation in the land use district.	C	C
(18) Utility transmission power lines and pipelines, subject to the provisions of Sec. 8.	C	C
(19) Public roads, subject to the provisions in Sec. 8..	C	C

All uses not listed as permitted or conditional uses shall not be allowed within the applicable land use districts.

Section 7. Sanitary Provisions

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701. Sewage Disposal

701.01 Any Premise intended for human occupancy must be provided with an adequate method of sewage disposal. Public or municipal collection and treatment facilities must be used where available and where feasible. Where public or municipal facilities are not available, all on-site individual sewer disposal systems shall conform to the minimum standards as set forth in Section 3.3 of the Pine County shoreland management ordinance and the minimum standards of the Minnesota Pollution Control Agency and the Minnesota Department of Health and Sections 502.01 (6) and 502.02 (2) of this Ordinance.

701.02 No person, firm, or corporation shall install, alter, repair, or extend any individual sewer disposal system without first obtaining a permit therefore from the Zoning Administrator for the specific installation, alteration, repair, or extension.

701.03 Any public or private supply of water for domestic purposes must conform to Minnesota Department of Health standards for water quality and conform to all permits and requirements of Section 3.1 of the Pine County Standard Ordinance.

Section 8. Landscape Alterations

801. Vegetative Cutting

801.01 The vegetative cutting provisions (Section 801.02) shall apply to those areas as specified in sections 502.01 (8) and 502.02 (3) of this Ordinance.

801.02 General Provisions, within designated setback areas:

(1) Clear cutting, except for any authorized public services such as roads and utilities, shall not be permitted.

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- (2) Selective cutting of trees in excess of four inches in diameter at breast height shall be permitted providing cutting is spaced in several cutting operations and a continuous tree cover is maintained.
- (3) The cutting provisions of Section 801.02 (1), (2), shall not be deemed to prevent:
 - (a) The removal of diseased or insect infested trees, or of rotten or damaged trees that present safety hazards.
 - (b) Pruning understory vegetation, shrubs, plants, brushes, grasses, or from harvesting crops, or cutting suppressed trees or trees less than four inches in diameter at breast height.

801.03 Clear Cutting: Clear cutting anywhere in the designated land use districts on the Kettle River is subject to the following standards and criteria:

- (a) Clear cutting shall not be used as a cutting method where soil, slope, or other watershed conditions are determined by the Pine County zoning administrator to be fragile and subject to severe erosion and/or sedimentation.
- (b) Clear cutting shall be conducted only where clear-cut blocks, patches or strips are, in all cases, shaped and blended with the natural terrain.
- (c) The size of clear cut blocks, patches or strips shall be kept at the minimum necessary.
- (d) Where feasible all clear cuts shall be conducted between September 15 and May 15. If natural regeneration will not result in adequate vegetative cover, areas in which clear cutting is conducted shall be replanted to prevent erosion and to maintain the aesthetic quality of the area. Where feasible, replanting shall be performed in the same spring, or the following spring.

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802 Grading, Filling, Alternations of the Beds of Public Waters.

802.01 Any grading and filling work done within the designated land use districts of this Ordinance shall require a permit and shall comply with the following:

- (1) Grading and filling of the natural topography which is not accessory to a permitted or conditional use shall not be permitted in the land use districts.
- (2) Grading and filling of the natural topography which is accessory to a permitted or conditional use shall not be conducted without a grading and filling permit from the zoning administrator. A grading and filling permit may be issued only if the conditions of Section 8, 802.01, (3), (4) are properly satisfied.
- (3) Grading and filling of the natural topography which is accessory to a permitted or conditional use shall be performed in a manner which minimizes earthmoving, erosion, tree clearing, and the destruction of natural amenities.
- (4) Grading and filling in of the natural topography shall also meet the following standards:
 - (a) The smallest amount of bare ground is exposed for as short a time as feasible.
 - (b) Temporary ground cover such as mulch is used and permanent ground cover, such as sod is planted.
 - (c) Methods to prevent erosion and to trap sediment are employed.
 - (d) Fill is stabilized to accepted engineering standards.

802.02 Excavation of material from, or filling in a Wild, Scenic or Recreational River, or construction of any permanent structures or navigational obstructions therein is prohibited unless authorized by a permit from the commissioner of DNR pursuant to Minnesota Statutes Section 105.42.

802.03 Drainage or filling in of wetlands is not allowed within the land use districts designated by this ordinance.

803. Transmission Services

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803.01 All transmission services constructed within the Kettle River Wild and Scenic land use district shall require a conditional use permit. The construction of such transmission services shall be subject to the standards and criteria of Natural Resources Rules and Regulations NR 79 (i) (2). No conditional use permit shall be required for high voltage transmission lines under control of the Environmental Quality Council pursuant to Minnesota Statutes, Section 116 C. 61.

804. Public Roads

804.01 In addition to such permits as may be required by Minnesota Statutes Section 105.42, a conditional use permit shall be required for any construction of public roads or reconstruction of public roads within the Kettle River Wild and Scenic land use district. Such construction or reconstruction shall be subject to the standards and criteria of Natural Resource Regulations NR 79 (j) (2). A conditional use permit is not required for minor public streets which are streets intended to serve primarily as an access to abutting properties. Public roads include townships, county, and municipal roads and highways which serve or are designed to serve flows of traffic between communities or other traffic generating areas. Public roads also include public streets and roads which serve as feeders or traffic ways between minor public streets and major roads.

Section 9. Subdivisions

901. Land Suitability

901.01. No land shall be subdivided which is determined by Pine County to be unsuitable by reason of flooding, inadequate drainage, soil and rock formations with severe limitations for development, severe erosion potential, unfavorable topography, inadequate water supply or sewage treatment capabilities or any other feature likely to be harmful to the health, safety, or welfare of the future residents of the proposed subdivision or the community.

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901.02. The provisions otherwise set forth in this ordinance and in the Pine County Shoreland Ordinance shall apply to all plats except Planned Cluster Developments.

902. Planned Cluster Developments

902.01 A planned cluster development may be allowed only when the proposed clustering provides a better means of preserving agricultural land, open space, woods, scenic views, wetlands, and other features of the natural environment than traditional subdivision development. Except for minimum setbacks and height limits, altered dimensional standards may be allowed as exceptions to this Ordinance for planned cluster developments provided:

- (1) Preliminary plans are approved by the Commissioner prior to their enactment by Pine County. If thirty days have elapsed from the day the commissioner received the preliminary plans and the Pine County Planning Commissioner has not received from the commissioner neither approval nor nonapproval, approval shall be assumed.
- (2) Central sewage facilities are installed which meet the standards, criteria, rules or regulations of the Minnesota Department of Health and the Pollution Control Agency.
- (3) Open space is preserved. This may be accomplished through the use of restrictive deed covenants, public dedications, granting of scenic easements, or other methods.
- (4) There is not more than one centralized boat launching facility for each cluster.

Section 10. Administration

1001. Organization Provisions

1001.01. The provisions of this ordinance shall be administered by the Pine County Zoning Administrator.

1001.02. The Board of Adjustment of Pine County shall act upon all questions as they arise in the administration of this ordinance; and to hear and decide appeals from and to review any order, requirements, decisions or determination made by the Zoning Administrator who is charged with enforcing this ordinance as provided by Minnesota Statutes.

1002. Nonconforming Uses, Substandard Uses.

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1002.01. Nonconforming Uses. Uses which are prohibited by this ordinance but which are in existence prior to the effective date of this ordinance shall be non-conforming uses. Such uses shall not be intensified, enlarged, or expanded beyond the permitted or delineated boundaries of the use or activity as stipulated in most current permit issued prior to the adoption of this ordinance.

1002.02. Sanitary Systems causing pollution. All sanitary facilities inconsistent with the performance standards of the the Pine County shoreland management ordinance and the minimum standards of the Minnesota Pollution Control Agency and the Minnesota Department of Health shall be brought into conformity or discontinued within five (5) years of the date of enactment of this or other applicable ordinance. All such polluting sanitary systems within 300 feet of the ordinary high water mark of the Kettle River must, consistent with the performance standards of the Pine County Shoreland Ordinance, be brought into conformity or discontinued by October 1, 1977.

1002.03 Substandard Uses. All uses in existence prior to the effective date of enactment or amendment of this ordinance which are permitted uses within the newly established land use district, but do not meet the minimum lot area, setbacks or other dimensional requirements of this ordinance are substandard uses. All substandard uses, except for substandard signs, shall be allowed to continue subject to the following conditions and exceptions:

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- (1) Any structural alteration or addition to a substandard use which will increase the substandard dimensions shall not be allowed. Substandard dimensions are those specific dimensions which do not meet the minimum requirements of this ordinance.
- (2) Substandard signs shall be gradually eliminated over a period of time not to exceed five (5) years from the date of enactment of this ordinance. Substandard signs are those which are visible from the river in the summer months and are not specified in Section 602.01 (14) of this ordinance
- (3) Where a setback pattern from the ordinary high water mark has already been established on both sides of a proposed building site, the setback of the proposed structure may be allowed to conform to that pattern. (this provision shall apply to lots which do not meet the minimum lot width requirements (Section 502.02 (3)) of this ordinance.)

1003. Variance

1003.01. The procedures of Sections 7.2 and 7.3 of the Ordinance for the Management of Shoreland Areas of Pine County and the requirements of Sections 1003.01 and 1003.02 of this ordinance shall be followed in all considerations for a variance from the standards of this ordinance. The grant of a variance requires the presence of the following conditions:

- (1) The strict enforcement of the land use controls will result in unnecessary hardship.
- (2) Granting of the variance is not contrary to the purpose and intent of the zoning provisions herein established by these standards and criteria, and is consistent with NR 2300.
- (3) There are exceptional circumstances unique to the subject property which were not created by the landowners.
- (4) Granting of the variance will not allow any use which is neither a Permitted or Conditional use in the land use district in which the subject property is located.
- (5) Granting of the variance will not alter the essential character of the locality as established by the management plan, NR 2300.

1003.02 All variances to the requirements of this ordinance must be certified in accordance with Section 1007 of this ordinance.

1004. Plats

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1004.01 Copies of all plats within the boundaries of the Kettle River Wild and Scenic River Land Use District shall be forwarded to the commissioner within ten (10) days of approval by Pine County.

1004.02 Inconsistent Plats: Approval of a plat which is inconsistent with this ordinance is permissible only if the detrimental impact of the inconsistency is more than overcome by other protective characteristics of the proposal.

1004.03 All inconsistent plats approved by Pine County must be certified in accordance with Section 1007 of this ordinance.

1005. Amendments

1005.01 This ordinance may be amended whenever the public necessity and the general welfare require such amendments by the procedure specified in this section. Amendments to this ordinance must be certified by the commissioner as specified in Section 1007 of this ordinance.

1005.02 Requests for amendments of this ordinance shall be initiated by a petition of the owner or owners of the actual property; a recommendation of the Planning Advisory Commission; or by action of the Board of County Commissioners.

1005.03 An application for an amendment shall be filed with the zoning administrator. All applications for changes in the boundaries of any zoning district which are initiated by the petition of the owner or owners of the property, the zoning of which is proposed to be changed, shall be accomplished by a map or plat showing the lands proposed to be changed and all lands within five hundred (500) feet of the boundaries of the property to be rezoned, together with the names and addresses of the owners of the lands in such areas as the name appears on the records of Pine County.

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1005.04 Notice shall be sent by letter, when an amendment application has been filed for change in district boundary, to all property owners within one half mile as to the time and place of the public hearing.

1005.05 Upon receipt in proper form of the application and other requested materials, the Planning Advisory Commission shall conduct a public hearing in the manner prescribed by Minnesota Statutes.

1005.06 Following the public hearing, the Planning Commission shall make a report of its recommendations on the proposed amendment and shall file a copy with the County Board within sixty (60) days after the hearing. Certification from the commissioner must be obtained as specified in Section 1007 before the proposed amendment becomes effective.

1005.07 To defray the administrative costs of processing requests for an amendment to this ordinance, a fee not exceeding administrative costs shall be paid by the petitioners, Such fee shall be determined by the County Board of Commissioners.

1006. Conditional Use Permit Review.

1006.01. A copy of all notices of any public hearing, or where a public hearing is not required, a copy of the application to consider issuance of a conditional use permit shall be sent so as to be received by the commissioner at least thirty (30) days prior to such hearings or meeting to consider issuance of a conditional use permit. A copy of the decision shall be forwarded to the commissioner within ten (10) days of such action.

1007. Certification

1007.01. Certain land use decisions which directly affect the use of land within the designated land use districts and involve any of the following actions must be certified by the commissioner (Section 1007.02):

3 7 5 2 6 3

- (1) Adopting or amending an ordinance regulating the use of land including rezoning of particular tracts of land.
- (2) Granting a variance from a provision of this ordinance which relates to the zoning dimension provisions of Section 5 of this ordinance and any other zoning dimension provisions established in NR 2300.
- (3) Approving a plat which is inconsistent with the local land use ordinance.

1007.02. Certification Procedure

- (1) A copy of all notices of any public hearings, or where a public hearing is not required, a copy of the application to consider zoning amendments, variances, or inconsistent plats under local ordinance shall be sent so as to be received by the commissioner at least thirty (30) days prior to such hearings or meetings to consider such actions. The notice of application shall include a copy of the proposed ordinances or amendment, or a copy of the proposed inconsistent plat, or a description of the requested variance.
- (2) Pine County shall notify the commissioner of its final decision on the proposed action within ten (10) days of the decision.
- (3) The action becomes effective when and only when either:
 - (a) The final decision taken by Pine County has previously received certification of approval from the commissioner, or
 - (b) Pine County receive certification of approval after its final decision; or
 - (c) Thirty (30) days have elapsed from the day the commissioner received notice of the final decision, and Pine County has received from the commissioner neither certification of approval nor notice of non-approval; or.
 - (d) The commissioner certifies his approval within thirty (30) days after conducting a public hearing.

3 7 5 2 6 3

- (4) In case the commissioner gives notice of non-approval of an ordinance, variance of inconsistent plat, either the applicant or the chief executive officer of Pine County may within thirty (30) days of said notice, file with the commissioner a demand for hearing. If the demand for hearing is not made within thirty (30) days, the notice of non-approval becomes final.
- (a) The hearing will be held in an appropriate local community within sixty (60) days of the demand and after at least two (2) weeks published notice.
- (b) The hearing will be conducted in accordance with Minnesota Statutes 105.44, subdivision 5 and 6 (1971) as amended.
- (c) The commissioner shall either certify his approval or disapproval of the proposed action within thirty (30) days of the hearing.

1008. Permits

1008.01 The following table summarizes the permit and certification process within the land use districts designated by this ordinance.

Wild, Scenic, Recreational Land Use District Permits	Action Necessary
Building Permits	LP
Septic Permits	LP
Grading, Filling Permits	LP
Sign Permits	LP
Water Supply Permits	LP
Conditional Use Permits	PH - FD
Amendments to Ordinance	PH - CC
Amendments to District Boundary	PH - CC
Inconsistent Plats	PH - CC
Planned Cluster Developments	PH - WA
Variances	PH - CC
Plats	PH (notification not required)-FD

- LP - Permit issued by the local authority in accordance with this ordinance
and all other local ordinances. 3 7 5 2 6 3
- CC - Certification by the Commissioner of Natural Resources prior to final
local approval.
- PH - Public hearing necessary by the local authority giving 30 days notice of
the hearing to the Commissioner of Natural Resources.
- FD - Local Authority forwards any decisions to the Commissioners of
Natural Resources within 10 days after taking final action.
- WA - The Commissioner of Natural Resources shall submit, after notice of
public hearing and before the local authority gives preliminary
approval, a written review and approval of the project.

1009. Enforcement

1009.01 It is declared unlawful for any person to violate any of the terms and provisions of this ordinance. Violation thereof shall be a misdemeanor. Each day that a violation is permitted to exist shall constitute a separate offense.

1009.02. In the event of a violation or a threatened violation of this ordinance, Pine County or the Commissioner of Natural Resources, in addition to other remedies, may institute appropriate actions or proceedings to prevent, restrain, or abate such violations or threatened violations.

1009.03. Any taxpayer or taxpayers of Pine County may institute mandamus proceedings in the District Court to compel specific performance by the proper official or officials of any duty required by this ordinance.

1010. Effectuation

1010.01. This ordinance shall be in full force and effect from and after its passage, approval, and publication as provided by law.

Public Hearing Held December 9, 1976

last page

3 7 5 2 6 3

NOTICE OF INTENTION PUBLISHED	<u>December 2, 1976</u>
PUBLIC HEARING HELD	<u>December 9, 1976</u>
ADOPTED BY MINNESOTA DEPARTMENT OF NATURAL RESOURCES	<u>March 25, 1977</u>
PUBLICATION OF ORDINANCE	<u>May 5, 1977</u>
FILED WITH COUNTY RECORDER	<u>October 21, 1998</u>
EFFECTIVE DATE	<u>May 5, 1977</u>

This Ordinance was drafted by
the Minnesota Department of
Natural Resources.

The last page was drafted by
Lawrence D. Perreault,
Pine County Auditor

Official Copy

3 7 5 2 6 3

MINNESOTA STATE REGULATIONS

**Rules and Regulations of
THE DEPARTMENT OF NATURAL
RESOURCES**

**Relating to
STATEWIDE STANDARDS AND CRITERIA FOR
MANAGEMENT OF THE KETTLE WILD AND
SCENIC RIVER IN PINE COUNTY**



NR 2300

Filed with the Secretary of State and
Commissioner of Administration July 30, 1975

**Distributed by
DOCUMENTS SECTION, DEPARTMENT OF ADMINISTRATION
Room 140 Centennial Building, St. Paul, Minnesota 55155**

3 7 5 2 6 3

STATE OF MINNESOTA
DEPARTMENT OF NATURAL RESOURCES

Rules and Regulations

CHAPTER TWENTY-THREE: NR 2300

STATEWIDE STANDARDS AND CRITERIA FOR MANAGEMENT
OF
THE KETTLE WILD AND SCENIC RIVER IN PINE COUNTY

NR 2300

(a) General Provisions

(1) These rules provide standards and criteria for state and local management of the waters and shores of the Kettle River component of the Minnesota Wild and Scenic Rivers System. They establish the manner in which public recreational use of the river and its shores will be provided for and controlled, and the manner in which public and private development of the river shorelands may take place.

(2) These rules apply to those portions of the river and its shorelands indicated by the attached maps and legal descriptions.

(3) These rules are authorized by Minnesota Statutes 1974, Section 104.35.

(b) Recreation Management

(1) As provided for in the Management Plan, the recreation management policy is to provide for the orderly use of public lands and waters within the Wild and Scenic river land use districts. The development of selected land- and river-oriented recreational facilities and the maintenance of these will help "protect the rights of private landowners, ensure quietude, prohibit trespassing, and maintain the essential quality of Wild and Scenic river land use districts", as provided for in NR 80(a)(1).

(2) As provided for in NR 79(b)(2) and the Kettle River Management Plan, the development of public or private recreational facilities within the Wild or Scenic river land use districts shall conform to the design specification guidelines as shown on Figures 1-6.

(3) No public river-oriented camping facilities will be provided in close proximity to private recreational developments which are designed to serve the public demand for these.

(4) No Department of Natural Resources state corridor trails shall be established in either the Wild or Scenic river land use districts other than those identified in the Kettle River Management Plan.

(aa) The Kettle River crossing for the Minnesota-Wisconsin Boundary Trail shall be by a temporary bridge. The exact location, nature and design of the crossing shall conform to the provisions of Minnesota Regulations NR 79(j).

(bb) If additional recreational trails are desired by local residents and landowners, it is recommended that these be developed through the Department of Natural Resources trail assistance programs. Through the department's trail assistance programs, funds for local trail development and maintenance are made available to local units of government.

(cc) Existing state trails will not be closed, and new trails within state management units may be developed in conformity with the guidelines shown on Figure 1.

(5) The recreational use of the Kettle River and adjacent public lands will be regulated where necessary to insure that the use does not adversely affect the values for which the river qualified for designation.

(6) The commissioner of natural resources adopts the Recreation Management Maps, Plates 1-8, for the protection, recreational use and management of public lands or interests in land, for the Kettle River and its adjacent lands within the Wild and Scenic river land use districts.

(7) The Division of Parks and Recreation shall allocate funds for maintenance of the Kettle River, and its adjacent lands, from the department's river development and maintenance account; and that the possibility of using local volunteer litter patrols be investigated as a means of supplementing the department's maintenance program.

(8) The department's Enforcement Division shall enter into discussions with the local units of government concerning the delineation of responsibilities for enforcement of applicable Wild and Scenic river regulations.

(9) The Division of Parks and Recreation shall arrange for a recreational use study of the Kettle River.

(c) Land Management

(1) No permit will be issued for a crossing of the designated portion of the Kettle River, from the Carlton-Pine county line to the St. Croix River, except for those crossings identified below:

- County State Aid Highway (CSAH) 46 crossing
- CSAH 52 crossing
- CSAH 41 crossing
- U.S. Highway 61 crossing
- CSAH 33 crossing
- Section 14-15, Township 40N, Range 20W
power line crossing

Further, utility crossings are particularly inappropriate within the Wild river land use district. However, additional crossings would be allowed at the existing line crossing (Section 14-15, Township 40N, Range 20W) only if the preferred alternative of using a crossing above the designated area or using one of the corridors in the Scenic portion of the river would generate even greater adverse

environmental effects and if the crossings can be installed without significant additional right-of-way clearing within the land use district.

(2) The designated tributaries referred to in Minnesota Regulations NR 79(c)(3)(bb)(iii) and Minnesota Regulations NR 79(d)(2) shall be:

- | | |
|-----------------|---------------------|
| 1. Birch Creek | 7. Deer Creek |
| 2. Moose River | 8. Fox Brook |
| 3. Willow River | 9. Grindstone River |
| 4. Pine River | 10. Cedar Creek |
| 5. Cane Creek | 11. Deer Brook |
| 6. Wolf Creek | 12. Kennedy Brook |

(3) The commissioner of natural resources adopts the Land Management Maps, Plates 1-8, to the area identified in the legal description and according to NR 78(g)(2)(bb) for the protection and management of lands within the Wild and Scenic river land use districts.

(aa) The regulations contained in Minnesota Regulations NR 78-81 shall be applicable to all unincorporated lands, at the time of designation, within the Wild and Scenic river land use districts, except for those under federal jurisdiction.

(bb) The lands or interests in land recommended to be acquired in this plan will be acquired where funds are available for such purchases from willing sellers, as provided for in Minnesota Statutes 104.37.

(cc) The land use regulations contained in Minnesota Regulations NR 82-84 shall be applied to all incorporated lands, and shall be administered in conformity with the provisions of NR 81, as applicable.

(dd) Because acquisition of land, or interests in land, is from willing sellers, at the appraised value, some lands recommended for scenic easement acquisition may be purchased in fee title. This change from the recommended acquisition would be based on the mutual agreement by and between the State of Minnesota and the landowner(s). Furthermore, additional lands, or interests in land, may be purchased in order to further the policies established in Chapter 271 and this Management Plan.

(ee) Land exchanges will be expedited, wherever feasible, in order to acquire lands within the land use district boundaries. These exchanges will be expedited in the manner prescribed by state law. However, land exchanges will not be recommended if such exchanges would adversely affect other Department of Natural Resources management programs.

(d) Administration

(1) Pine County shall enact or amend such ordinances and maps as necessary to:

(aa) Establish the Wild river and Scenic river land use districts identified on the land management maps and the land use district property descriptions within Pine County.

(bb) Conform to the provisions of Minnesota Regulations NR 78-81.

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NR 2300

KETTLE WILD & SCENIC RIVERS

(2) The municipalities of Willow River, Rutledge and Sandstone shall enact or amend ordinances as necessary to:

(aa) Establish the Scenic river land use districts as delineated for their jurisdictions on the Land Management Maps.

(bb) Conform to the provisions of Minnesota Regulations NR 82-84 and administer these provisions according to Minnesota Regulations NR 81, as applicable.

(cc) Conform to the provisions and administrative procedures of Minnesota Regulations NR 78, 79(e)-(j), and Minnesota Regulations NR 80-81.

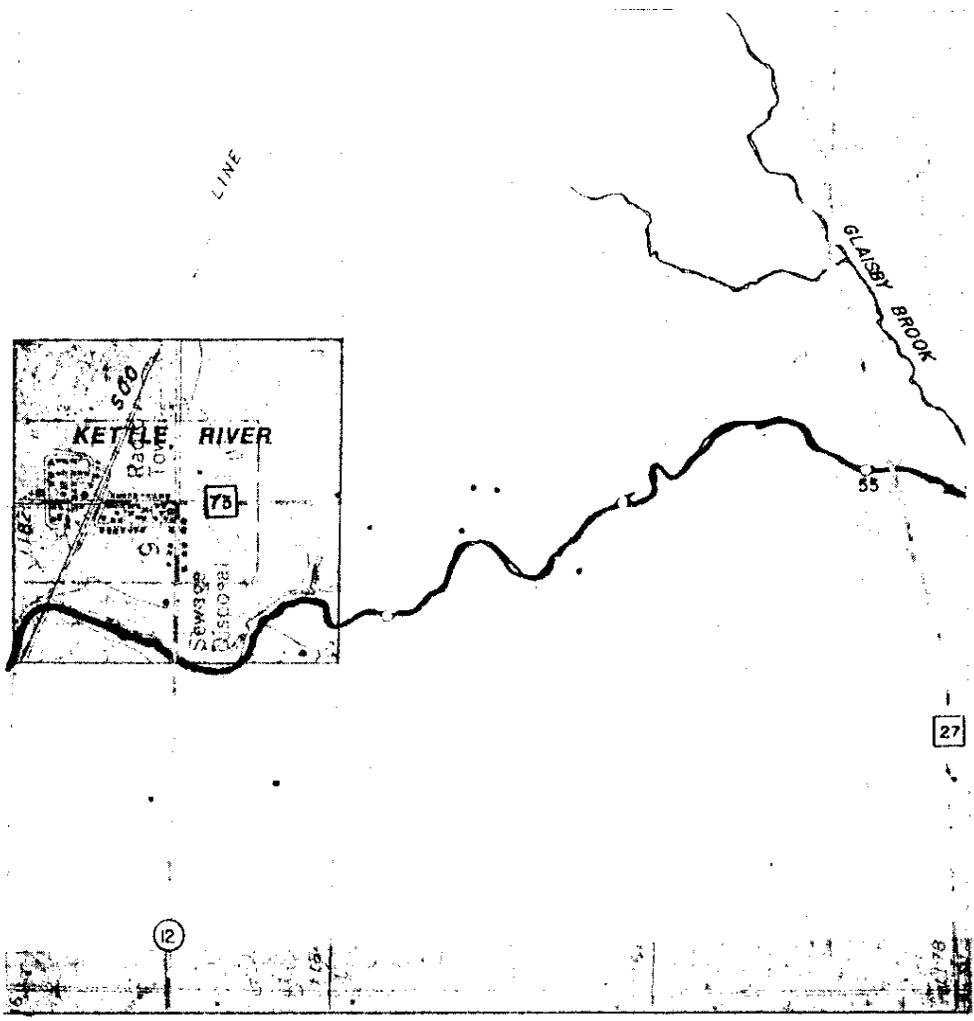
(3) Nothing in Minnesota Regulations NR 78-81 or this management plan shall preclude Pine or Carlton counties or their subdivisions from adopting regulations more protective than those promulgated in this management plan, subject to approval by the commissioner of natural resources.

(4) The Department of Natural Resources shall assist the local units of government in the implementation of Minnesota Regulations NR 78-81, in accordance with the provisions of Minnesota Statutes 1974, Section 104.36 Subdivision 2. The Department of Natural Resources shall delineate the land use district boundaries on the appropriate zoning maps, for the affected local units of government.

3 7 5 2 6 3

LAND MANAGEMENT
&
RECREATION MANAGEMENT
MAPS

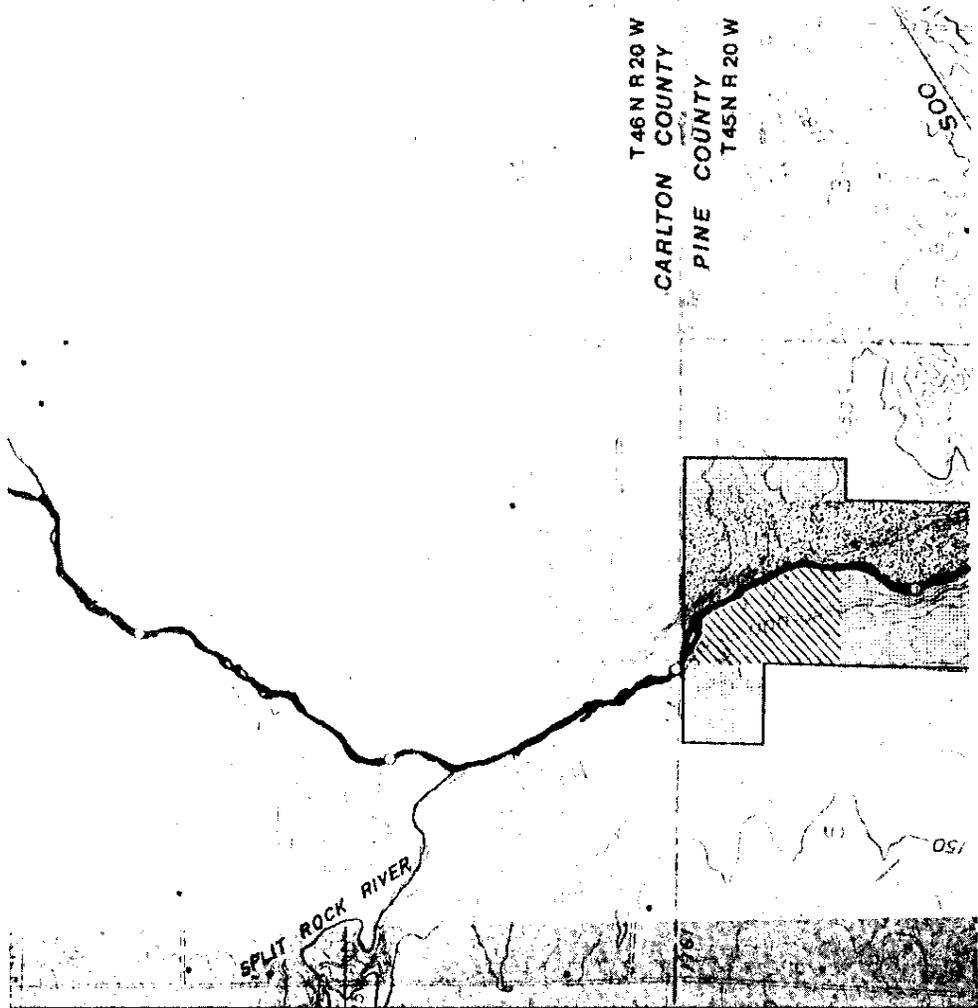
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 KETTLE RIVER MANAGEMENT PLAN	LAND
	 LAND USE DISTRICT
	 SETBACK AREA
	 PUBLIC OWNERSHIP

370200

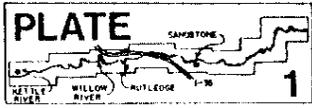
T 46N R 20W
CARLTON COUNTY
PINE COUNTY
T 45N R 20W

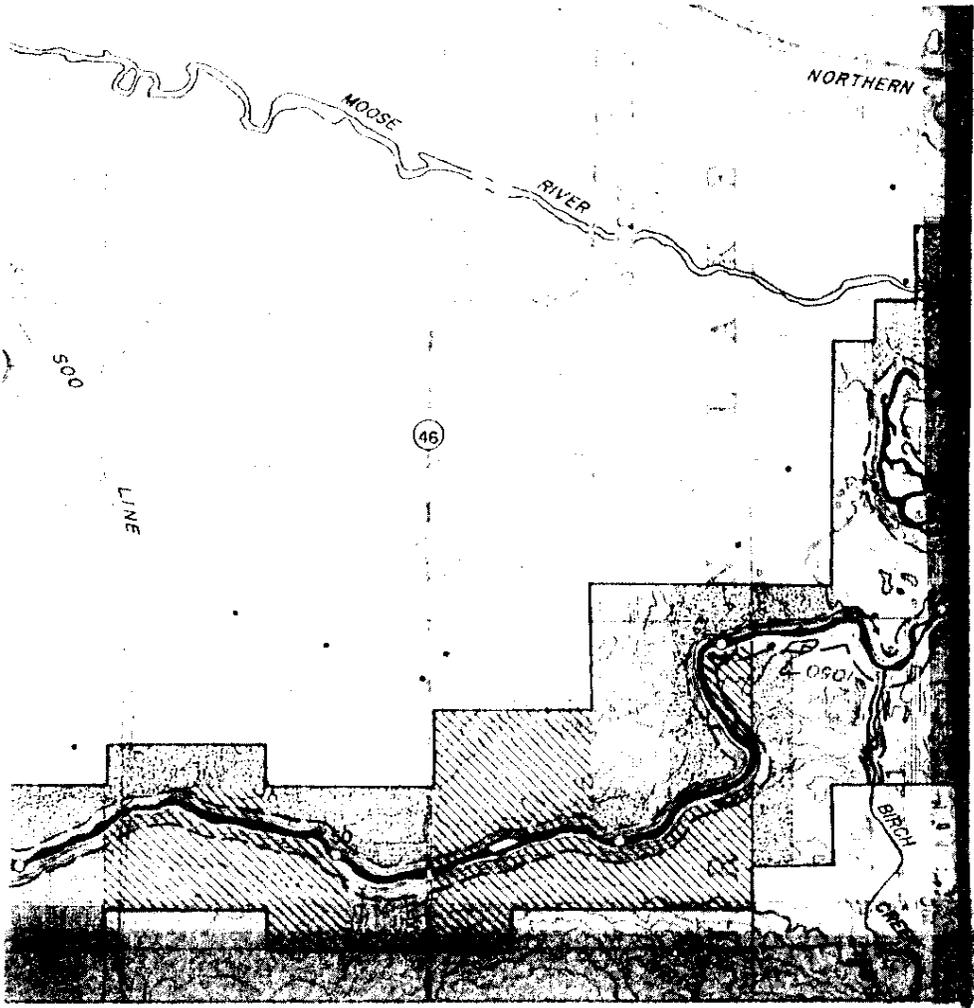


MANAGEMENT

-  FEE TITLE
-  SCENIC EASEMENT
-  ZONING

 NORTH
SCALE: 1" = 2000'





KETTLE RIVER
MANAGEMENT PLAN

LAND

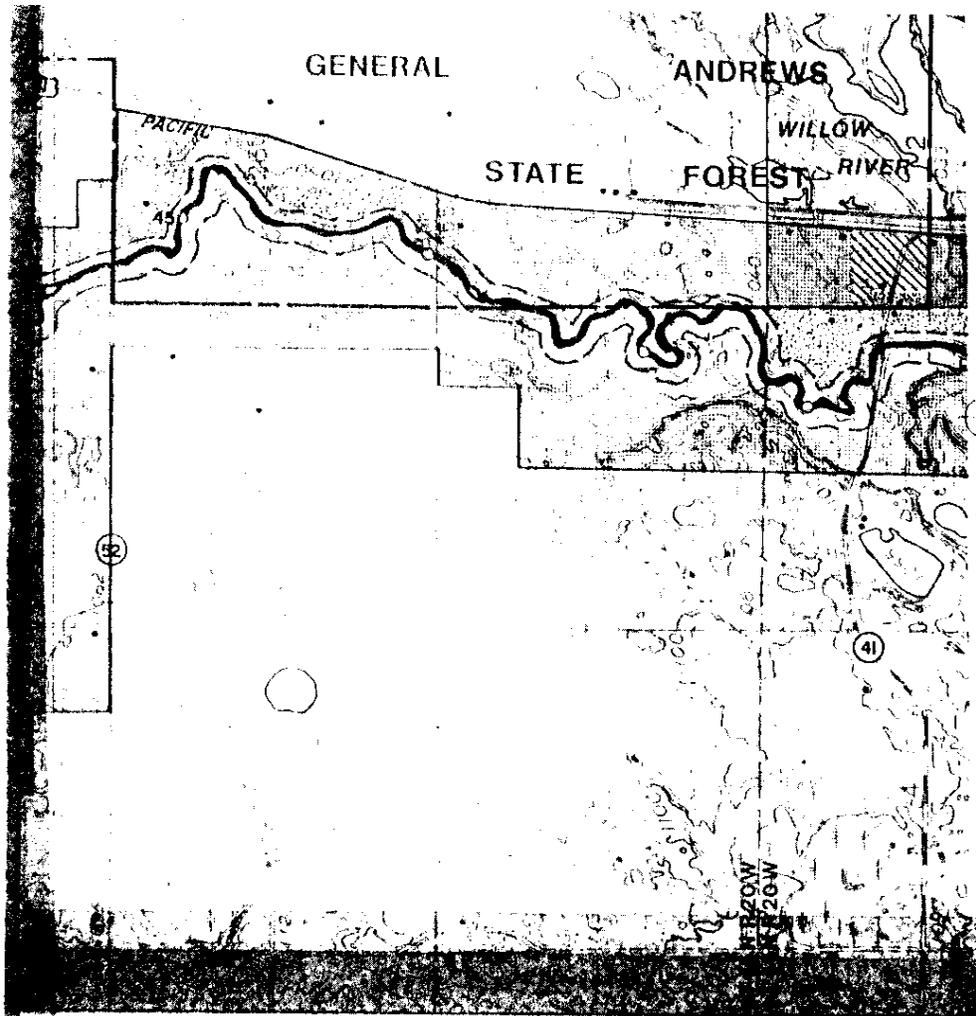


LAND USE DISTRICT

SETBACK AREA

PUBLIC OWNERSHIP

375263

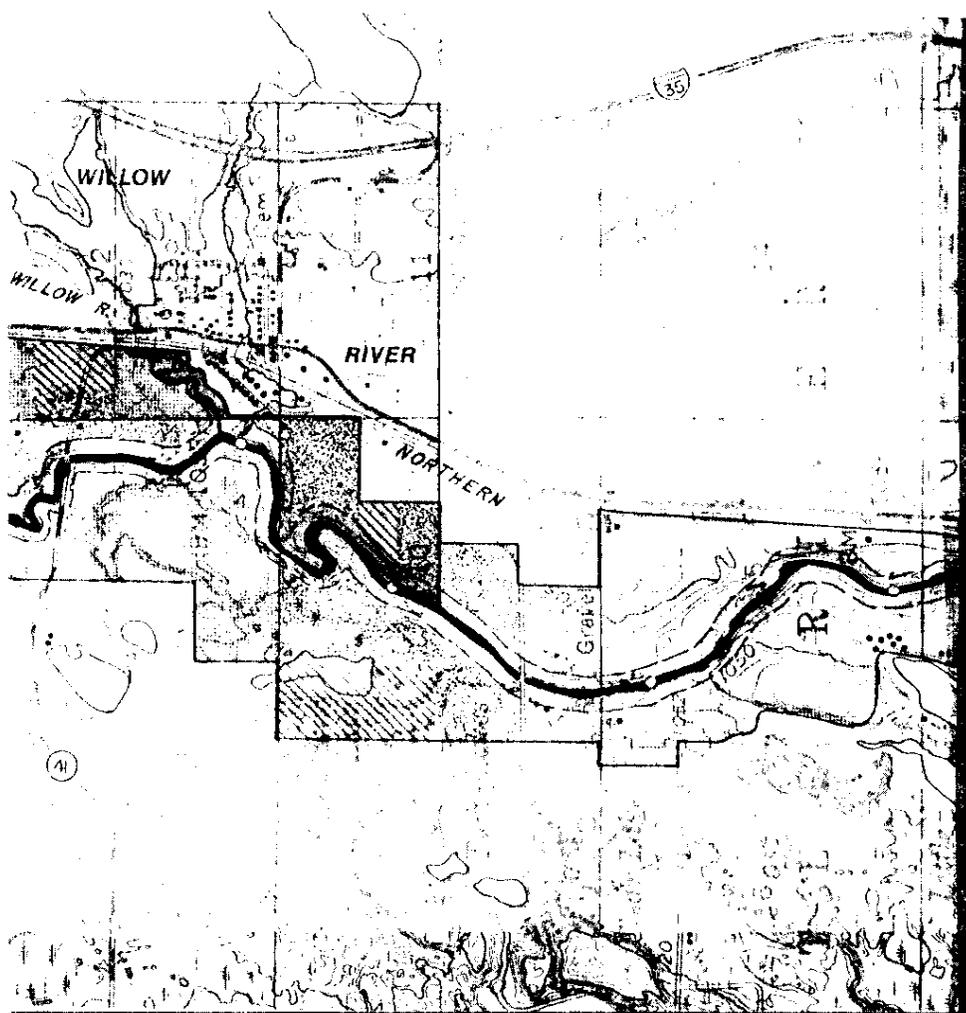


MANAGEMENT

-  FEE TITLE
-  SCENIC EASEMENT
-  ZONING

 SCALE: 1" = 2000'







KETTLE RIVER

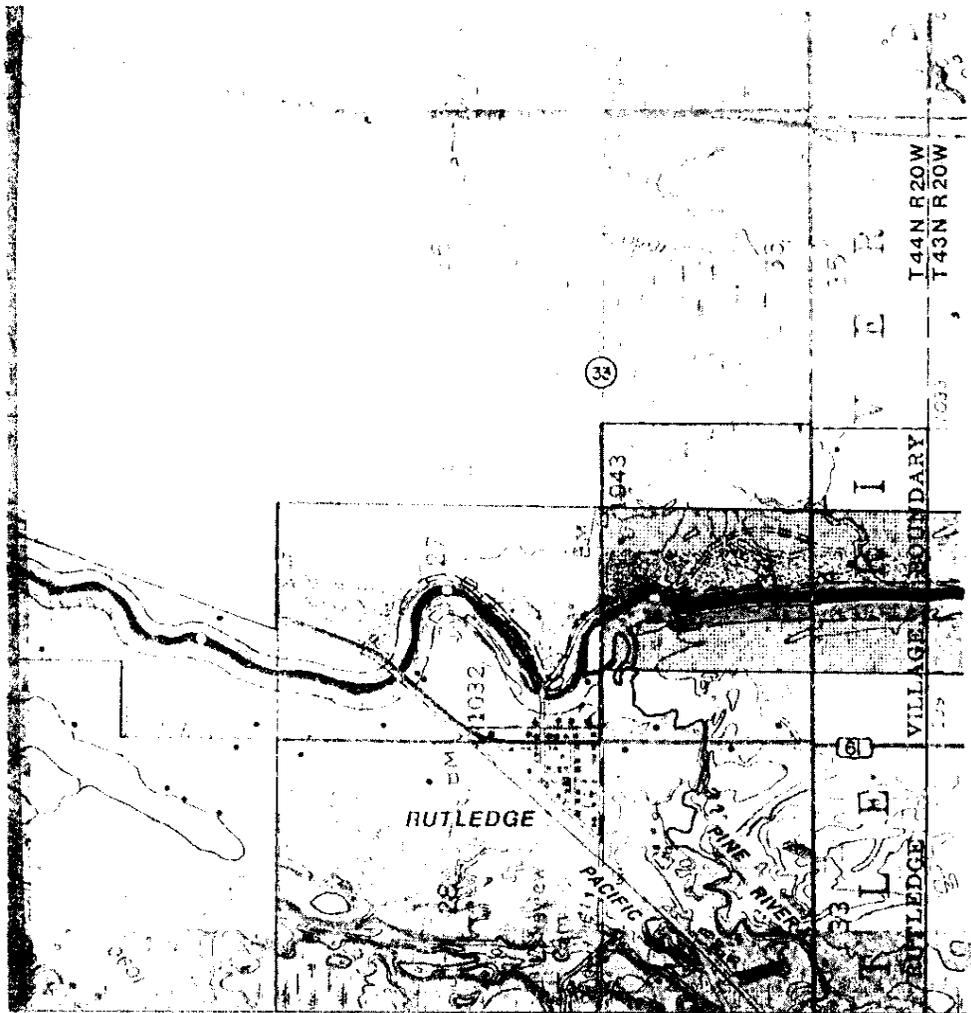
 MANAGEMENT PLAN

LAND

LAND USE DISTRICT

SETBACK AREA

PUBLIC OWNERSHIP



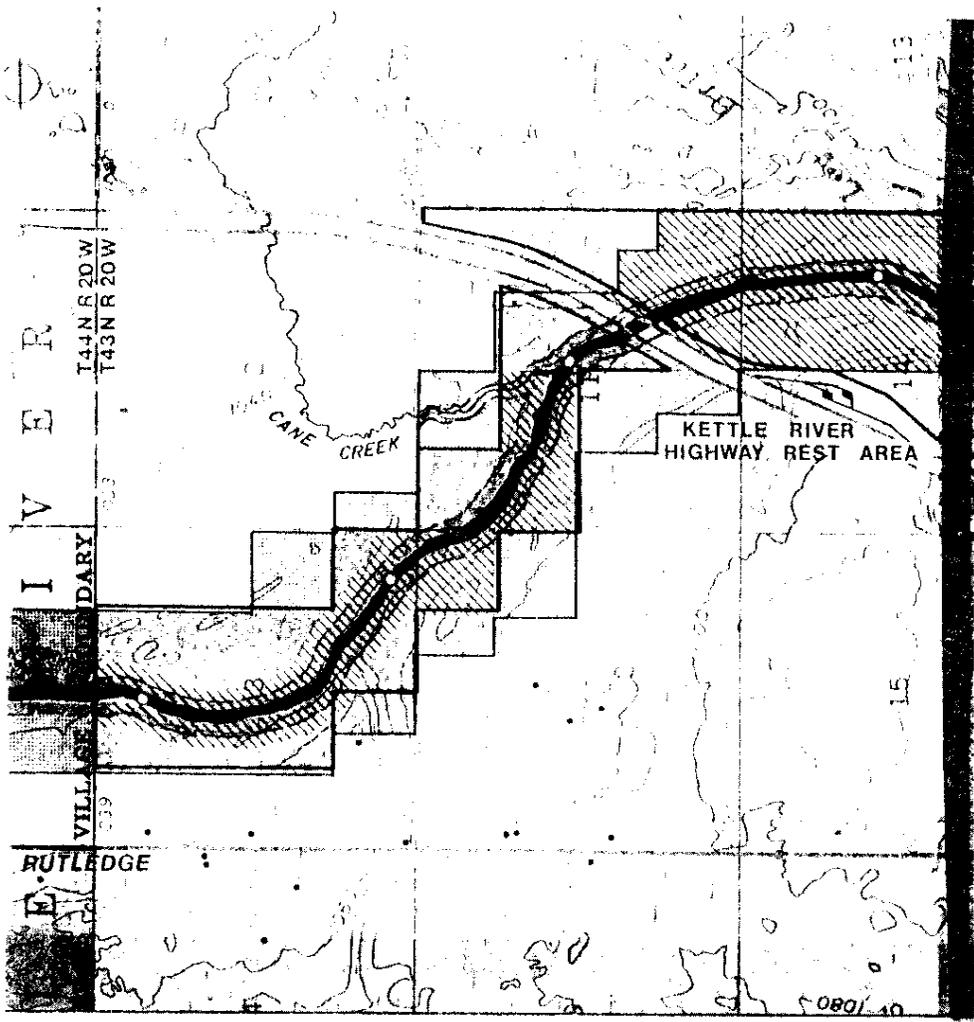
MANAGEMENT

- FEE TITLE
- SCENIC EASEMENT
- ZONING


NORTH
 SCALE: 1" = 2000'

PLATE

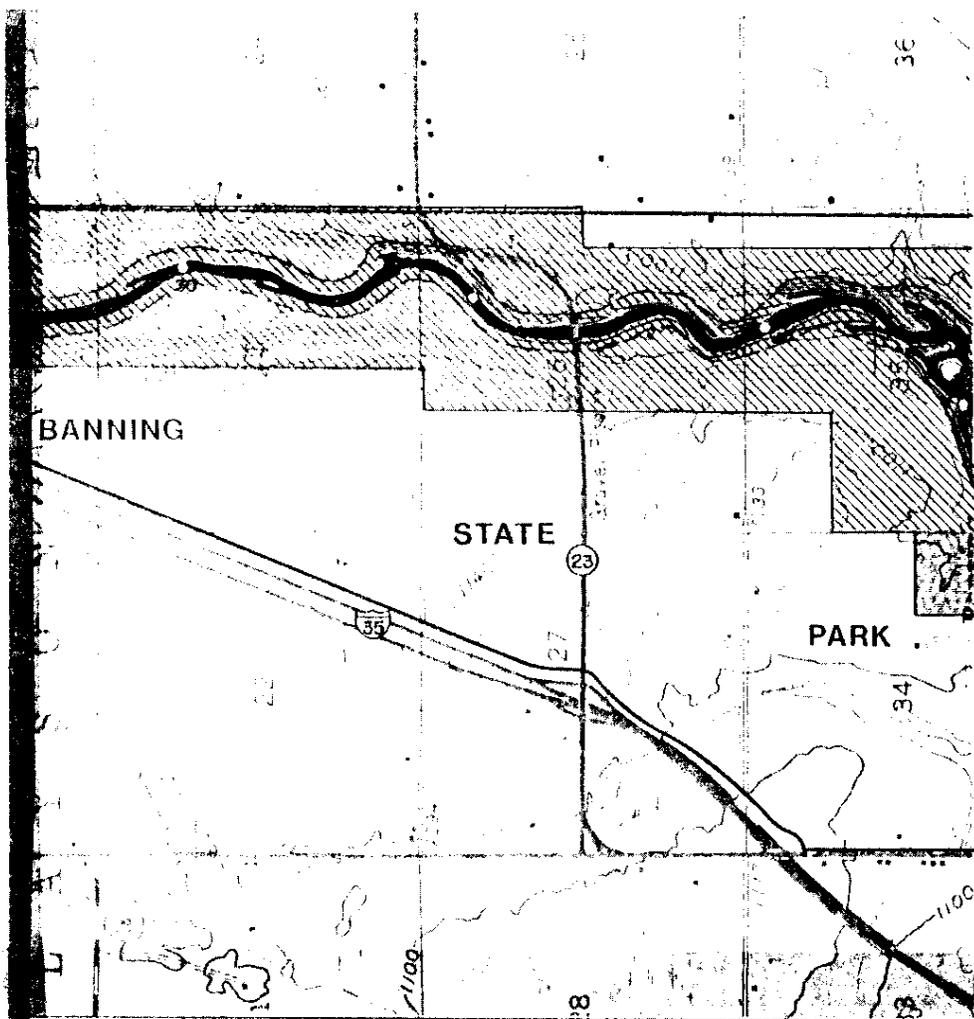
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KETTLE RIVER
MANAGEMENT PLAN

LAND

-  LAND USE DISTRICT
-  SETBACK AREA
-  PUBLIC OWNERSHIP

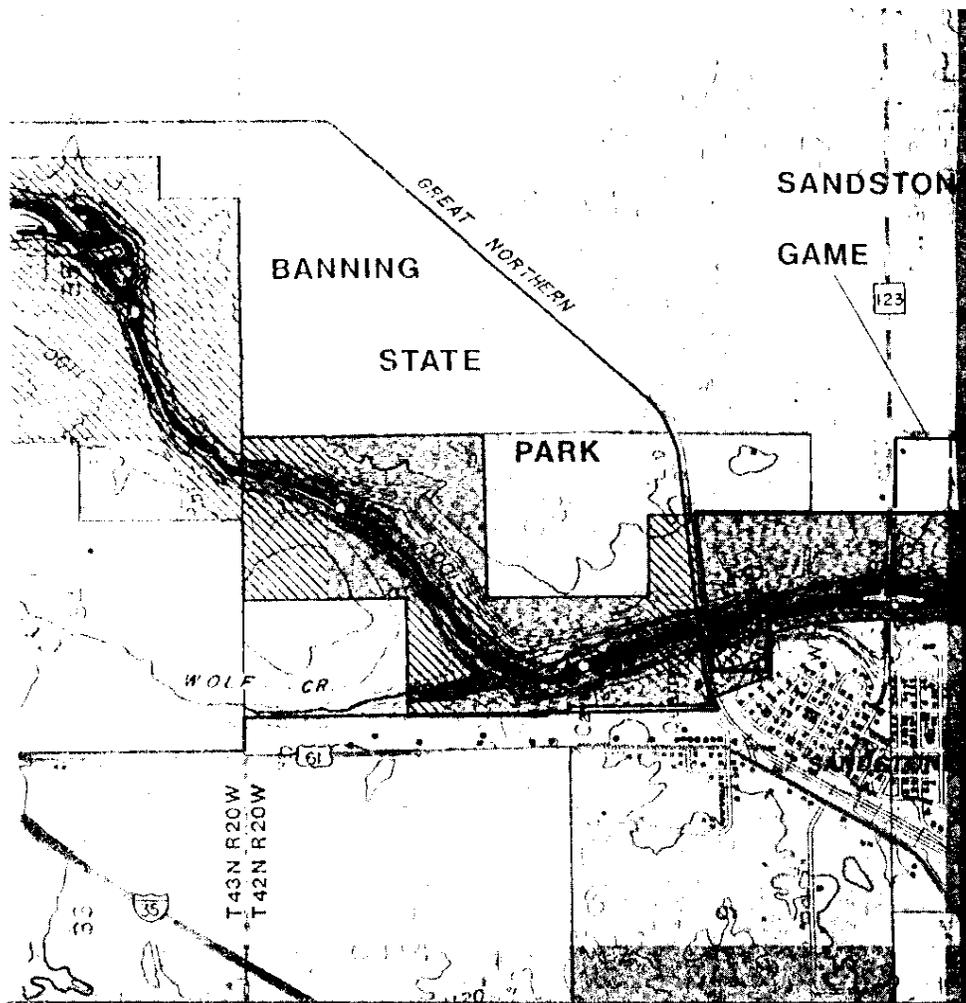


MANAGEMENT

- FEE TITLE
- SCENIC EASEMENT
- ZONING

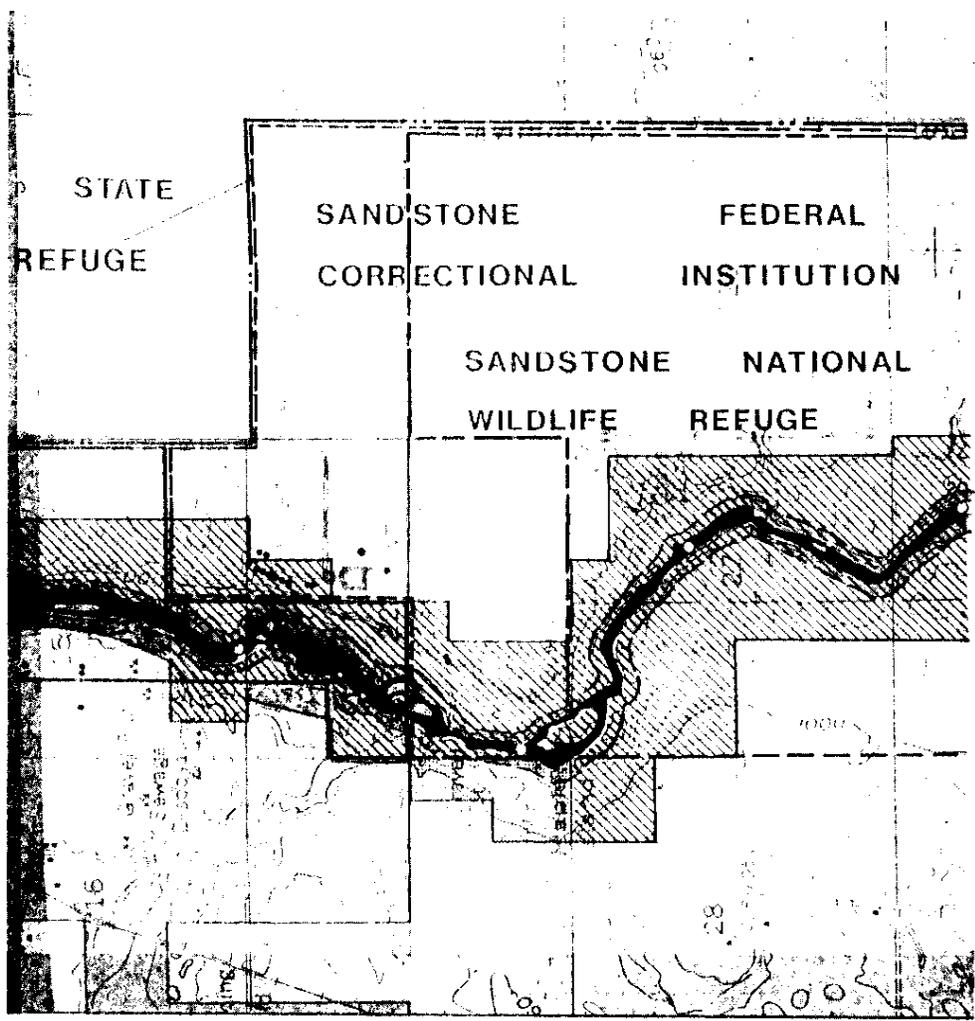
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PLATE  **4**



K
KETTLE RIVER
 MANAGEMENT PLAN

- LAND**
-  LAND USE DISTRICT
 -  SETBACK AREA
 -  PUBLIC OWNERSHIP



MANAGEMENT

- FEE TITLE
- SCENIC EASEMENT
- ZONING

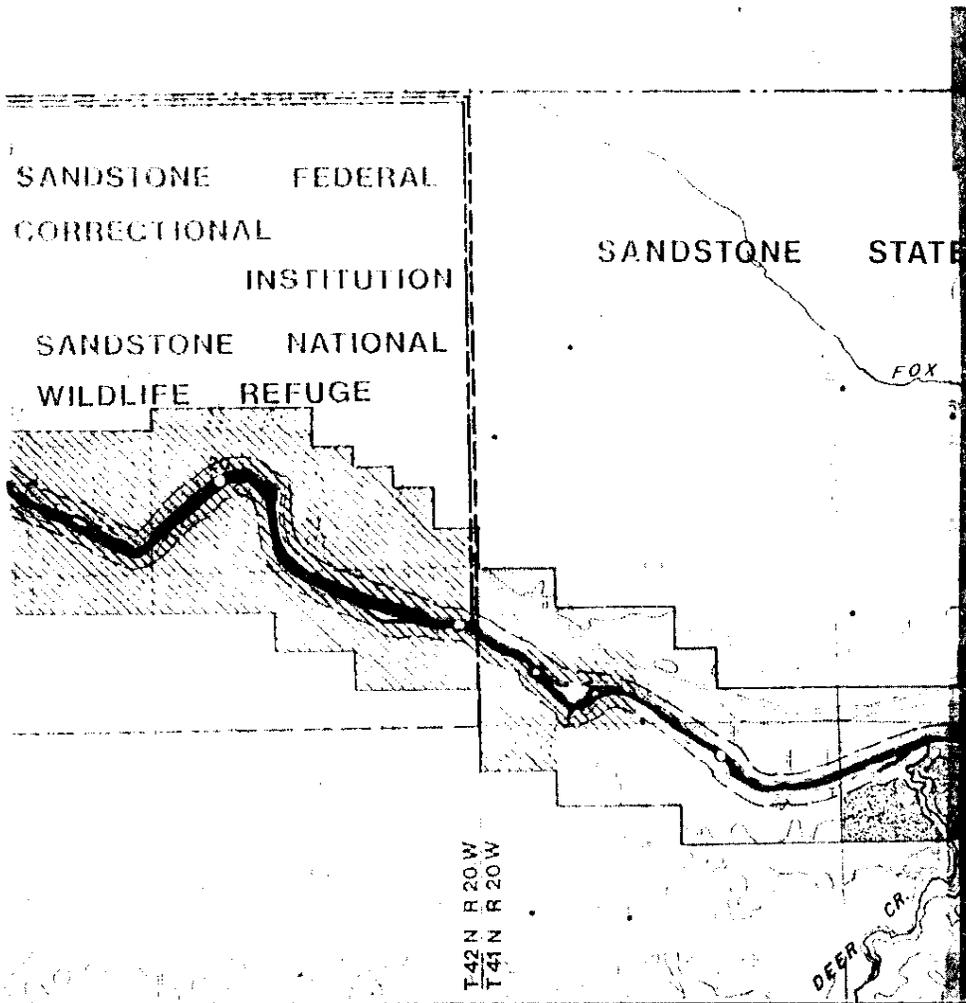


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PLATE

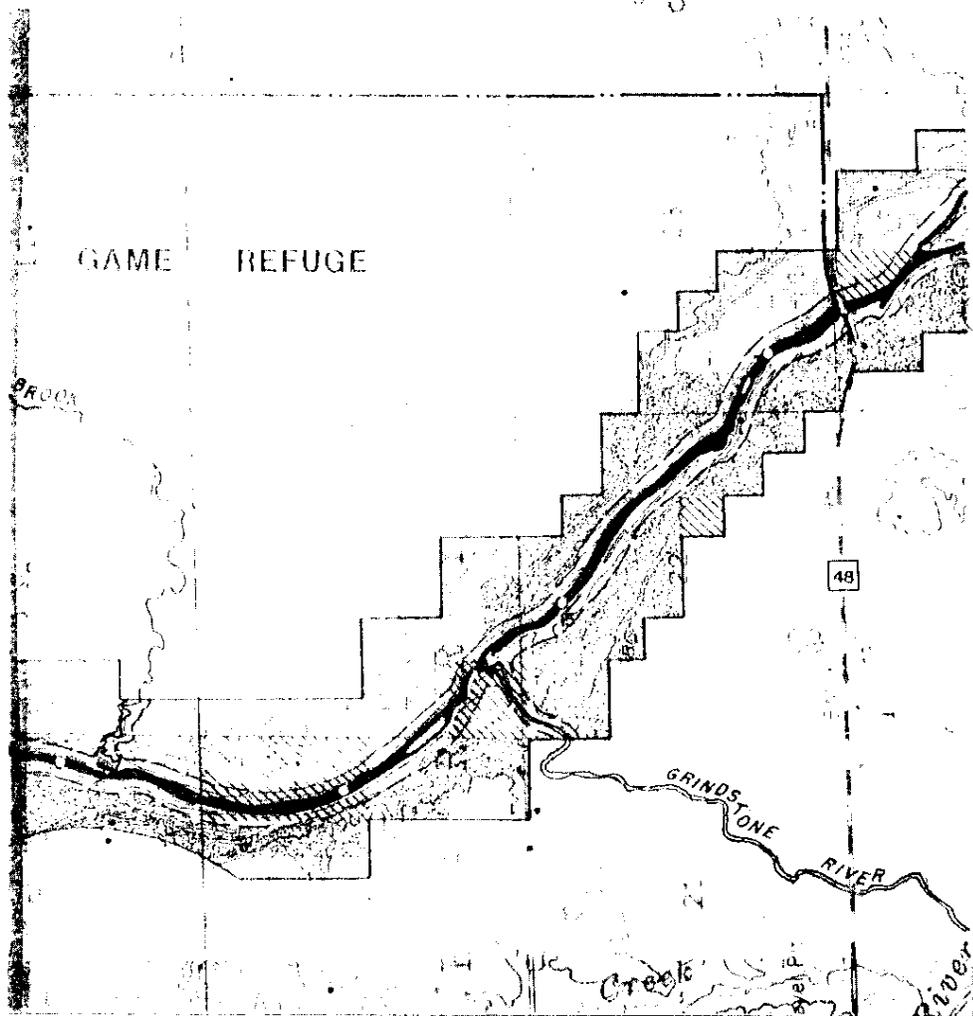
 SANDSTONE
 KETTLE RIVER WILLOW RIVER RUTLEDGE

975200



LAND

-  LAND USE DISTRICT
-  SETBACK AREA
-  PUBLIC OWNERSHIP



MANAGEMENT

FILE TITLE

SCENIC EASEMENT

ZONING

THE
FOR
2

SCALE: 1" = 2000'

PLATE

GRINDSTONE RIVER

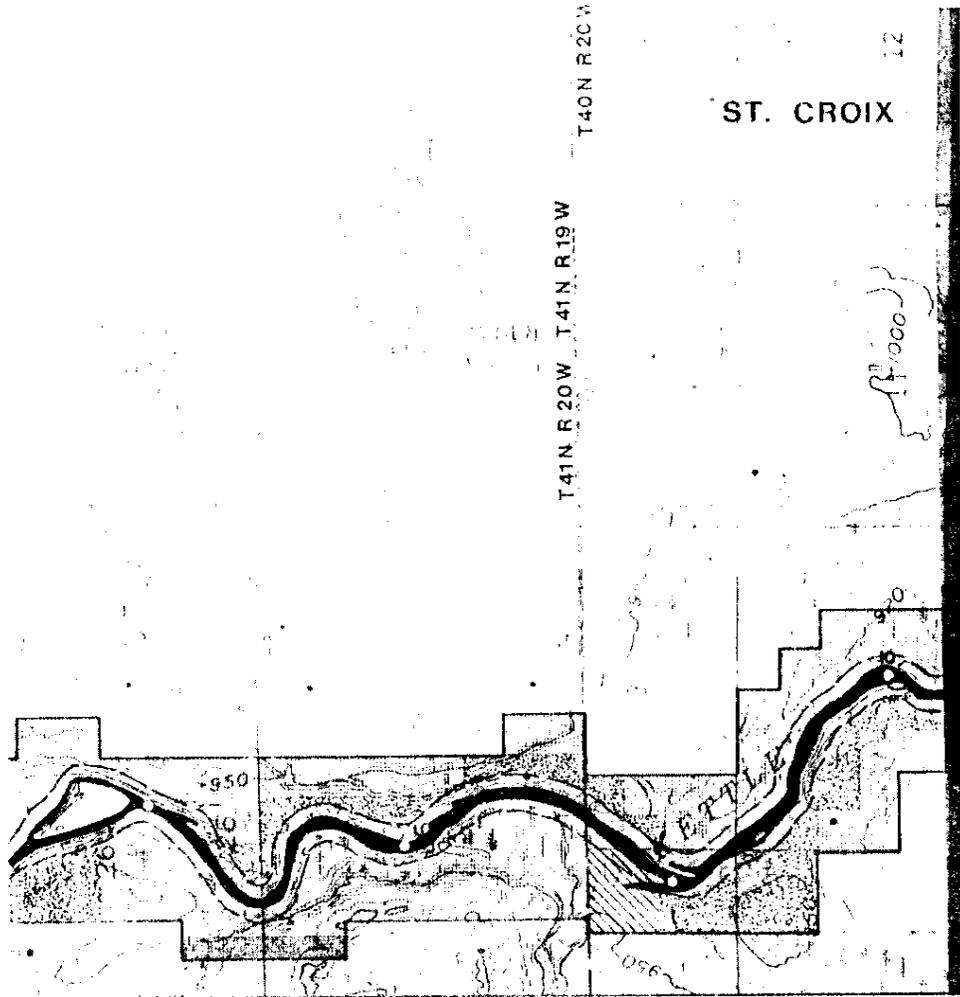
KEFIELD RIVER

YELLOW RIVER

ROUTE 48

6

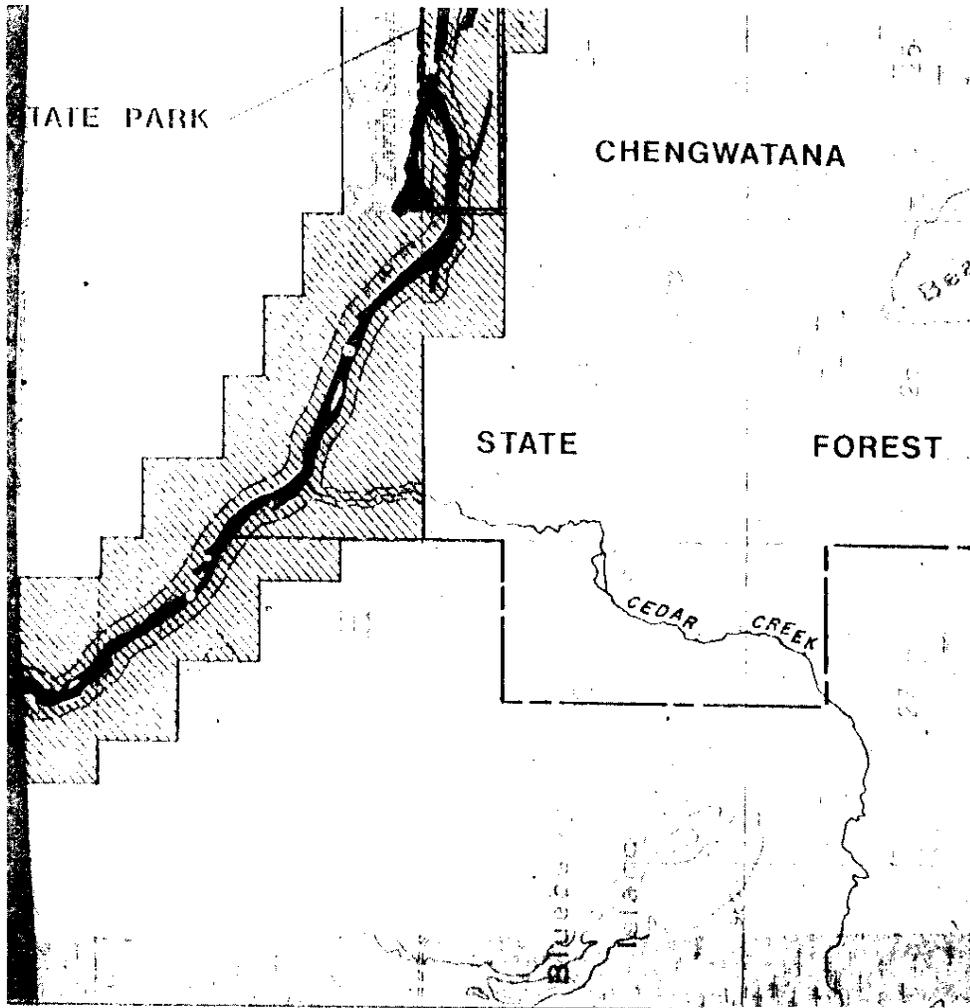
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KETTLE RIVER
MANAGEMENT PLAN

- LAND**
-  LAND USE DISTRICT
 -  SETBACK AREA
 -  PUBLIC OWNERSHIP

375263

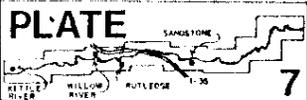


MANAGEMENT

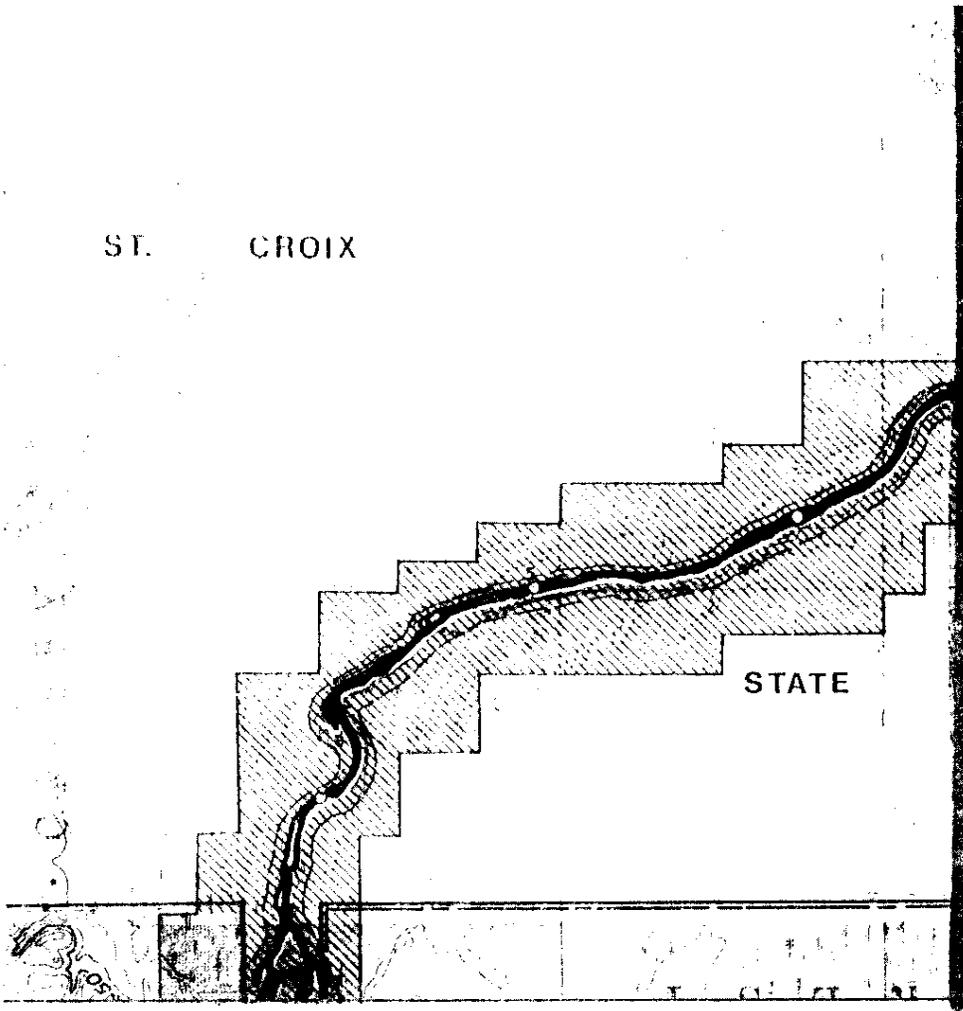
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SCENIC EASEMENT

ZONING

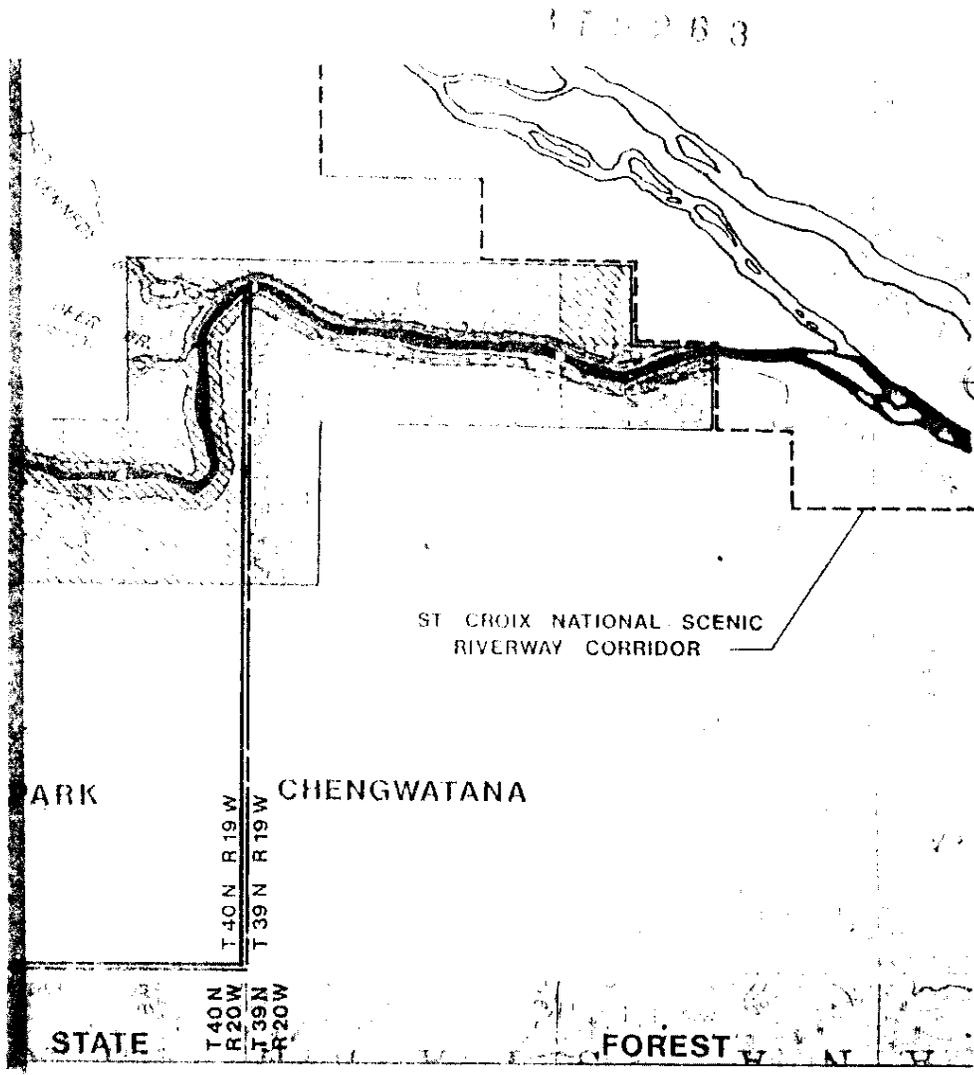


27.1.16



LAND

-  LAND USE DISTRICT
-  SETBACK AREA
-  PUBLIC OWNERSHIP



MANAGEMENT

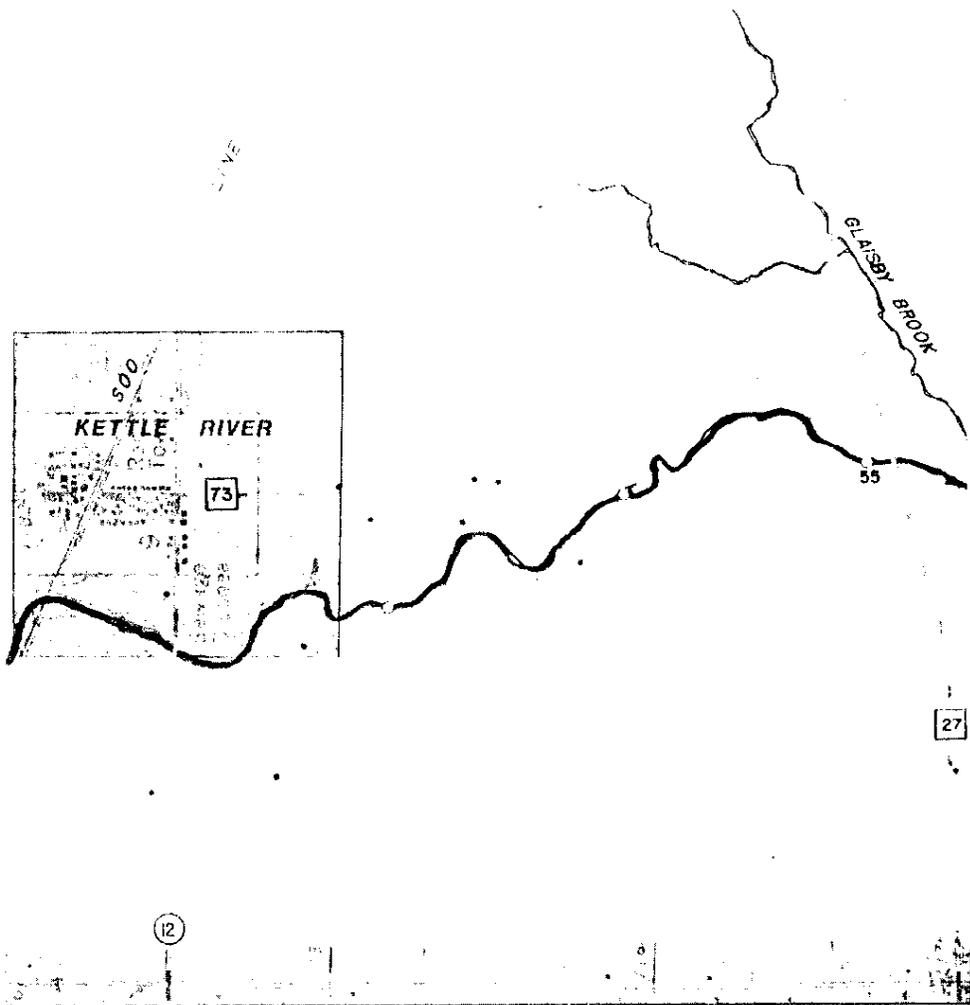
-  FEE TITLE
-  SCENIC EASEMENT
-  ZONING

 **NORTH**
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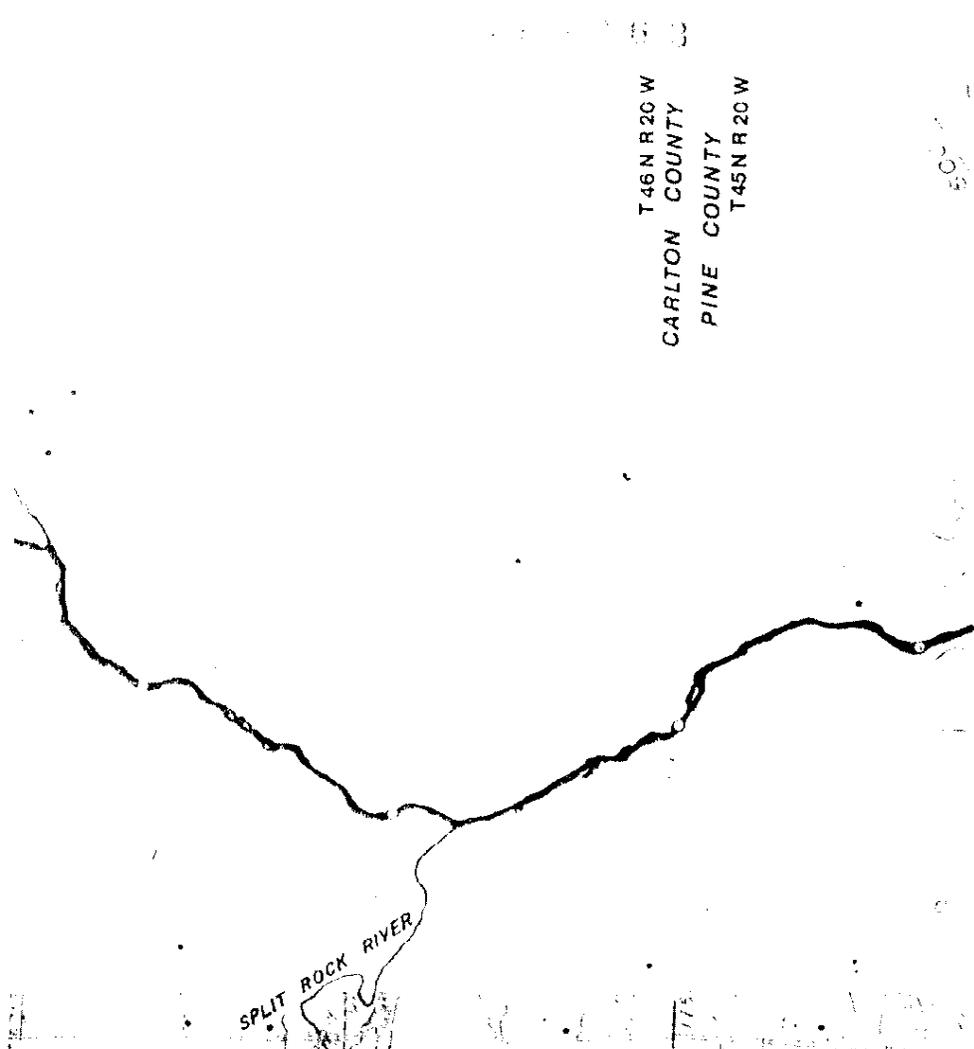
PLATE

8

3757



PROPOSED	EXISTING	FACILITY
	P	PORTAGE
	A	ACCESS
	C	CANOE CAMPSITE
	H	HIKING CAMPSITE



T 46 N R 20 W
 CARLTON COUNTY
 PINE COUNTY
 T 45 N R 20 W

SPLIT ROCK RIVER

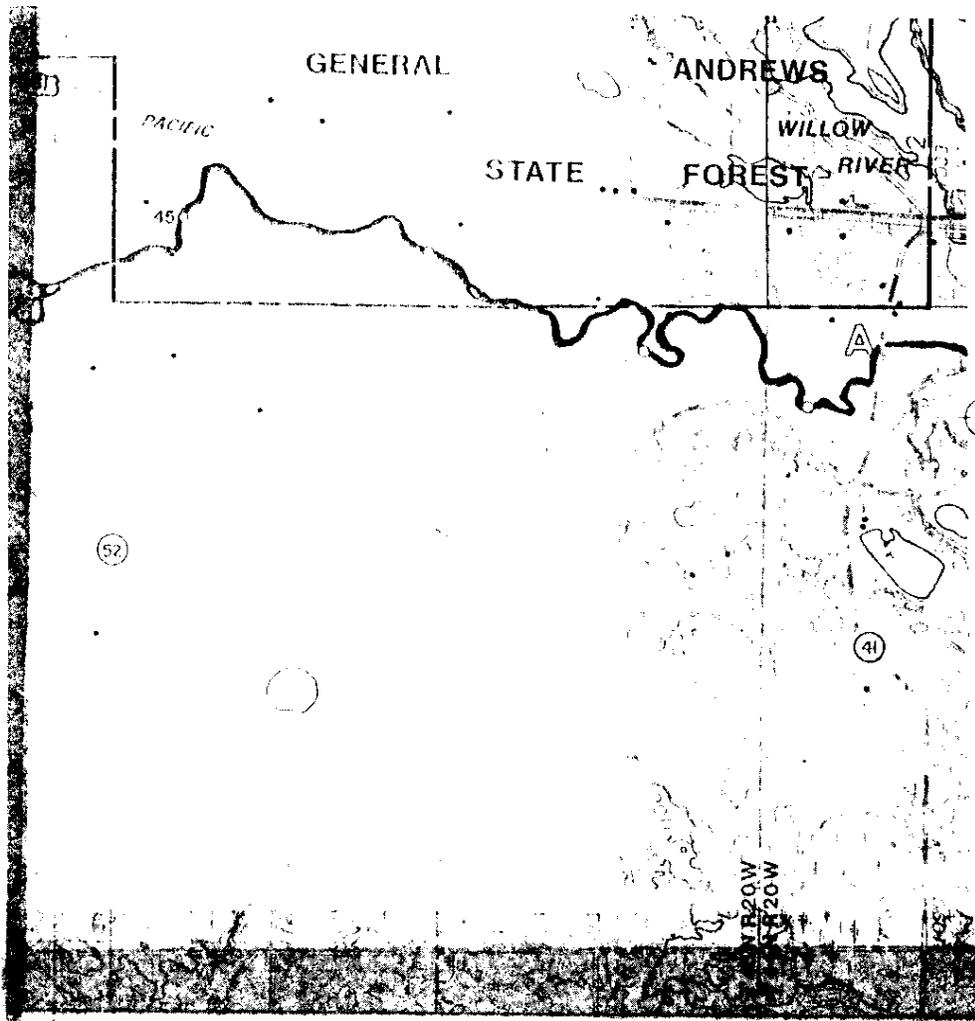
MANAGEMENT		FACILITY
PROPOSED	EXISTING	
.....	HIKING TRAIL
.....	---	MULTI-USE TRAIL
.....	---	TWIN CITY - DULUTH TRAIL
☆	☆	HISTORIC SITE

NORTH  SCALE: 1" = 2000'

PLATE  1



PROPOSED	EXISTING	RECREATION FACILITY
P	P	PORTAGE
A	A	ACCESS
C	C	CANOE CAMPSITE
H	H	HIKING CAMPSITE

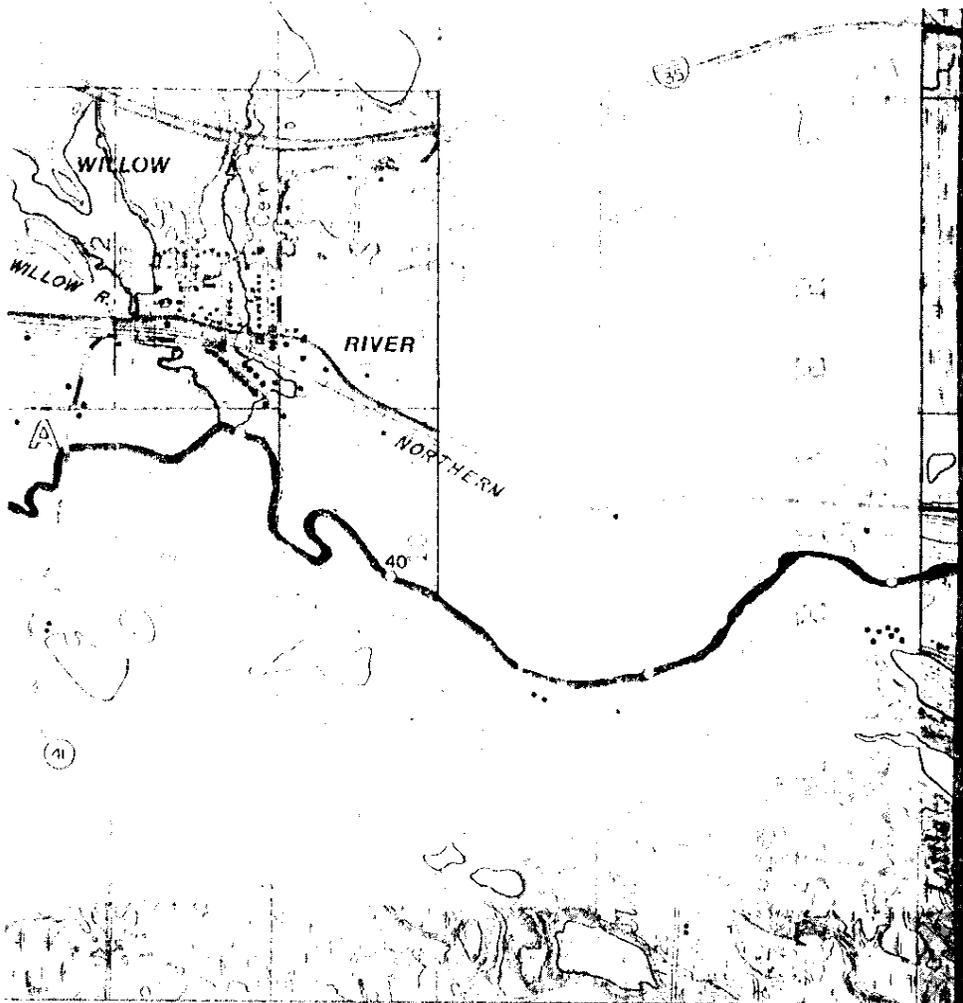


MANAGEMENT		FACILITY
PROPOSED	EXISTING	
-----	-----	HIKING TRAIL
-----	-----	MULTI-USE TRAIL
-----	-----	TWIN CITY DULUTH TRAIL
★	★	HISTORIC SITE

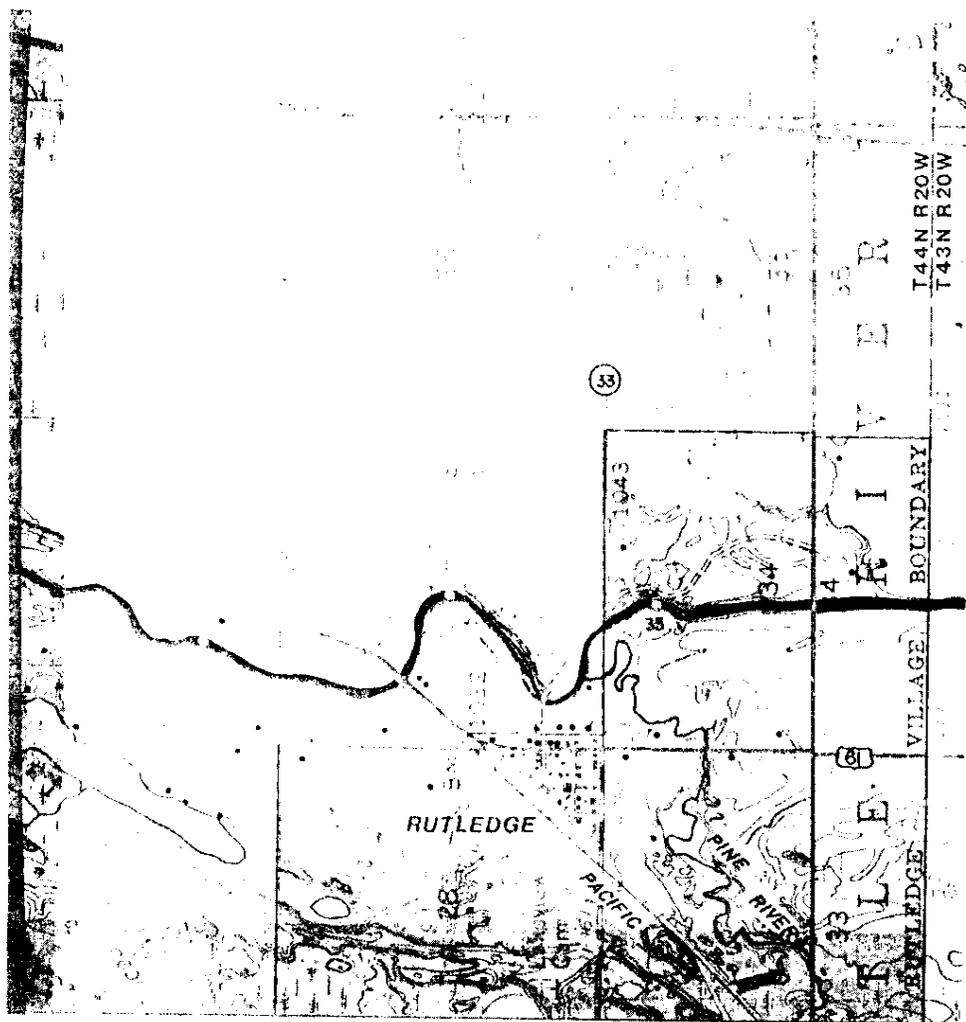

 SCALE: 1" = 2000'

PLATE

2



PROPOSED	EXISTING	RECREATION FACILITY
P	P	PORTAGE
A	A	ACCESS
C	C	CANOE CAMPSITE
H	H	HIKING CAMPSITE



MANAGEMENT

PROPOSED	EXISTING	FACILITY
.....	HIKING TRAIL
---	---	MULTI-USE TRAIL
---	---	TWIN CITY-DULUTH TRAIL
★		HISTORIC SITE

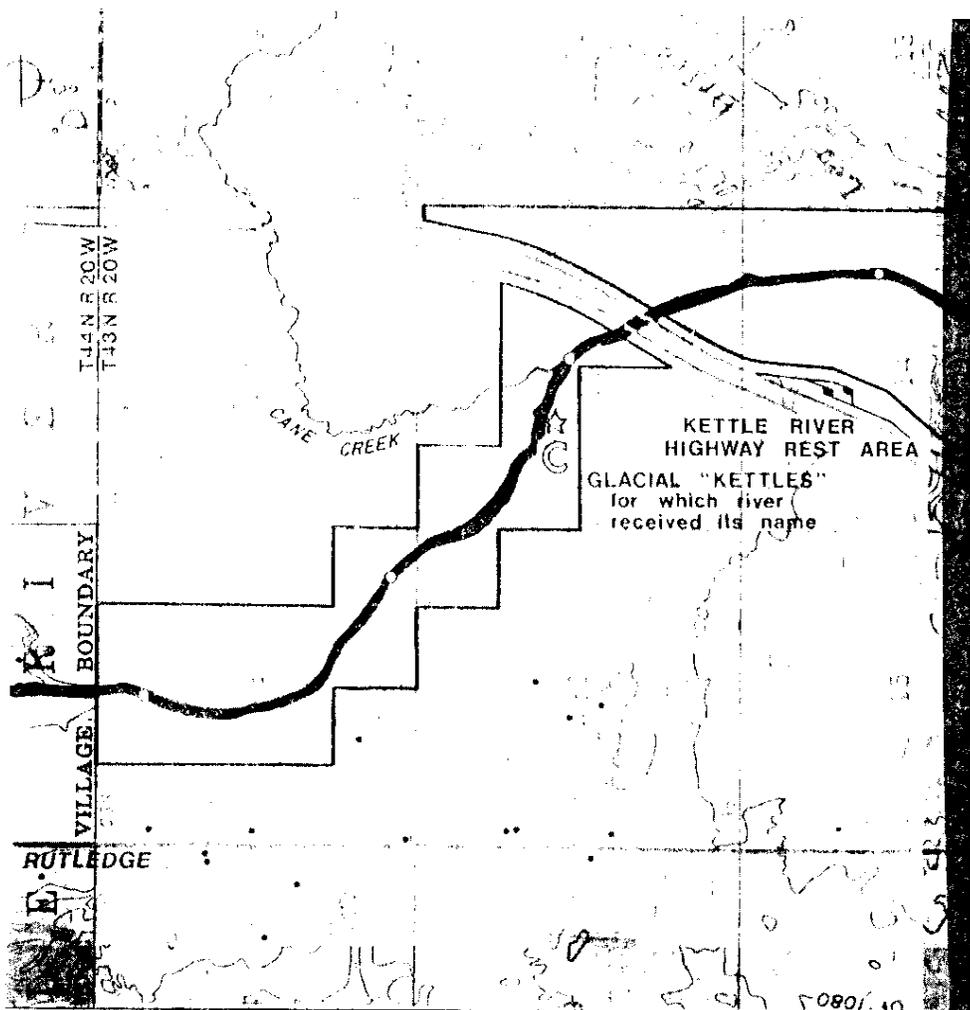


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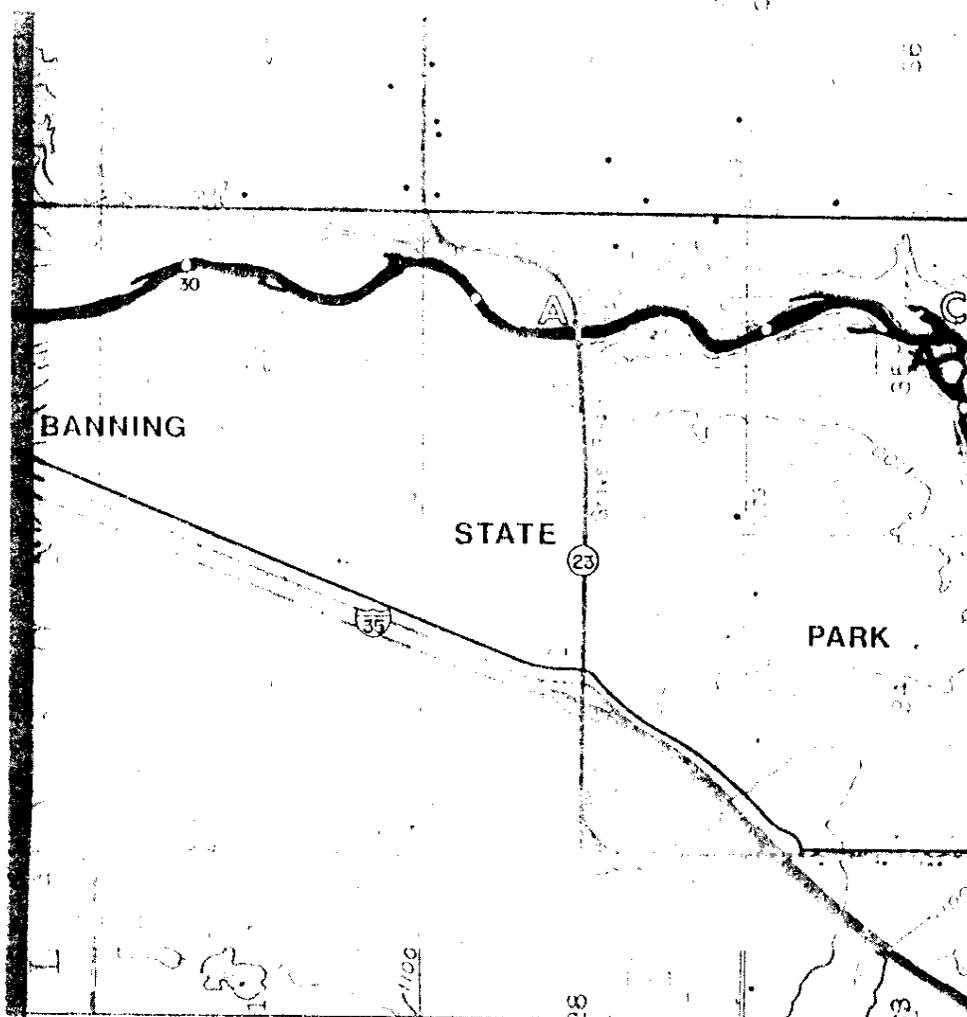
PLATE

3

875000



 KETTLE RIVER MANAGEMENT PLAN	PROPOSED	EXISTING	RECREATION FACILITY
	P A C H	P A C H	PORTAGE ACCESS CANOE CAMPSITE HIKING CAMPSITE



MANAGEMENT

PROPOSED	EXISTING	FACILITY
		HIKING TRAIL
		MULTI-USE TRAIL
		TWIN CITY-DULUTH TRAIL
		HISTORIC SITE

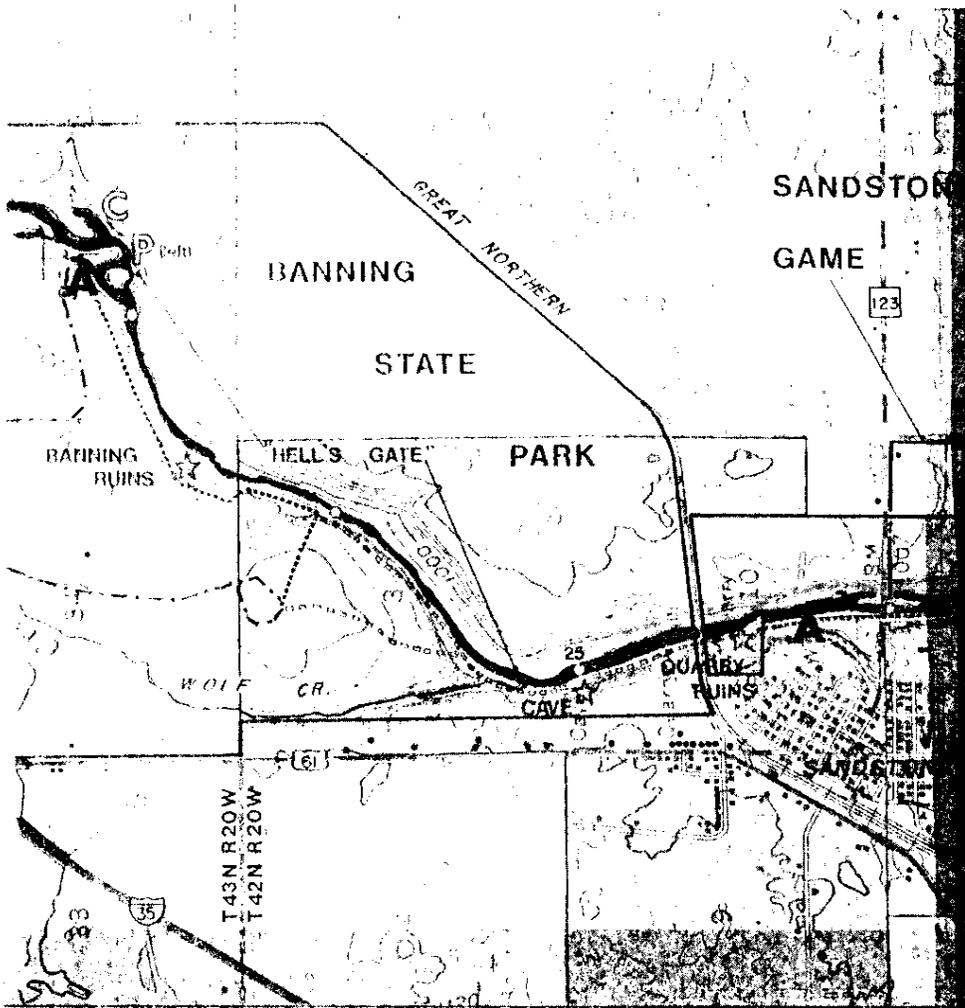
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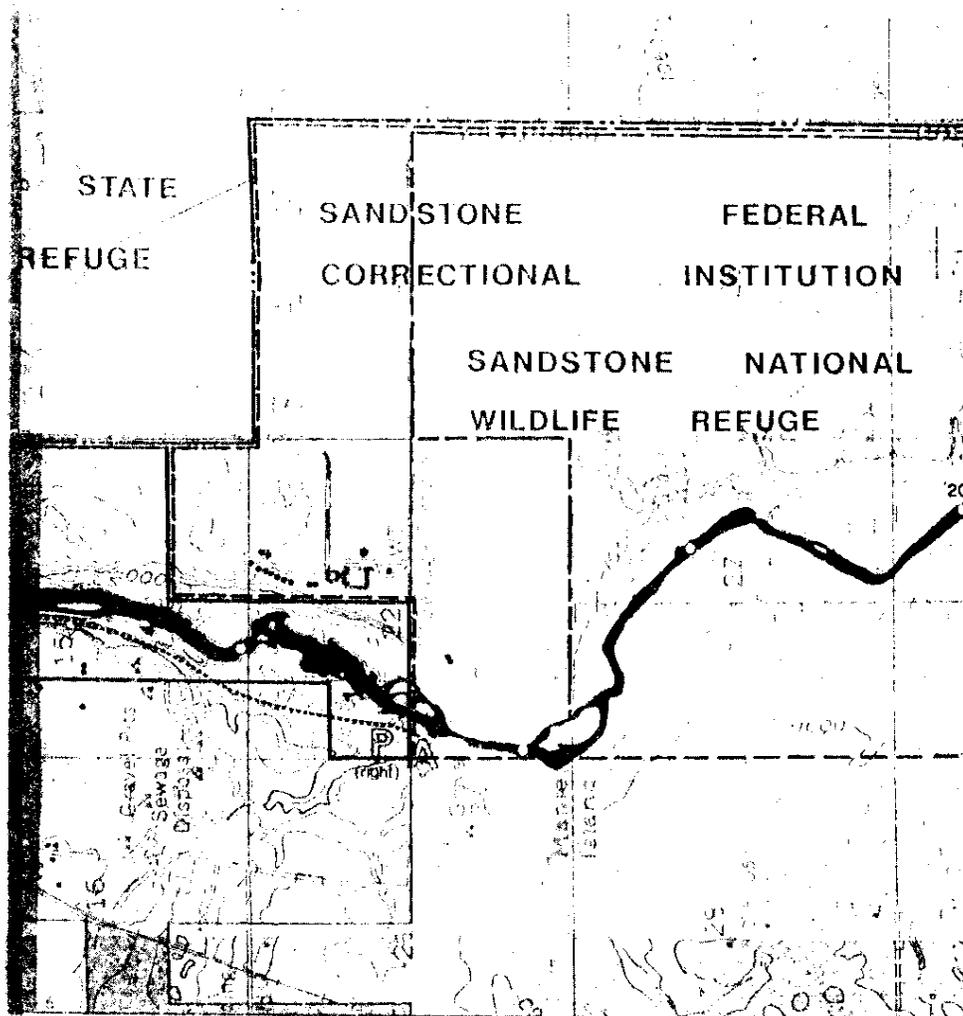
PLATE

 4

375000



PROPOSED	EXISTING	FACILITY
□	P	PORTAGE
○	A	ACCESS
○	C	CANOE CAMPSITE
□	H	HIKING CAMPSITE



MANAGEMENT

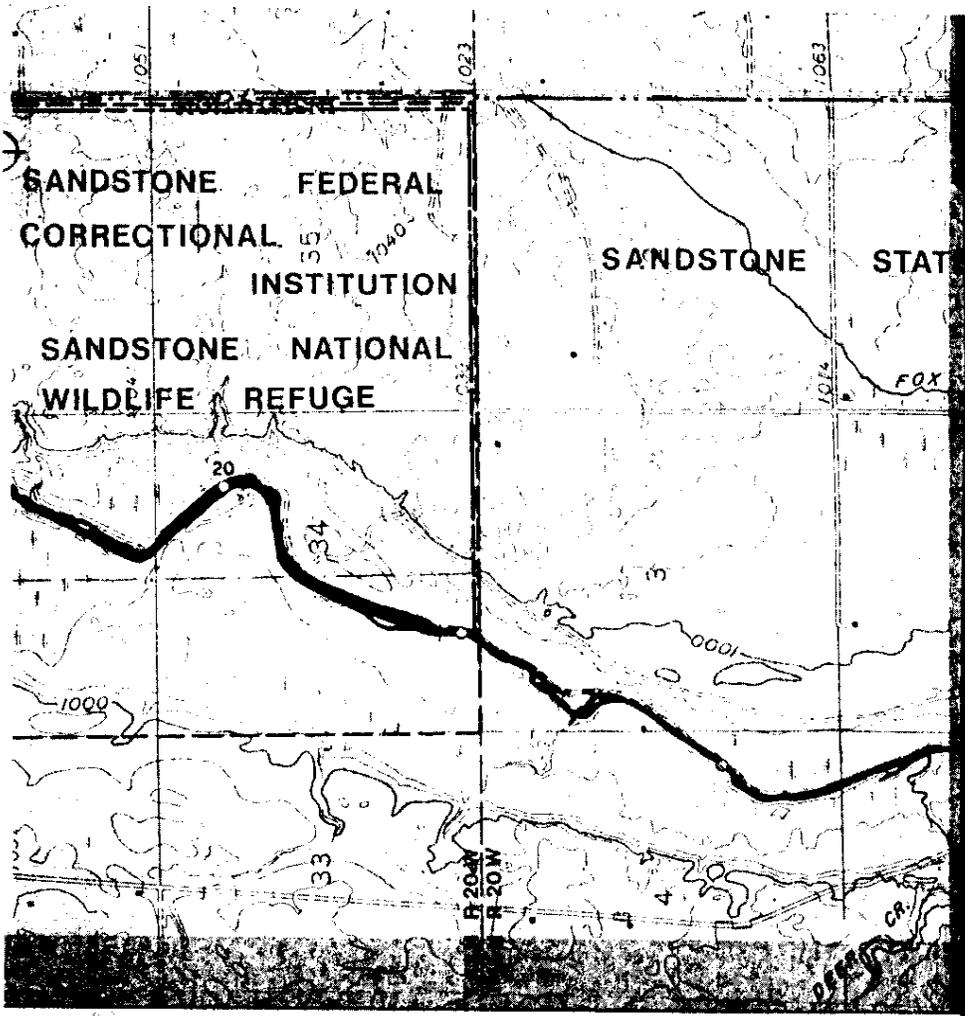
PROPOSED	EXISTING	FACILITY
		HIKING TRAIL
		MULTI-USE TRAIL
		TWIN CITY-DULUTH TRAIL HISTORIC SITE

NORTH SCALE: 1" = 2000'

PLATE **5**

Inset map labels: SANDSTONE, WILLOW RIVER, PULFEDGE, SETTLE RIVER.

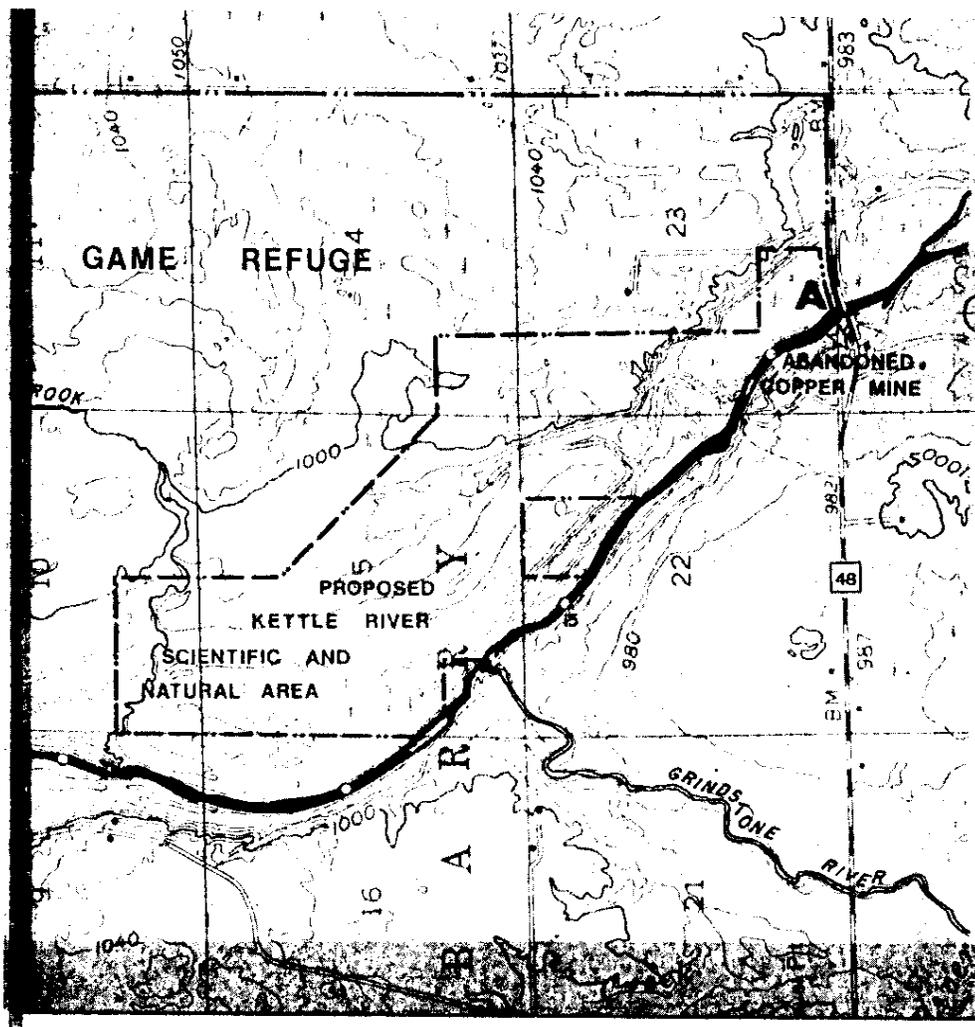
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KETTLE RIVER
MANAGEMENT PLAN

RECREATION FACILITY		
PROPOSED	EXISTING	
P	P	PORTAGE
A	A	ACCESS
C	C	CANOE CAMPSITE
H	H	HIKING CAMPSITE

375263



MANAGEMENT		FACILITY
PROPOSED	EXISTING	
⋯⋯⋯⋯	⋯⋯⋯⋯	HIKING TRAIL
⋯⋯⋯⋯	⋯⋯⋯⋯	MULTI-USE TRAIL
⋯⋯⋯⋯	⋯⋯⋯⋯	TWIN CITY-DULUTH TRAIL
☆	★	HISTORIC SITE

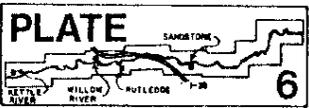


NORTH



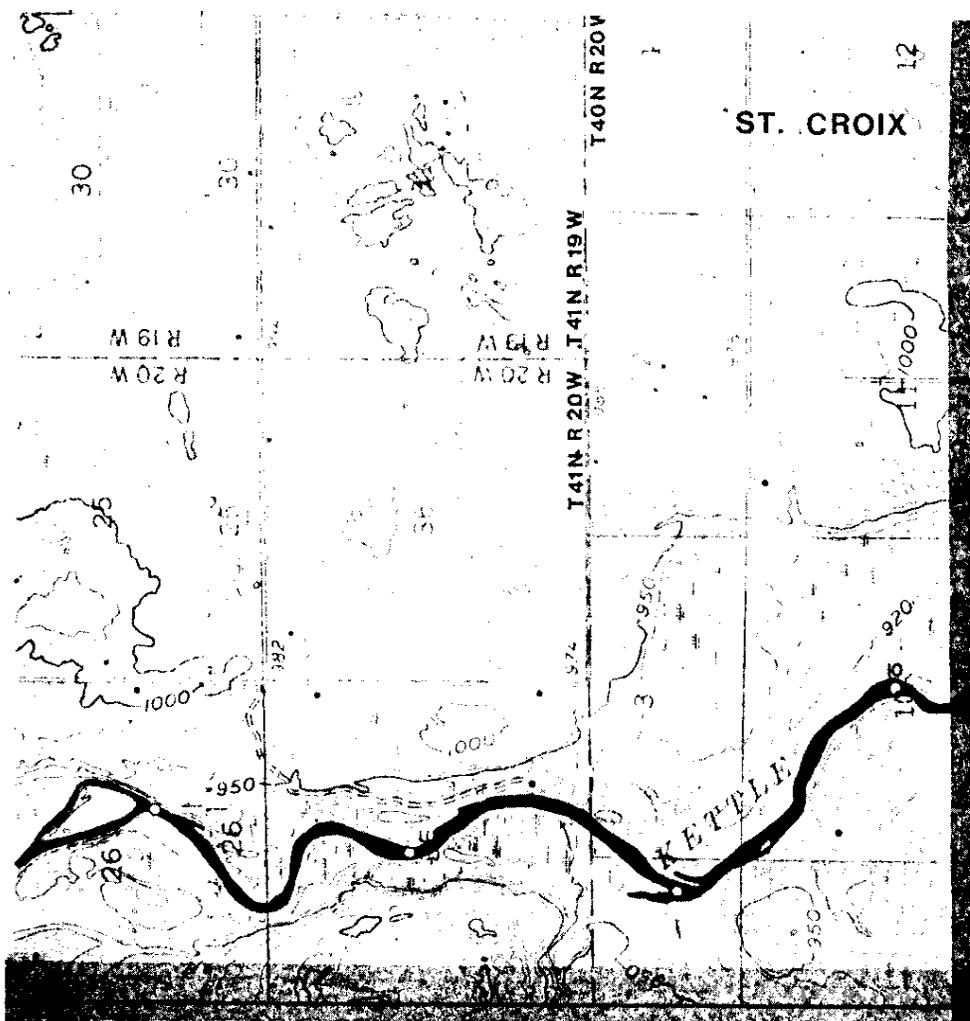
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PLATE



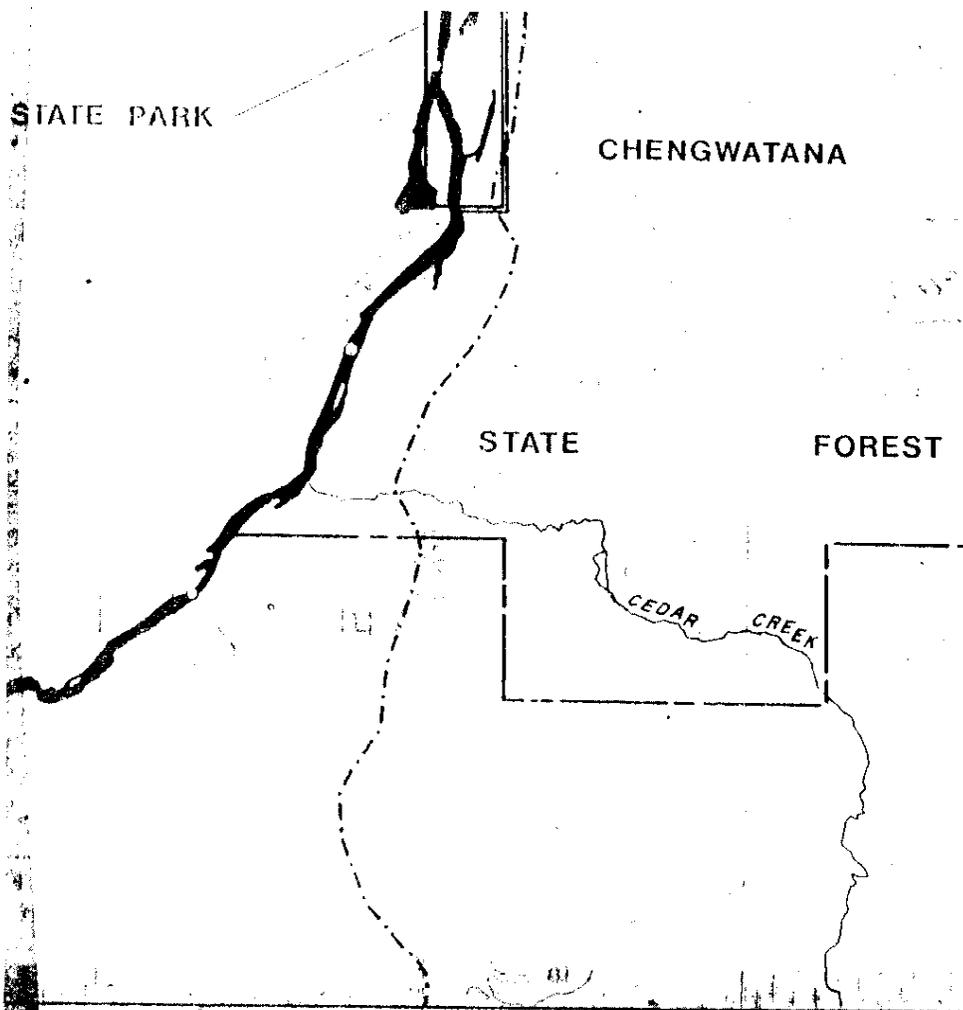
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375263



 
KETTLE RIVER
MANAGEMENT PLAN

	RECREATION
<u>PROPOSED</u>	<u>EXISTING</u> FACILITY
P	P
A	A
C	C
H	H
	PORTAGE
	ACCESS
	CANOE CAMPSITE
	HIKING CAMPSITE



MANAGEMENT

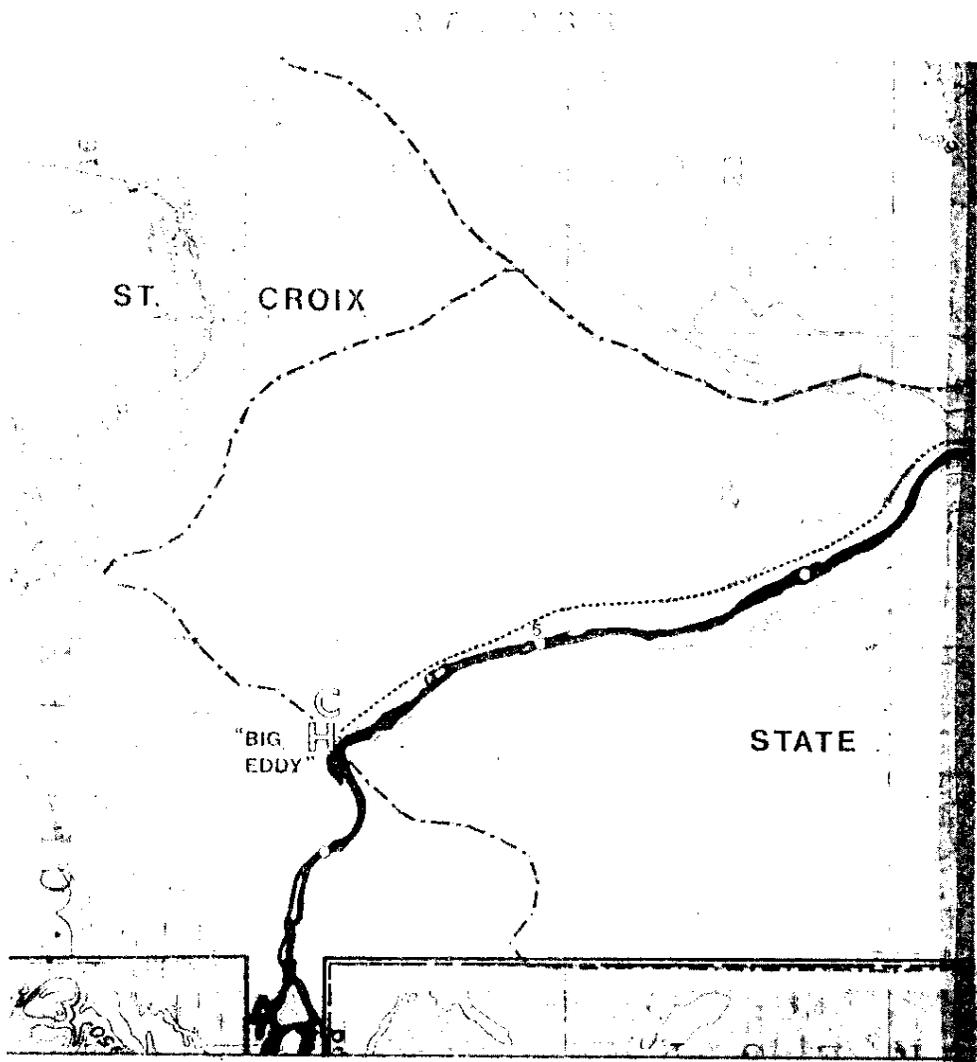
PROPOSED	EXISTING	FACILITY
—	HIKING TRAIL
—	---	MULTI-USE TRAIL
☆	★	TWIN CITY - DULUTH TRAIL
		HISTORIC SITE

NORTH

 SCALE: 1" = 2000'

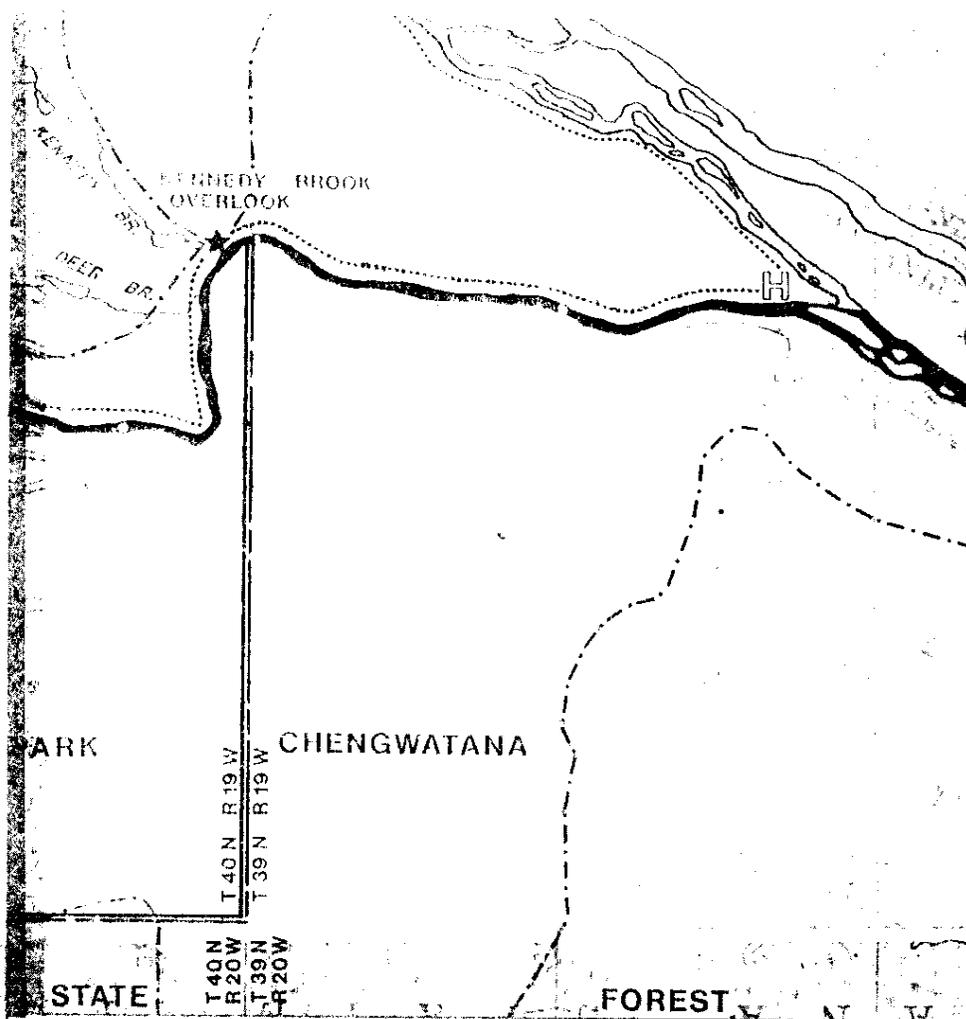
PLATE

 SANDSTONE
 WILLOW RIVER
 MILLER RIVER
 7




KETTLE RIVER
 MANAGEMENT PLAN

PROPOSED	EXISTING	FACILITY
	P	PORTAGE
	A	ACCESS
	C	CANOE CAMPSITE
	H	HIKING CAMPSITE



MANAGEMENT

PROPOSED	EXISTING	FACILITY
		HIKING TRAIL
		MULTI-USE TRAIL
		TWIN CITY-DULUTH TRAIL
		HISTORIC SITE

SCALE: 1" = 2000'

PLATE

 8

PROPERTY DESCRIPTIONS AND ACREAGE

River Mile	Acreage		
0-1	106.74	27-28	286.36
1-2	263.77	28-29	316.44
2-3	300.20	29-30	258.89
3-4	316.02	30-31	242.11
4-5	319.50	31-32	305.23
5-6	288.05	32-33	316.66
6-7	301.56	33-34	299.36
7-8	320.00	34-35	295.49
8-9	300.00	35-36	265.81
9-10	320.00	36-37	294.59
10-11	310.00	37-38	226.81
11-12	268.45	38-39	301.62
12-13	320.00	39-40	311.81
13-14	319.00	40-41	289.22
14-15	317.00	41-42	285.66
15-16	320.00	42-43	244.46
16-17	300.00	43-44	303.37
17-18	310.00	44-45	317.65
18-19	309.89	45-46	311.78
19-20	310.00	46-47	319.11
20-21	310.00	47-48	310.95
21-22	310.00	48-49	316.95
22-23	296.00	49-50	318.27
23-24	265.00	50-51	289.20
24-25	271.50	51-52	299.74
25-26	280.00		
26-27	318.71		
		TOTAL - 15,298.93	

7 5 2 6 3

RULES & REGULATIONS

NR 2300

LAND USE DISTRICT ACREAGE

T 45 N - R 20 W					
Section 4 -	Government Lot 3	45.34 acres	Government Lot 8	39.90 acres	
	Government Lot 2	19.20 acres	Government Lot 14	12.00 acres	
	Government Lot 10	31.96 acres	Government Lot 9	34.25 acres	
	W $\frac{1}{2}$ SWNE	20.00 acres	Government Lot 10	17.00 acres	
	Government Lot 9	34.54 acres	Government Lot 11	22.00 acres	
	Government Lot 8	26.91 acres	S $\frac{1}{2}$ SW	80.00 acres	
	Government Lot 7	47.50 acres	SWSE	40.00 acres	
	Government Lot 6	41.50 acres	Section 23 -	Government Lot 5	28.59 acres
	Government Lot 5	42.75 acres		Government Lot 7	25.00 acres
	Government Lot 4	25.75 acres		SWSESW	10.00 acres
Section 5 -	Government Lot 1	38.70 acres		Government Lot 8	9.61 acres
				Government Lot 6	6.41 acres
Section 9 -	Government Lot 1	30.63 acres	Section 26 -	Government Lot 8	23.93 acres
	Government Lot 2	16.98 acres		SWNW	40.00 acres
	Government Lot 3	26.83 acres		Government Lot 7	24.26 acres
	Government Lot 4	44.12 acres		Government Lot 1	51.65 acres
	Government Lot 5	31.25 acres		Government Lot 6	38.99 acres
	Government Lot 6	48.75 acres		Government Lot 3	38.34 acres
	Government Lot 7	37.85 acres		Government Lot 5	36.85 acres
	Government Lot 8	23.75 acres		W $\frac{1}{2}$ NWNE	17.50 acres
	E $\frac{1}{2}$ NWNW	20.00 acres		Government Lot 2	42.84 acres
	W $\frac{1}{2}$ SWNE	20.00 acres		W $\frac{1}{2}$ NWNWSE	3.75 acres
Section 15 -	W $\frac{1}{2}$ W $\frac{1}{2}$ SW	40.00 acres		Government Lot 4	32.62 acres
Section 16 -	W $\frac{1}{2}$ NE	80.00 acres	Section 27 -	E $\frac{1}{2}$ E $\frac{1}{2}$ E $\frac{1}{2}$	80.00 acres
	N $\frac{1}{2}$ SE	80.00 acres	Section 34 -	W $\frac{1}{2}$ SE	80.00 acres
	Government Lot 1	32.50 acres		SWNE	40.00 acres
	Government Lot 2	20.37 acres		Government Lot 1	39.90 acres
	Government Lot 3	20.93 acres		Government Lot 2	28.50 acres
	Government Lot 4	31.20 acres		Government Lot 3	7.50 acres
	Government Lot 5	19.95 acres		Government Lot 4	27.54 acres
	Government Lot 6	24.55 acres		Government Lot 5	8.05 acres
	Government Lot 7	35.50 acres		Government Lot 6	30.44 acres
	E $\frac{1}{2}$ SWSW	20.00 acres		Government Lot 7	3.40 acres
	Government Lot 8	35.50 acres	Section 35 -	Government Lot 1	5.67 acres
	Government Lot 9	35.60 acres		Government Lot 2	31.25 acres
	Government Lot 10	40.75 acres		Government Lot 3	39.98 acres
Section 21 -	Government Lot 1	5.50 acres		Government Lot 4	0.17 acres
	Government Lot 2	32.25 acres		Government Lot 5	38.80 acres
	W $\frac{1}{2}$ NE	80.00 acres		Government Lot 6	39.69 acres
	NENW	40.00 acres		E $\frac{1}{2}$ W $\frac{1}{2}$	70.00 acres
	Government Lot 3	24.50 acres		West of Road	
	Government Lot 4	13.10 acres	T 44 N - R 20 W		
	Government Lot 5	38.60 acres	Section 2 -	NWNW	40.93 acres
	NWSE	40.00 acres		SWNW	40.00 acres
	SESE	40.00 acres		All west of road in	
Section 22 -	W $\frac{1}{2}$ NWNW	20.00 acres		W $\frac{1}{2}$ SW	25.00 acres
	SWNW	40.00 acres	Section 3 -	Government Lot 3	47.34 acres
	Government Lot 12	36.56 acres		Government Lot 4	23.60 acres
	Government Lot 13	23.30 acres		Government Lot 5	34.03 acres
	Government Lot 2	9.35 acres		Government Lot 6	58.34 acres
	Government Lot 3	13.74 acres		SESW	40.00 acres
	Government Lot 4	4.10 acres		Government Lot 7	57.05 acres
	Government Lot 5	19.35 acres		Government Lot 8	49.02 acres
	Government Lot 6	17.25 acres		Government Lot 9	25.73 acres
	Government Lot 7	39.40 acres			

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NR 2300

KETTLE WILD & SCENIC RIVERS

Section 10 -	W $\frac{1}{2}$ NW	80.00 acres	NESE	40.00 acres
	Government Lot 1	21.20 acres	Government Lot 6	38.73 acres
	NENE	40.00 acres	E $\frac{1}{2}$ SESW	20.00 acres
	Government Lot 2	41.06 acres	Government Lot 7	33.35 acres
	Government Lot 3	27.17 acres	Government Lot 8	25.06 acres
	Government Lot 4	50.13 acres	Government Lot 9	28.36 acres
	Government Lot 5	25.96 acres	Section 10 - Government Lot 2	33.61 acres
	Government Lot 6	47.44 acres	Government Lot 1	1.75 acres
	Government Lot 7	34.94 acres	E $\frac{1}{2}$ NWNE	20.00 acres
	Government Lot 8	52.24 acres	SENE	40.00 acres
	W $\frac{1}{2}$ NWSW	20.00 acres	Section 11 - Government Lot 1	37.63 acres
Section 15 -	Government Lot 1	47.20 acres	NENW	40.00 acres
	Government Lot 2	23.70 acres	Government Lot 2	21.40 acres
	Government Lot 5	35.15 acres	Government Lot 3	34.36 acres
	Government Lot 6	11.00 acres	Government Lot 4	25.24 acres
	Government Lot 7	43.05 acres	Government Lot 5	38.57 acres
	Government Lot 8	49.53 acres	Government Lot 6	34.85 acres
	Government Lot 9	27.91 acres	Government Lot 7	20.08 acres
	W $\frac{1}{2}$ NE		Government Lot 8	46.75 acres
	West of road	70.00 acres	E $\frac{1}{2}$ SESW	20.00 acres
	Government Lot 3	26.69 acres	NESW	40.00 acres
	Government Lot 4	31.05 acres	Section 14 - Government Lot 1	32.55 acres
	W $\frac{1}{2}$ NWSW		Government Lot 2	35.87 acres
	East of road	22.00 acres	Government Lot 3	54.86 acres
Section 16 -	E $\frac{1}{2}$ E $\frac{1}{2}$ NENE	10.00 acres	Government Lot 4	57.25 acres
Section 22 -	Government Lot 5	38.58 acres	Government Lot 5	37.06 acres
	Government Lot 6	50.52 acres	Government Lot 6	38.66 acres
	Government Lot 8	33.17 acres	Government Lot 7	42.23 acres
	Government Lot 9	40.66 acres	Section 23 - Government Lot 1	38.98 acres
	Government Lot 1	26.25 acres	Government Lot 2	38.40 acres
	Government Lot 2	21.25 acres	Government Lot 3	45.36 acres
	Government Lot 3	21.85 acres	Government Lot 4	28.56 acres
	Government Lot 4	26.72 acres	Government Lot 5	45.00 acres
Section 27 -	W $\frac{1}{2}$ E $\frac{1}{2}$	160.00 acres	Government Lot 6	28.45 acres
	Government Lot 1	47.23 acres	Government Lot 7	35.42 acres
	Government Lot 2	34.43 acres	Government Lot 8	33.96 acres
	Government Lot 3	27.83 acres	Section 26 - Government Lot 1	35.40 acres
	Government Lot 4	49.06 acres	Government Lot 2	66.54 acres
	Government Lot 5	24.62 acres	Government Lot 3	31.55 acres
	Government Lot 6	47.06 acres	Government Lot 4	35.97 acres
	Government Lot 7	39.68 acres	Government Lot 5	40.10 acres
	Government Lot 8	27.95 acres	Government Lot 6	54.86 acres
Section 34 -	Government Lot 1	48.63 acres	E $\frac{1}{2}$ E $\frac{1}{2}$ W $\frac{1}{2}$	80.00 acres
	Government Lot 2	48.54 acres	Section 34 - Government Lot 2	29.43 acres
	Government Lot 3	43.93 acres	NESE	40.00 acres
	Government Lot 4	40.75 acres	Government Lot 1	6.30 acres
	Government Lot 5	32.34 acres	Section 35 - Government Lot 1	34.94 acres
	Government Lot 6	30.33 acres	Government Lot 2	31.56 acres
	Government Lot 7	26.38 acres	Government Lot 3	29.06 acres
	Government Lot 8	25.86 acres	Government Lot 4	56.15 acres
T 43 N - R 20 W			Government Lot 5	39.07 acres
Section 2 -	W $\frac{1}{2}$ SWSW	20.00 acres	Government Lot 6	35.25 acres
Section 3 -	Government Lot 2	43.58 acres	Government Lot 7	23.24 acres
	Government Lot 3	49.35 acres	Government Lot 8	42.28 acres
	Government Lot 4	38.56 acres	E $\frac{1}{2}$ NENW	20.00 acres
	Government Lot 5	36.68 acres	S $\frac{1}{2}$ NW	80.00 acres
			SWSE	40.00 acres
			W $\frac{1}{2}$ NESE	20.00 acres

RULES & REGULATIONS

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NR 2300

T 42 N - R 20 W

Section 3 -	NENE	43.74 acres
	NWNE	43.77 acres
	S½ NE	80.00 acres
	N½ SE	80.00 acres
	E½ SW	80.00 acres
	E½ W½ SW	40.00 acres
Section 10 -	E½ NW	80.00 acres
	E½ E½ W½ NW	20.00 acres
	SWNE	40.00 acres
	W½ SE	80.00 acres
	E½ E½ SWNW	10.00 acres
	NWNESW	9.00 acres
	E½ E½ SW	32.50 acres
Section 15 -	W½ E½	160.00 acres
	E½ SW	80.00 acres
	E½ SWSW	20.00 acres
	SENW	40.00 acres
	E½ E½ NENW	10.00 acres
Section 21 -	E½ NESE	20.00 acres
	SESE	40.00 acres
Section 22 -	NW	160.00 acres
	W½ SW	80.00 acres
	W½ E½ SW	40.00 acres
	NENESW	10.00 acres
	W½ NWNE	20.00 acres
Section 27 -	NW	160.00 acres
	E½ NESW	20.00 acres
	E½ SESW	20.00 acres
	W½ SE	80.00 acres
	W½ E½ E½ SE	20.00 acres
	SWNE	40.00 acres
	W½ NWNE	20.00 acres
	SEWNNE	10.00 acres
	SWNESE	10.00 acres
	W½ SENE	20.00 acres
	W½ SESENE	5.00 acres
	W½ E½ SENE	10.00 acres
	W½ E½ SE	40.00 acres
Section 28 -	NENE	40.00 acres
Section 34 -	NE	160.00 acres
	E½ NENW	20.00 acres
	E½ SENW	20.00 acres
	E½ SW	80.00 acres
	NWSE	40.00 acres
	N½ SWSE	20.00 acres
	SWSWSE	10.00 acres
	NWNESE	10.00 acres
	W½ SWNESE	5.00 acres
	SENSWS	10.00 acres
	SWSENW	10.00 acres
	E½ SWSW	20.00 acres

T 41 N - R 20 W

Section 3 -	N½ NW	111.59 acres
	SWNW	40.00 acres

W½ SENW	20.00 acres
W½ W½ SW	40.00 acres
NENWSW	10.00 acres

Section 4 -	E½ NENE	28.30 acres
	SENE	40.00 acres
	E½ SE	80.00 acres
	E½ W½ SE	40.00 acres

Section 9	E½ E½	160.00 acres
	E½ W½ E½	60.00 acres
	east of road	

Section 10 -	W½ W½ W½	80.00 acres
	E½ NWSW	20.00 acres
	SESWNW	10.00 acres

Section 15 -	W½ W½ NW	40.00 acres
	W½ SW	80.00 acres
	SESW	40.00 acres
	W½ NWSW	20.00 acres
	W½ SWSE	20.00 acres

Section 16 -	E½ E½	160.00 acres
	E½ W½ NE	40.00 acres
	E½ W½ W½ NE	20.00 acres

Section 22 -	NWSENW	10.00 acres
	N½ NW	80.00 acres
	E½ SENW	20.00 acres
	S½ NE	80.00 acres
	W½ NWNE	20.00 acres
	SEWNNE	10.00 acres
	NESE	40.00 acres
	NENWSE	10.00 acres
	NESESE	10.00 acres

Section 23 -	S½ SW	80.00 acres
	S½ N½ SW	40.00 acres
	N½ NWSW	20.00 acres
	NWNESW	10.00 acres
	S½ SWNW	20.00 acres

Section 26 -	NWNWNW	
	North of road	6.00 acres
	W½ E½	160.00 acres
	E½ W½	160.00 acres
	E½ NWNW	20.00 acres
	W½ SENE	20.00 acres
	E½ SWSW	20.00 acres

Section 35 -	W½ E½	160.00 acres
	W½ SESE	20.00 acres
	E½ W½	160.00 acres
	E½ NWNW	20.00 acres

T 40 N -R 20 W

Section 3 -	SWSW	40.00 acres
	NWSW	34.49 acres

Section 4 -	SESE	40.00 acres
	NESE	33.96 acres

Section 9 -	NENE	40.00 acres
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3 7 5 2 6 3

RULES & REGULATIONS

NR 2300

Government Lot 7	25.00 acres
Government Lot 6	6.41 acres
Section 26 - Government Lot 1	39.15 acres
Government Lot 3	18.34 acres
Government Lot 4	19.62 acres

T 44 N - R 20 W

Section 2 - SWNWSWNW	2.50 acres
W½ SWSWNW	5.00 acres
Section 3 - Government Lot 3	47.34 acres
Government Lot 4	10.00 acres
Government Lot 5	34.03 acres
Section 10 - Government Lot 1	21.20 acres
NENE	40.00 acres
Government Lot 2	20.53 acres
Government Lot 3	27.17 acres
Government Lot 6	47.44 acres
Government Lot 7	34.94 acres
Government Lot 8	32.24 acres
W½ NWSE	20.00 acres
Section 27 - Government Lot 2	34.43 acres
Section 34 - Government Lot 2	28.54 acres
Government Lot 3	23.93 acres
Government Lot 4	20.75 acres

T 41 N - R 20 W

Section 9 - E½ E½	144.00 acres
west of river	65.00 acres
E½ W½ E½	
Section 15 - S½ SESW	20.00 acres
Section 16 - NESE	34.00 acres
west of river	40.00 acres
W½ W½ NE	40.00 acres
E½ SESE	20.00 acres
Section 22 - N½ NW	80.00 acres
N½ SENW	20.00 acres
SESENW	10.00 acres
S½ NE	80.00 acres
W½ NWNE	20.00 acres
SENWNE	10.00 acres
NESE	40.00 acres
NESESE	10.00 acres
Section 23 - W½ W½ SW	40.00 acres
SWSWNW	10.00 acres
E½ SWSW	
west of river	13.00 acres
Section 26 - E½ NWNW	20.00 acres
E½ SESW	
east of river	13.00 acres
SWSESW	
east of river	3.00 acres
NWNWNW	
north of road	3.50 acres

W½ NENW	
west of river	16.00 acres
SENW	40.00 acres
Section 35 - W½ W½ E½ NE	40.00 acres
N½ NENW	
east of river	10.00 acres
E½ SWSE	20.00 acres
SENWSE	10.00 acres

T 40 N - R 20 W

Section 3 - N½ NWSW	25.86 acres
SWNWSW	10.00 acres
Section 4 - SESE	40.00 acres
Section 9 - S½ NENE	20.00 acres
NWNENE	10.00 acres
Section 10 - NWNW	
south of river	21.00 acres
NESWNW	10.00 acres
E½ NESW	
west of river	17.00 acres
N½ SENW	
west of river	15.00 acres
SESENW	9.00 acres

TOTAL - 2,117.44 acres

13.84% of land use district

ACQUISITION ACREAGE

T 44 N - R 20 W

Section 3 - Government Lot 4	13.60 acres
------------------------------	-------------

T 43 N - R 20 W

Section 3 - Government Lot 2	37.58 acres
Government Lot 3	43.35 acres
Government Lot 4	32.56 acres
Government Lot 5	30.68 acres
Government Lot 6	32.73 acres
Government Lot 7	27.35 acres
Government Lot 8	19.06 acres
Government Lot 9	22.36 acres

Section 11 - Government Lot 1	37.63 acres
Government Lot 3	34.36 acres
Government Lot 7	20.08 acres
Government Lot 2	5.00 acres

Section 34 - Government Lot 2	12.00 acres
NESE	40.00 acres

T 42 N - R 20 W

Section 3 - NENWSW	10.00 acres
E½ SWSW	20.00 acres
S½ NE	80.00 acres
N½ SE	80.00 acres
SESW	40.00 acres

3 7 5 2 6 3

NR 2300

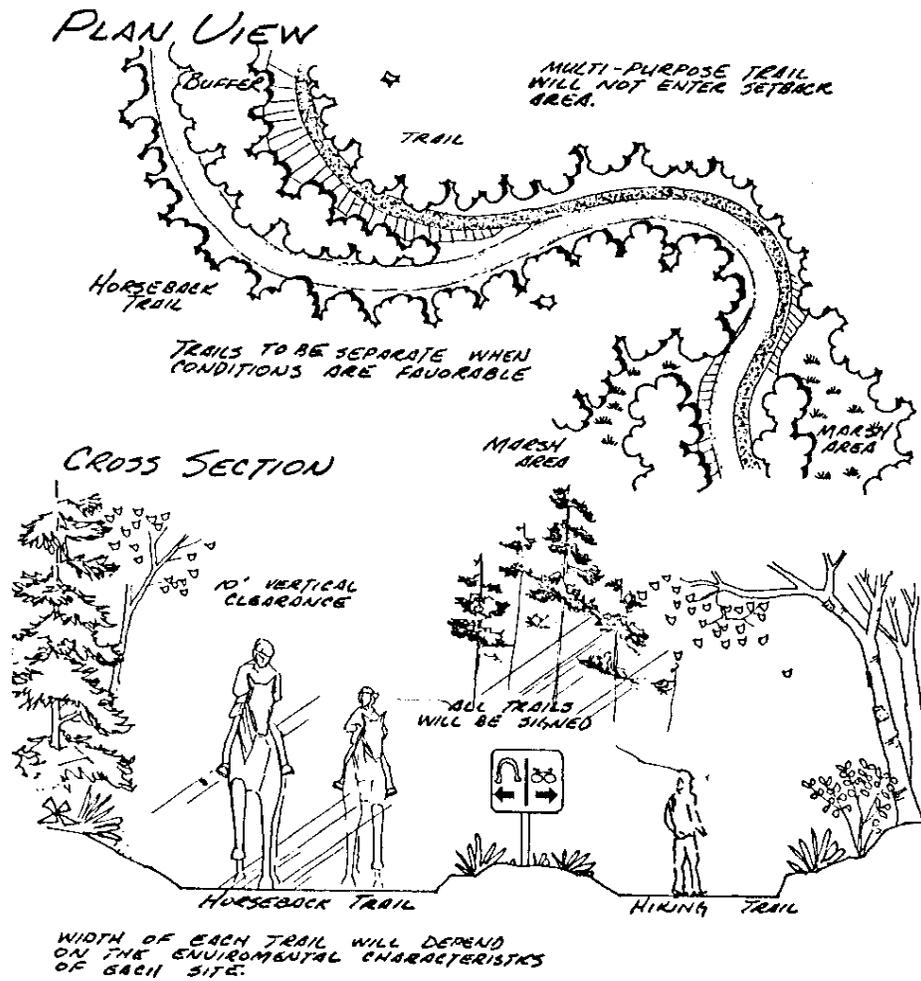
KETTLE WILD & SCENIC RIVERS

Section 10 -	E $\frac{1}{2}$ E $\frac{1}{2}$ W $\frac{1}{2}$ NW	20.00 acres
	E $\frac{1}{2}$ W $\frac{1}{2}$ E $\frac{1}{2}$ W $\frac{1}{2}$ NW	10.00 acres
	W $\frac{1}{2}$ SE	80.00 acres
	NWNESW	9.00 acres
	S $\frac{1}{2}$ SWNE	
	south of railroad	17.00 acres
	S $\frac{1}{2}$ SENW	
	south of railroad	13.00 acres
Section 15 -	NWNE	40.00 acres
	NESW	40.00 acres
	SENE	40.00 acres
Section 22 -	NWNW	40.00 acres
T 41 N - R 20 W		
Section 23 -	SWSLSW	10.00 acres
T 40 N - R 20 W		
Section 9 -	NENENE	10.00 acres
T 40 N - R 19 W		
Section 33 -	Government Lot 2	29.80 acres
	S $\frac{1}{2}$ NWSW	20.00 acres

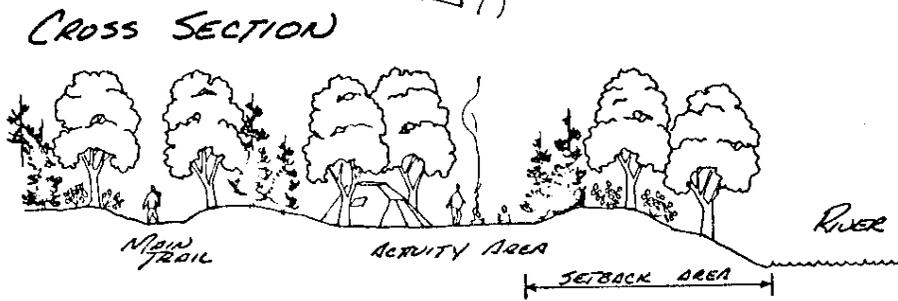
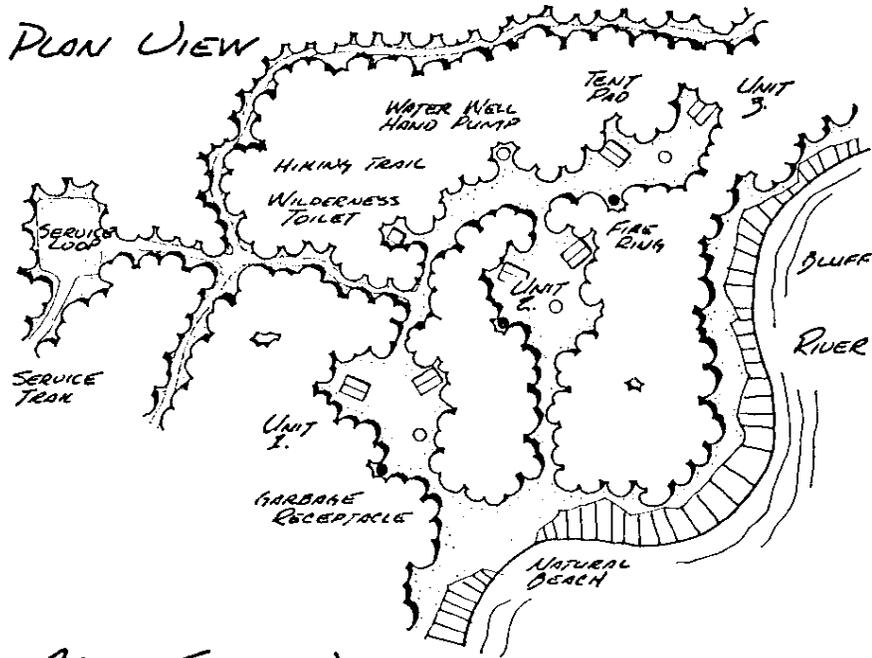
T 39 N - R 19 W		
Section 4 -	Government Lot 7	16.00 acres
	Government Lot 9	30.30 acres
	Government Lot 10	35.60 acres
	Government Lot 11	38.87 acres
	Government Lot 8	13.40 acres
Section 5 -	Government Lot 1	36.54 acres
	Government Lot 2	35.78 acres
	SENE	40.00 acres
	NENE	34.55 acres
	NWNE	34.85 acres
	NENW	35.15 acres
Section 8 -	Government Lot 7	26.64 acres
	Government Lot 1	9.40 acres
	Government Lot 6	30.70 acres
TOTAL - 1,342.92 acres		
8.78% of land use district		

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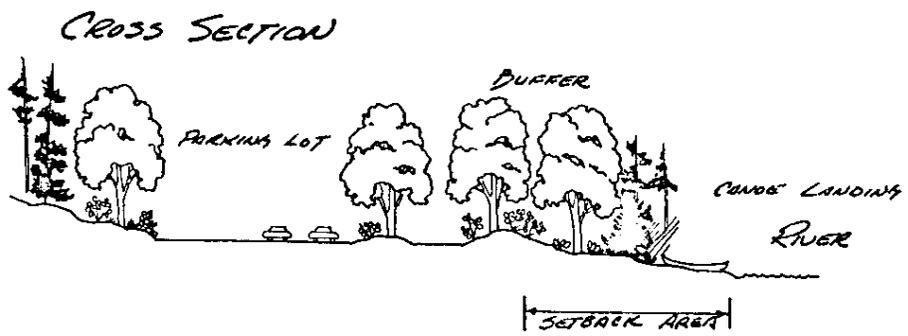
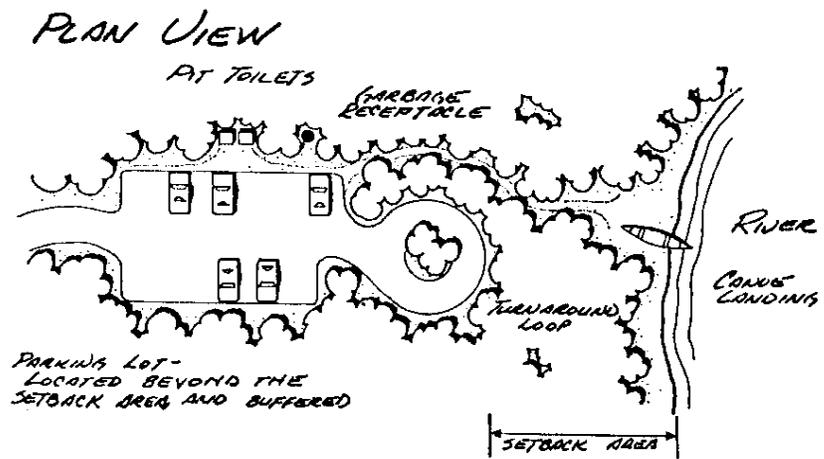
FIGURE 1
TRAIL DESIGN TYPICAL



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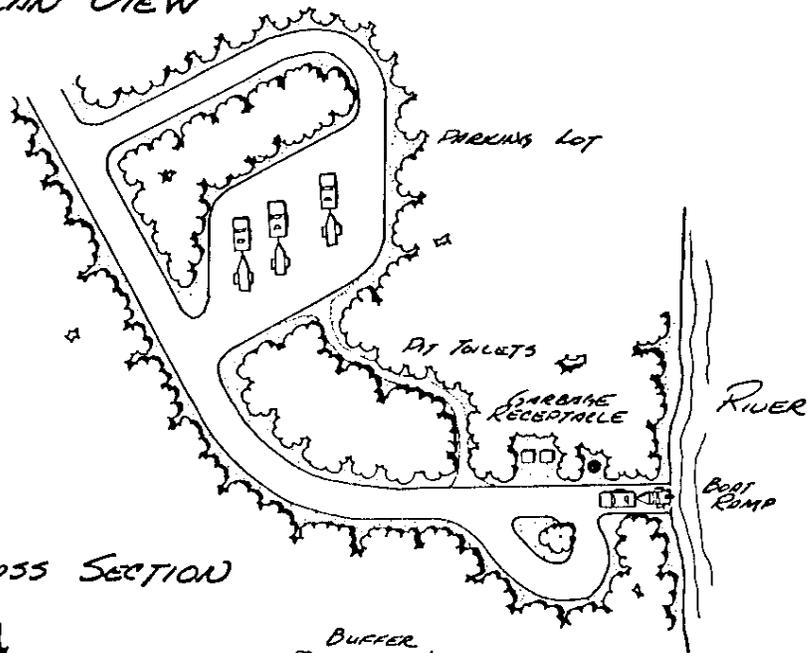


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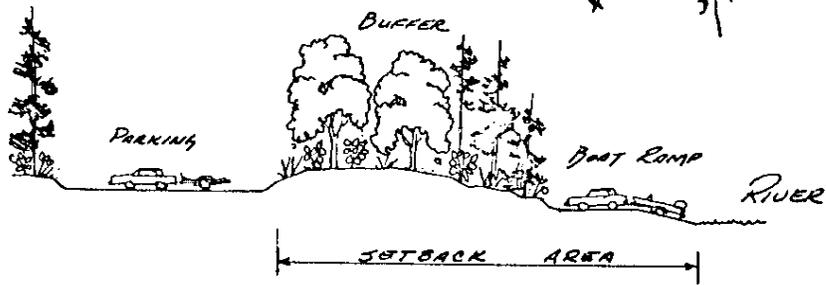


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PLAN VIEW

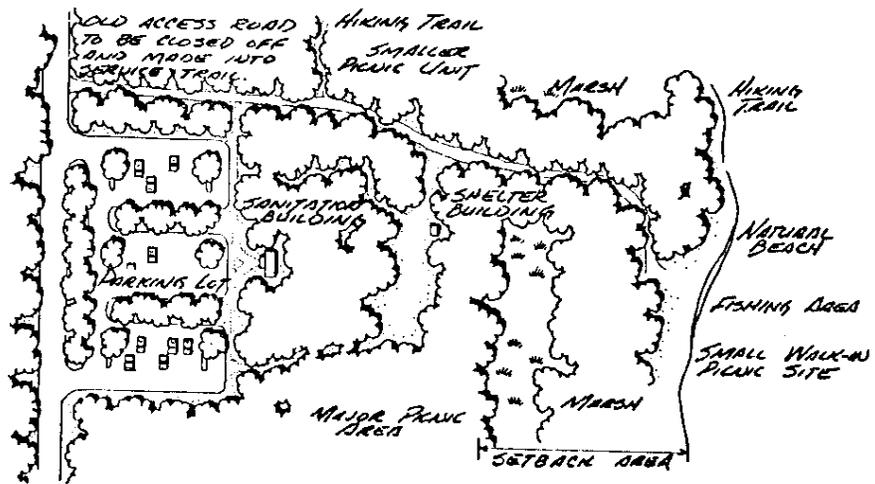


CROSS SECTION



375263

PLAN VIEW



CROSS SECTION



275963

