April 18, 2023

Heidi Honey
City Administrator
City of the Village of Minnetonka Beach
2945 Westwood Road
PO Box 146
Minnetonka Beach, MN 55361

Re: Preliminary Comments on City of the Village of Minnetonka Beach's Proposed Shoreland Amendment

Dear Ms. Honey:

Thank you for submitting your proposed shoreland ordinance amendment to the DNR for preliminary review. A shoreland ordinance is an important land use regulation that helps to protect surface water quality, near shore habitat and shoreland aesthetics of Minnesota's public waters. The purpose of this review is to help you develop "near final" language that can be conditionally approved by the DNR in time for the public hearing.

Ordinance Evaluation

We have reviewed the attached proposed amendments received on April 13, 2023, for compliance with state shoreland rules (MR 6120.2500 – 6120.3900). It is nearly consistent with the April 7, 2023, memo to Wes Saunders-Pearce from Jeff Breazeale and Susan Swanson, summarizing the proposed changes.

Attached is the proposed amendment with one comment dealing with use of boulders. Please modify this provision as requested into the near-final draft you submit for conditional approval.

Next Steps

1. <u>Revise the Ordinance and Submit it for Conditional Approval Review</u>
   Revise the ordinance based on my comment using the attached Word document to show all changes and submit the near-final draft to me for conditional approval. If you modify the one comment soon, we can still provide you conditional approval by the May 15 public hearing. Having the DNR's conditional approval at the time of the public hearing will expedite city council adoption and implementation.

2. Public Hearing to Consider the Ordinance
   Hold the public hearing on May 15. The DNR's conditional approval is read and/or entered into the hearing record.

3. Adoption
   The city council adopts the ordinance that was conditionally approved.

4. Final Review and Approval
   Send the adopted ordinance to me within 10 days of adoption by the city council. I will review the adopted ordinance for consistency with the ordinance we conditionally approved. If the adopted ordinance is consistent, the DNR will send you a final approval letter and the ordinance will be effective. State rules require DNR final approval of shoreland ordinances and amendments for those ordinances to be effective.

Please call me if you have any questions on my comment and the review process. I'd be happy to discuss my comments and steps for receiving DNR approval. Please let me know your anticipated schedule for moving this project forward.

Sincerely,

Dan Petrik
Shoreland Program Manager

Attachments:

Proposed Ordinance with DNR comments

c: Megan Moore, DNR District Manager
Wes Saunders-Pearce, DNR Area Hydrologist
Ordinance.review.dnr@state.mn.us