

REDWOOD COUNTY ZONING ORDINANCE  
SECTION 16  
GENERAL REGULATIONS

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## **SECTION 16 GENERAL REGULATIONS**

### **SUBDIVISION 1. PURPOSE**

The guiding of land development into a compatible relationship of the uses depends upon the maintenance of certain standards. In the various Use Districts, the permitted, accessory and conditional uses shall conform to the standards enumerated in this Section.

### **SUBDIVISION 2. OFF-STREET PARKING AND LOADING REGULATIONS**

All parking hereafter constructed or maintained shall conform to the provisions of this Subdivision.

1. **Minimum Size Regulations.** Each space shall contain a minimum area of not less than two hundred fifty (250) square feet including access drives, a width of not less than eight and one-half (8 1/2) feet and a depth of not less than twenty (20) feet. Each space shall be adequately served by access drives. Each loading space shall contain an area sufficient to meet the requirements of the use.
2. **Minimum Required Number of Off-Street Parking Spaces.** Off-street parking areas of sufficient size to provide parking for patrons, customers, suppliers, visitors and employees shall be provided on the premises of each use. The parking space requirement for a use not specifically mentioned herein shall the Board of County Commissioners as required for a use of similar nature as determine the same. The minimum number of required off-street parking spaces for the following uses shall be as follows:
  - A. **Single family dwelling --** One (1) parking space. No garage shall be converted into living space unless an acceptable off-street parking space is provided.
  - B. **Multiple dwelling --** One (1) parking space per dwelling unit or apartment unit.
  - C. **Churches --** One (1) parking space for each four (4) seats based on the design capacity of the main sanctuary.
  - D. **Professional offices and office buildings --** Four (4) parking spaces plus one (1) parking space for each five hundred (500) square feet of floor area over one thousand (1000) square feet of floor area.

- E. Shopping center -- Where several business uses are grouped together according to a general development plan, off-street automobile parking shall be provided in a ratio of not less than three (3) square feet of gross parking area for each one (1) square foot of gross retail floor area; separate off-street parking space shall be provided for loading and unloading.
- F. Hospitals -- One (1) parking space for each two (2) hospital beds plus one (1) parking space for each employee on the major shift.
- G. Convalescent, rest or nursing home -- One (1) parking space for each four (4) beds for which accommodations are offered.
- H. Automobile service station -- Four (4) parking spaces plus two (2) parking spaces for each service stall; such parking spaces shall be in addition to parking space for gas pump area.
- I. Auto sales, trailer sales, marine and boat sales, implement sales, garden supply store, building materials sales, auto repair -- Six (6) parking spaces plus one (1) parking space for each five hundred (500) square feet of floor area over one thousand (1000) square feet.
- J. Bowling alley -- Five (5) parking spaces for each bowling lane.
- K. Drive-in restaurant -- Twenty (20) parking spaces or one (1) space for each twenty (20) square feet of floor area, whichever is greater.
- L. Motel or motor hotel -- One (1) parking space for each rental room or suite.
- M. Restaurant, café, nightclub, tavern or bar -- One (1) parking space for each seventy-five (75) square feet of floor space.
- N. Retail stores and service establishments -- One (1) off-street parking space for each one hundred (100) square feet of floor area.
- O. Storage or warehouse establishments -- One (1) off-street parking space for each two (2) employees on the major shift or one (1) space for each two thousand (2000) square feet of floor area, whichever is larger, plus one (1) space for each company motor vehicle when customarily kept on the premises.

- P. Manufacturing or processing plant – One (1) off-street parking space for each employee on the major shift or one (1) off-street parking space for each three hundred fifty (350) square feet of gross floor area within the building, whichever is greater, plus one (1) space for each company motor vehicle when customarily kept on the premises.
- 3. Required Loading Areas. Loading and unloading areas for goods, supplies, and services shall be sufficient to meet the requirements of each use.
- 4. Access.
  - A. Parking and loading space shall have proper access from a public right-of-way.
  - B. The number and width of access drives shall be so located as to minimize traffic congestion and abnormal traffic hazard. Frontage roads or service roads may be required when, in the opinion of the County Planning Commission, such service roads are necessary to maintain maximum traffic safety.
- 5. Fences and Planting Screens. Off-street parking and loading areas near or adjoining residential property shall be screened by a fence of adequate designs or a planting buffer screen; plans of such screens or fence shall be submitted for approval as a part of the required site or plot plan, and such fence or landscaping shall be installed as a part of the initial construction.

### **SUBDIVISION 3. SIGNS**

1. All signs herein after erected, altered, substantially repaired, relocated or maintained shall conform to provision of this Ordinance. No sign shall be allowed in any Zoning District unless it is a permitted use, conditional permitted use or accessory use established in accordance with the provisions of this Ordinance.
2. All sign locations shall be kept free from unreasonable growth, debris or rubbish. Failure to correct such conditions after being directed in writing by the Zoning Administrator shall be cause for revocation of the existing permit and removal of the sign or signs on said location or locations.
3. All signs shall be properly identified stating the name and address of the individual or firm responsible for the sign.
4. Private signs other than underground utility warning signs are prohibited within public right-of-way and easements, provided, however, such underground utility is located within such right-of-way or easement.
5. Illuminated signs may be permitted; except that devices giving off an intermittent or rotating beam of rays of light shall be prohibited.
6. No sign shall, by reason of position, shape or color interfere in any way with the proper functioning or purpose of a traffic sign or signal.
7. Signs shall not be painted on fences, rocks or similar structures or features nor shall paper or similar signs be attached directly to a building wall by an adhesive or similar means.
8. No lighting for signs shall directly reflect light beams onto any public road or highway.
9. All signs shall be located outside of any public right-of-way; except as otherwise allowed in this Section. A statement shall be filed with the Zoning Administrator in a form approved by the County Attorney stating that all costs of removal of the sign shall be borne by the applicant should the widening of the road necessitate removal or relocation of the sign.
10. No sign in excess of three (3) square feet shall be less than five hundred (500) feet from the intersection of two (2) or more public roads or less than five hundred (500) feet from the intersection of a public road and a railroad, provided that advertising may be affixed to or located adjacent to a building at such intersection in such a manner as not to cause any greater obstruction of vision than that caused by the building itself.

11. Permitted Signs. The following signs are allowed without a permit but shall comply with all other applicable provisions of this Section.
  - A. Government Signs. Signs of a public, non-commercial nature to include safety signs, danger signs, trespassing signs, traffic signs, signs indicating scenic or historical points of interest, memorial plaques and the like, when signs are erected by or on a public officer or employee in the performance of official duty.
  - B. Directory Signs. A wall sign which identifies the business, owners, manager, or resident occupant and sets forth the occupation or other address information but contains no advertising. There may be one (1) directory sign per zoning lot not to exceed two (2) square feet per business or resident occupant. Home occupations may display a directory sign.
  - C. Directional and Parking Signs (on-site). On-site directional and parking signs intended to facilitate the movement of vehicles and pedestrians upon which the sign is located. Signs shall not exceed six (6) square feet.
  - D. Directional and Informational Signs (off-site). Off-site directional and informational signs intended to direct traffic to the exact location of conforming home occupations or businesses. Such signs shall not be located within the road right-of-way and shall not be larger than twelve (12) square feet.
  - E. Integral Signs. Names on buildings, date of construction, commemorative tablets and the like, which are of the building or structure.
  - F. Real Estate Sign. For the purpose of selling, renting, or leasing a single parcel, a sign not in excess of twenty-five (25) square feet per surface may be placed with in the front yard.
  - G. Construction Sign. For the purpose of selling or promoting a residential project, commercial area, or an industrial area, one sign not to exceed two hundred forty (240) feet of surface may be erected upon the project site.
  - H. Election Sign. Election signs are permitted in all districts provided such signs are removed within ten (10) days following the election. No election sign shall be permitted more than two (2) months preceding the election the sign relates to.
  - I. Agricultural Products Sign. Signs indicating that the proprietor of a farm is a dealer in seed, fertilizer and other agricultural products only when such dealership is incidental to the primary agricultural business of the farm.

- J. Crop Demonstration Signs. Any farm crop demonstration sign for informational use.
  - K. Holiday Signs. Signs or displays, which contain or depict messages pertaining to a national or state holiday and no other material. Such signs may be displayed for a period not exceeding thirty (30) days.
12. Signs allowed in the “FP” FLOOD PLAIN DISTRICT, “S” SCENIC RIVERS DISTRICT, “A” AGRICULTURAL DISTRICT AND THE “UE” URBAN EXPANSION DISTRICT.
- A. Permitted Signs. Permitted signs as regulated by Paragraph 11 of this Subdivision
  - B. Institutional Signs. Two (2) signs of which one (1) may be free standing but not higher than twelve (12) feet and the single or combined surface area shall not exceed thirty (30) square feet.
  - C. Home Occupation Signs.
  - D. Residential Signs.
    - (1.) One (1) nameplate sign for each dwelling not to exceed two (2) square feet in area per surface, and no sign shall be so constructed as to have more than two (2) surfaces.
    - (2.) One (1) nameplate sign for each dwelling group of six (6) square feet in area per surface and no sign shall be so constructed as to have more than two (2) surfaces.
    - (3.) One (1) nameplate sign for each permitted nonresidential use or use by conditional permit. Such signs shall not exceed twelve (12) square feet in area per surface and no sign shall be so constructed as to have more than two (2) surfaces.
    - (4.) Flood lights provided the source of light is not visible from a public right-of-way or adjacent property may illuminate symbols, statues, sculptures and integrated architectural features on buildings.
13. Signs allowed in the “B-1” HIGHWAY SERVICE BUSINESS DISTRICT and in the “I-1” INDUSTRY DISTRICT.
- A. Permitted Signs. Permitted signs as regulated by Paragraph 11 of this Section.

B. Business and Industry Signs.

- (1.) Sign structures developed on property for which the sign relates shall be limited to not more than one (1) for a lot of one hundred (100) foot frontage or less and only one (1) per additional one hundred (100) feet of additional lot frontage. Such structure may not contain more than two (2) signs per facing not to exceed fifty-five (55) feet in total length
- (2.) No sign may be erected within one hundred (100) feet of adjoining residential property.
- (3.) Maximum size of permitted signs is 400 square feet of surface including boarder area.
- (4.) No sign shall exceed thirty-five (35) feet in height.

14. General Sign Standard. These standards shall apply to all signs, except permitted signs as listed in Paragraph 11 of this Section

A. No sign shall be erected on property for which the sign does not relate as follows:

- (1.) Closer than 300 feet from platted streets, roads, or highways.
- (2.) Within 100 feet of property used for church or school purposes.
- (3.) Less than 800 feet from any other advertising device on the same side of the right-of-way, except in the "B-1" and "I-1" Districts.



#### **SUBDIVISION 4. ENVIRONMENTAL REVIEW PROGRAM**

1. The provisions of the rules for the Environmental Review Program, 6MCAR to 3.047, one copy of which is on file in the office of the County Auditor, are hereby adopted, together with the other provisions of this Ordinance, as the environmental review operating procedures Redwood County will follow in implementing the provisions of the Minnesota Statutes Chapter 116D relating to the Environmental Review Program and any rules adopted thereunder by the Minnesota Environmental Quality Board. All terms used in this Ordinance shall have the same meaning as the terms used in Ch. 116D and the rules adopted thereunder.
  
2. Cost of Preparation and Review.
  - A. Information to be Provided. The applicant for a permit for any action for which environmental documents are required either by state law or rules by the County Board shall supply in the manner prescribed by the Redwood County Zoning Administrator all unprivileged data or information reasonably requested by the County that the applicant has in his possession or to which he has reasonable access.
  
  - B. Environmental Assessment Worksheets. The applicant for a permit for any action for which an environmental assessment worksheet (EAW) is required either by state law or rules or by the County Board shall pay all costs of preparation and review of the EAW, and upon the request of and in the manner prescribed by the Redwood County Zoning Administrator shall prepare a draft EAW and supply all information necessary to complete that document.
  
  - C. Environmental Impact Statement. The County and the applicant for a permit for any action for which an environmental impact statement (EIS) is required shall comply with the provisions of the Rules Governing Assessment of Costs for Environmental Impact Statements, one copy of which is on file in the office of the County Auditor, unless the applicant and the County Board, provide otherwise by a written agreement.
  
  - D. Payment of Costs. No permit for an action for which an EAW or an EIS is required shall be issued until all costs of preparation and review which are to be paid by the applicant are paid, and all information required is supplied, and until the environmental review process has been completed as provided in this Ordinance and the rules adopted by reference by this Ordinance, and pursuant to any written agreement entered into by the applicant for the permit or permits and the County Board under the provision of Paragraph E of this Subdivision.

- E. Agreements Concerning Cost of Preparation and Review. The applicant for a permit for any action for which an EAW or EIS is required and the County Board may, in writing, agree as to a different division of the costs of preparation and review of any EAW or EIS as provided in 6MCAR 3.042.
3. Administration.
- A. The Redwood County Zoning Administrator shall be the person Responsible for the administration of the Environmental Review Program, This Ordinance, and the rules adopted by reference by this Ordinance.
  - B. The Redwood County Zoning Administrator shall be responsible for determining whether an action for which a permit is required is an action for which an EAW is mandatory under 6MCAR 3.024. The Zoning Administrator shall also determine those proposed actions for which an optional EAW may be required under the provisions of the ordinance and shall notify the Planning Commission and the County Board of these proposed actions.
  - C. All EAW's and EIS's shall be prepared under the supervision of the Redwood County Zoning Administrator reviewed by the Planning Commission and reviewed and approved by the County Board.
  - D. When reviewing an EAW or EIS, the Redwood County Zoning Administrator and the Planning Commission may suggest design alterations which would lessen the environmental impact of the action. The County Board may require these design alterations to be made as a condition for issuing the permit when it finds that the design alterations are necessary to lessen the environmental impact of the action.
  - E. After an EAW is prepared, the Planning Commission shall review the EAW and recommend to the County Board whether or not it should require the preparation of an EIS. The County Board shall require an EIS when it finds under 6MCAR 3.025 that an action is major and has potential for significant environmental effects.
4. Optional Environmental Assessment Worksheet. The County Board may, upon recommendation by the Redwood County Zoning Administrator, require that an optional EAW be prepared on any proposed action if the action may be a major action and appears to have the potential for significant environmental effects. The following guidelines shall also be considered in determining whether an optional EAW shall be required:
- A. Is the action to be in or near an area that is considered to be environmentally sensitive or aesthetically pleasing?

- B. Is the action likely to have disruptive effects such as generating traffic and noise?
- C. Are there public questions or controversy concerning the environment effects of the proposed actions?

5. Enforcement and Penalty.

- A. No permit shall be issued for a project for which environmental documents are required until the entire environmental review procedures established by this Ordinance are complete.
- B. Any person who violates any provision of this Ordinance is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not exceeding \$500 or imprisonment for 90 days or both. Each day that the violation is permitted to exist constitutes a separate offense.
- C. No work shall commence and any work in progress on any project for which environmental review procedures established by this Ordinance are fully complied with.

**SUBDIVISION 5. EXTRACTION OF MINERALS, MATERIALS, OPEN PITS AND IMPOUNDING**

1. Purpose. All excavations, extraction of materials and minerals, open pits and impounding of waters hereafter established or enlarged shall conform with the provisions of this Subdivision and any other ordinance or regulations of Redwood County.
2. Definition. Excavations, as used in this Subdivision, shall mean any artificial excavation of the earth, within the County dug, excavated, or made by the removal from the natural surface of the earth of sod, soil, sand, gravel, stone or other matter or made by tunneling or breaking or undermining the surface of the earth. Excavations ancillary to other construction of installation erected or to be erected, built, or placed thereon contemporaneously with or immediately following such excavation and covering or to cover such excavation when completed are excepted, if a permit has been issued for such construction or installation. Excavations not exceeding fifty (50) square feet of surface area or two (2) feet in depth and excavations including impounding of water for agricultural purposes and wildlife ponds are exempted.
3. Conditional Use Permit Required. No person shall hereafter dig, excavate, enlarge, make, maintain or allow to be maintained, upon property owned or used by him, any open pit or excavation or any impounded water, without first making an application for and obtaining from the Board of County Commissioners and the County Planning Commission a Conditional Use Permit therefore.
4. Application.
  - A. In addition to applying for a Conditional Use Permit as regulated in Section 25 of this Ordinance the applicant shall furnish the following:
    - (1.) Applicant's name and address.
    - (2.) Description of the tract, or tracts of land and the number of acres to be mined by the applicant. Description shall include the Section, Town, Range and County in which the land is located with sufficient clarity so that it may be located and distinguished from other lands.
    - (3.) A statement that the applicant has the right by ownership or lease to mine and to reclaim that land described.

- (4.) A statement containing an estimate of the life expectancy of the proposed operation. The estimate shall include a starting and completion date.
  - B. In addition to the application, the following shall accompany the request for a Conditional Use Permit:
    - (1.) A detailed map or maps of the land drawn at a scale of 1" = 100' or larger showing the following specifics:
      - (a.) Existing topographical features at ten (10) foot contour intervals.
      - (b.) Location of water courses, drainage systems and impounded waters.
      - (c.) Outline of the maximum area to be excavated.
      - (d.) Vertical profile of the area to be excavated indicating overburden and other geological layers to the extent known.
      - (e.) The proposed location of any buildings, equipment storage areas, operation areas, and any other uses incorporated in the excavation process.
      - (f.) Location and names of existing roads, trails, railroads, buildings, utility rights-of-way, vegetation, and other cultural features within and immediately adjacent to the proposed excavation area.
  - C. For any operation a description of planned after-use of affected areas and the nature and extent of reclamation. A detailed reclamation map drawn at a scale of 1" = 100' or larger shall be provided designating which parts of the land shall be reclaimed for forest, pasture, crop, home-site, recreational, industrial or other uses including food, shelter, and groundcover for wildlife.
5. Conditions of Permit. The Board of County Commissioners, as a prerequisite to the granting of a permit or after a permit has been granted, may require the applicant to whom such permit issues or the owner or user of the property on which the open pit or excavation or impounded waters are located to:

- A. Properly fence any pit or excavation.
  - B. Slope the banks and otherwise properly guard and keep any pit or excavation in such condition as not be dangerous from caving or sliding banks.
  - C. Properly drain, fill or level any pit or excavation, after created, so as to make the same safe and healthful as the Board shall determine.
  - D. Keep any pit, excavation or impounded waters within the limits for which the particular permit is granted.
  - E. Remove excavated material from any pit or excavation, away from the premises, upon and along such highways, streets or other public ways as the Board shall order and direct.
  - F. Provide for the restoration of highway, street or other public way, which may be damaged due to transportation of materials from any pit or excavation.
  - G. Provide for the purpose of retaining impounded waters, a container of sufficient strength and durability and maintain such container in safe and proper condition.
  - H. Grade site after extraction is completed so as to render it usable, seeding where required to avoid erosion and an unsightly mar on the landscape.
6. Bond may be Required. The County Commissioners may require either the applicant or the owner or user of the property on which the open pit or excavation or impounded waters is located to post bond, in such form and sum as the Board shall determine, with sufficient surety running to the County, conditioned to pay the County the extraordinary cost and expense of repairing, from time to time, any highways, streets, or other public ways where such repair work is made necessary by the special burden resulting from hauling and travel, in removing materials from any pit, excavation or impounded waters, the amount of such cost and expense to be determined by the County Engineer; and conditioned further to comply with all the requirements of this Subdivision and the particular permit, and to pay any expense the County may incur by reason of doing anything required to be done by any applicant to whom a permit is issued.

## **SUBDIVISION 6. PERFORMANCE STANDARDS**

1. Relationship to Other Laws. Regardless of any other provision of this Ordinance, no land shall be used and no structure erected or maintained in violation of any state or federal pollution control or environmental protection law or regulation.
2. Noise. Noise shall be measures on any property line of the tract on which the operation is located. Noise shall be muffled so as not to become objectionable due to intermittence beat frequency, shrillness or intensity, except for noise from agricultural sources. Noise generated by agricultural use shall be exempt.
3. Vibration. Any use creating periodic earth-shaking vibrations shall be prohibited if such vibrations are perceptible beyond the lot line of the site on which the use is located. The standard shall not apply to vibrations created during the process of construction.
4. Glare and Heat. Any use producing intense heat or light transmission shall be performed with the necessary shielding to prevent such heat or light from being detectable at the lot line of the site on which the use is located.
5. Smoke and Particulate Matter. Any use established, enlarged or remodeled after the effective date of this Ordinance shall be so operated as to meet the minimum requirements of the Minnesota Pollution Control Agency for the emission of smoke or particulate matter.
6. Odors. Any use established, enlarged, or remodeled shall be so operated as to prevent the emission of odorous matter of such quantity as to be readily detectable at any point beyond the lot line of the site on which such use is located. Detailed plans for the prevention of odors crossing property lines may be required before the issuance of a building permit, except odors from agricultural sources.
7. Exterior Lighting. Any lights used for exterior illumination shall direct light away from adjoining properties.
8. Toxic or Noxious Matter. Any use established shall be so operated as not to discharge across the boundaries of the lot or through percolation into the subsoil beyond the boundaries of the lot wherein such use is located, toxic or noxious matter in such concentration as to be detrimental to or endanger the public health, safety, comfort or welfare, or cause injury or damage to property or business.

9. Explosives. Any use requiring the storage, utilization or manufacturing of products, which could decompose by detonation, shall be located not less than four hundred (400) feet from any residence. This section shall not apply to the storage or usage of liquefied petroleum or natural gas for normal residential or business purposes.
10. Radiation Emission. All activities that emit radioactivity shall comply with the minimum requirements of the Minnesota Pollution Control Agency.
11. Electrical Emission. All activities, which create electrical emissions, shall comply with the minimum requirements of the Federal Communications Commission.
12. Toxic or Noxious Matter. Any use shall not discharge into the atmosphere, water or subsoil, any toxic or noxious matter.
13. Exterior Storage. All materials and equipment shall be stored within a building or fully screened so as not to be visible from the adjoining properties, except for the following: construction on the premises, agricultural equipment and materials if these are used or intended for use on the premises, off-street parking except as otherwise regulated herein. Boats and recreation vehicles, less than twenty (20) feet in length, are permissible if stored in the rear yard not less than ten (10) feet distant from any property line.
14. Uncovered Manure Storage Structure. Any uncovered manure storage structure, which is unused or abandoned for three (3) years or more, must be filled in level.
15. Compliance. In order to insure compliance with the performance standards set forth above, the County Board of Commissioners may require the owner or operator of any Conditional Use to have made such investigations and tests as may be required to show adherence to the performance standards. Such investigation and tests as are required to be made shall be carried out by an independent testing organization as may be selected by the county, at the applicant's expense.



## **SUBDIVISION 7. MOBILE HOME REGULATIONS**

1. Purpose. To regulate the individual mobile home that is located outside of a mobile home park. To treat the mobile home in much the same manner as the single family home, recognizing that the mobile home as it is now used, is similar in most but not all respects to the single family home.
2. The individual mobile home will be given the same privileges and will be placed under the same controls as provided in the zoning ordinance as applied to single family home, except:
  - A. It will be treated as a conditional use under the provisions of Section 25 of this Ordinance in all districts within one mile of an incorporated community.
  - B. All mobile homes shall be skirted between the bottom of the mobile home and the ground with a fire-proof material harmonious with the appearance of the mobile home within three months of the placement of the mobile home. Plywood, hardboard, cardboard or bailed hay or straw shall be prohibited.
  - C. Steps and stoops shall be of acceptable wood, metal, or concrete construction.
  - D. Storm entries and porches must be of durable materials harmonious in appearance with the mobile home.
  - E. Each mobile home not having a garage shall have an outside storage building of at least 5' x 7' x 6' in height.
  - F. The mobile home stand shall be at such elevation, distance and angle relative to the street and driveway that placement and removal of the mobile home with a car, tow truck, or other customary moving equipment is practical. The mobile home stand shall have a longitudinal grade of less than four percent and traverse crown grade to provide adequate surface drainage. The stand shall be compacted and surfaced with a material, which will prevent the growth of vegetation while supporting the maximum anticipated loads during all seasons.

## **SUBDIVISION 8. HOME-OCCUPATIONS**

In any zoning district where any home-occupation is authorized, the following regulations governing said home occupation shall be complied with:

1. Level I Home Occupations
  - A. Said use shall not occupy an area of more than twenty-five (25) percent of the gross floor area of the dwelling and must remain entirely inside the dwelling.
  - B. No such home-occupation shall require substantial interior or exterior alteration of the dwelling.
  - C. Said use shall not create odor, dust, noise, electrical disturbances, glare or vibrations noticeable outside of the dwelling.
  - D. There shall be no outside storage of material or equipment or display of merchandise.
  - E. No sign other than one (1) non-illuminated name plate containing not more than twelve (12) Square feet in area shall be allowed.
  - F. Such occupation shall be conducted or carried on only by the person residing on the premises.
  - G. The home occupation shall be incidental and subordinate to the primary use of the premises for farming and/or residential purposes.
  - H. The home occupation must comply with all rules and regulations of federal, state, county, and local agencies. Any required state or county licenses shall be obtained prior to authorization of the zoning permit.
  
3. Level II Home Occupations
  - A. The home occupation shall be conducted entirely within the dwelling or accessory building and shall be carried on by the inhabitants residing at the residence with no more than five (5) employees.
  - B. The home occupation shall not exceed fifty (50) percent of the gross floor area of the dwelling or up to 1000 square feet of floor area if located in an adjacent accessory building.
  - C. The home occupation shall be incidental and subordinate to the primary use of the premises for farming and/or residential purposes.

- D. Said use shall not create odor, dust, noise, electrical disturbances, glare or vibrations noticeable outside of the dwelling.
- E. Junk and Salvage Yards are prohibited.
- F. No sign other than one (1) non-illuminated name plate containing not more than twelve (12) Square feet in area shall be allowed. The sign must be located on the property of the business subject to setback requirements.
- G. The home occupation shall not generate business or industrial waste unless a plan for off-site disposal of the waste is approved.
- H. A home occupation at a dwelling with an on-site sewage treatment system shall only generate normal domestic household waste unless a plan for off-site disposal of waste is approved.
- I. Materials and equipment shall be stored in an enclosed building or screened area.
- J. Parking for employees and customers shall be provided for on the site subject to all federal, state, and county laws.
- K. The home occupation must comply with all rules and regulations of federal, state, County, and local agencies. Any required state or county licenses shall be obtained prior to authorization of the zoning permit.
- L. Buildings, other than the home dwelling, used for home occupations must meet all Minnesota Handicapped Accessibility Codes.

**SUBDIVISION 9. ACCESSORY BUILDINGS**

1. Whenever an accessory building is attached to the main building, it shall be made structurally a part of the main building and shall comply in all respects with the requirements of this Ordinance applicable to the main building. An accessory building, unless attached to and made part of the main building, shall not be closer than five (5) feet to the main building, except as otherwise provided in this Ordinance.
2. A detached accessory building shall not be located in any front yard.
3. A detached accessory building shall not exceed twenty (20) feet in height and shall not occupy more than thirty (30) percent of the area of any rear yard, providing further that no detached accessory building shall be located within five (5) feet of any rear or side lot line.

**SUBDIVISION 10. EXCEPTIONS AND MODIFICATIONS TO THE ZONING DEVELOPMENT STANDARDS**

1. Height limitations set forth elsewhere in this Ordinance may be increased by one hundred (100) percent when applied to the following:
  - A. Monuments.
  - B. Flag poles.
  - C. Cooling towers.
  - D. Elevator penthouses.
  - E. Grain elevators.
  - F. Windmills.
  
2. Height limitations set forth elsewhere in this Ordinance may be increased with no limitation when applied to the following:
  - A. Church spires, belfries or domes which do not contain usable spaces.
  - B. Water towers.
  - C. Chimneys or smokestacks.
  - D. Radio or television transmitting towers.
  - E. Essential service structures.
  
3. Yard requirements set forth elsewhere in this Ordinance may be reduced with no limitation when applied to the following:
  - A. Essential service lines.
  - B. Essential service structures when required to be on line to ensure the proper functioning of the line.

*Effective Date: This Ordinance should apply to all permits approved by the County Environmental Office after 12:01 a.m. November 13, 2002.*

## **SUBDIVISION 11. INDIVIDUAL SEWAGE TREATMENT SYSTEMS**

### **Subpart 1. Purpose.**

The improper location, design, installation, use and maintenance of individual sewage treatment systems adversely affects the public health, safety, and general welfare by discharge of inadequately treated sewage to the ground, surface waters, and ground waters. In accordance with the authority granted in Minnesota Statutes, chapters 103F, 103g, 115 and 116, the Minnesota Pollution Control Agency provides minimum standards and criteria for individual sewage treatment systems, and thus protects the surface waters and ground waters of the state, and promotes the public health, safety, and general welfare.

Minnesota Rules Chapter 7080 is hereby adopting the following more restrictive standards:

1. The design of the individual treatment systems shall be for Class I (as defined by 7080.0125) houses only.
2. An individual may install a new system on land the individual owns or leases and which functions solely as a dwelling or seasonal dwelling only if a Designer, as defined by 7080 completes a site evaluation and design. The individual may not employ unlicensed individuals in the installation of the system.

### **Subpart 2. General Application, Construction, and Inspection, and Failing System Upgrade Requirements.**

1. The Property Owner shall make an ISTS permit or Variance application or licensed Installer at the County Environmental Office on forms provided by the Environmental Office. No person shall install, alter, repair or extend any individual sewage treatment system in the County without first applying for and at the same time paying a fee as listed in the fee schedule as set by the Redwood County Environmental Office and at the same time paying a fee as listed in the fee schedule as set by the Redwood County Board of Commissioners. The application fees cover administration, and final inspection costs associated with the Individual Sewage Treatment System Installation or Upgrade. An approved copy of the ISTS application serves as your record of the permit. Current information regarding fees can be obtained by calling or stopping at the County Environmental Office.
2. The final Individual Sewage Treatment System Construction Inspection and any required existing ISTS System inspection shall be conducted by the County Environmental Officer, or appointed licensed Staff, and shall record information on forms provided by the County Environmental Office. The inspection shall be done, as requested by the licensed Installer or property owner, prior to any

portion of the excavation being backfilled, unless special arrangements have been made prior with the County Environmental Office. If the County Inspector is unable to be at the site within 24 hours, the licensed Installer or property owner is responsible to take pictures or videotape of the septic tank, drop boxes, drainfield lines, and other critical items along with a detailed drawing with measurements and setbacks prior to backfilling of the excavation by the licensed Installer or property owner.

3. No construction or repair requiring excavation of soil before April 15<sup>th</sup> or after October 15<sup>th</sup> shall be allowed in any portion of the drainfield or soil absorption system, without the permission of the County Environmental Office.
4. A Certificate of Compliance and Final Inspection Report along with the Final Drawing shall be sent to the property owner, and the licensed Installer who constructed the system. A copy shall also be kept on file in the County Environmental Office. The Certificate of Compliance and Final Inspection Report along with the final inspection drawing serves as the final as-built design.
5. In case of a failing system, application requirements and the site evaluation shall be completed within 30 days of the failure or a written notice of violation from the County Environmental Office. Installation by a licensed Installer and final inspection must be completed by the County Environmental Officer, or appointed staff who is a licensed Designer 1 or a licensed Inspector, must be completed within in one (1) full construction season, said season being April 15<sup>th</sup> to October 15<sup>th</sup>.

In case of a failing system between October 15<sup>th</sup> and April 15<sup>th</sup>, a site evaluation shall be completed within 30 days-weather permitting. Construction by a licensed Installer and final inspection by the County Environmental Officer or appointed staff who is a licensed Inspector, must be completed within the next full construction season. If weather does not permit, application, site evaluation, installation, and final inspection must be completed during the next full construction season.

The County Environmental Officer, or appointed Staff who is a licensed Designer 1 or licensed Inspector, shall determine if the weather is permitting or not.

6. Compliance inspections shall be conducted or valid Certificates of Compliance shall be presented under the following conditions:
  - A. Prior to transfer of property located within the shoreland district by the County Recorder;

- B. Prior to the issuance of any variance or permits in a shoreland district; or
- C. Prior to the issuance of any variance or permits for additions or renovations which will add a bedroom, or room which may reasonably be used as a bedroom.

**Subpart 3. Enforcement**

1. Any person who violates any portion of this Ordinance or who makes any false statement on a Certificate of Compliance, shall be guilty of a misdemeanor, punishable by imprisonment or a fine or both as defined by law.
2. In the event of a violation of this Ordinance, in addition to other remedies, the County Attorney may institute appropriate actions or proceedings to prevent, restrain, correct or abate such violations.



*Effective Date: Section 16, Subdivision 12 of this Ordinance shall apply to all permits approved by the County Environmental Office and/or the County Board after 12:01 a.m. on 1/01/05.*

## **SUBDIVISION 12. WINDBREAK SETBACKS**

### **Subpart 1. Definitions.**

Except as specified in this Subpart 1, capitalized terms used in this subdivision and defined in other sections of this Ordinance shall be interpreted as defined therein.

Shelterbelt – shall mean any vegetation, newly planted or historically existing, that is designed and intended to shelter any structure or building from wind or other weather-related elements.

Field Windbreak – shall mean any vegetation, newly planted or historically existing, that is designed and intended to shelter any real property from wind or other weather-related elements.

### **Subpart 2. Field Windbreak Setbacks**

1. There shall be a minimum setback for a parallel Field Windbreak of one hundred fifty (150) feet from the right-of-way line of any public road.
2. There shall be a minimum setback for a perpendicular Field Windbreak of one hundred (100) feet from the right-of-way line of any public road.
3. The Zoning Administrator may waive either the parallel Field Windbreak or perpendicular Field Windbreak requirements upon a written recommendation approving such waiver from the Natural Resources Conservation Service (NRCS) and either: (1) the Minnesota Department of Transportation (for State Roads); or (2) the County Engineer (for county roads); or (3) the Township Board (for township roads). Such written recommendations shall state that reducing the minimum Field Windbreak setback will not create a snow deposition hazard or create a safety hazard by obstructing traffic sight lines.

### **Subpart 3. New Shelterbelts**

1. For all Shelterbelts planted in all zoning districts except R-1 Rural Residential Districts after the effective date of this subdivision, there shall be a minimum setback of sixty-seven (67) feet from the right-of-way lines of any public road.

2. For all new shelterbelts constructed in R-1 Rural Residential Districts after the effective date of this subdivision, there shall be a minimum setback of twenty-five (25) feet from the right-of-way lines of any public road.

**Subpart 4. Non-Conforming Existing Shelterbelts**

1. Shelterbelts in any zoning district that exist as of the effective date of this Subdivision shall be permitted to continue as a nonconforming use. The owner of any nonconforming Shelterbelt shall be permitted to replace any trees or shrubs within the Shelterbelt that become damaged or diseased; provided, however, such replacement shall not expand the footprint of the nonconforming Shelterbelt.
2. The Zoning Administrator may waive these limitations, for non-conforming existing Shelterbelts only, upon a written recommendation approving such waiver from the Natural Resources Conservation Service (NRCS) and either: (1) the Minnesota Department of Transportation (for State Roads); or (2) the County Engineer (for county roads); or (3) the Township Board (for township roads). Such written recommendations shall state that waiver from the setback requirements will not create a snow deposition hazard or create a safety hazard by obstructing traffic sight lines.
3. Notwithstanding any statement in this subpart to the contrary, no part of any existing non-conforming Shelterbelt constructed in any portion of any public road right-of-way or easement shall be deemed a non-conforming existing use. Such non-conforming trees or vegetation shall be removed by the landowner at the request of the applicable road authority.

### **SUBDIVISION 13. LAND APPLICATION OF CONTAMINATED SOIL**

Soil that has been determined by the Minnesota Pollution Control Agency (MPCA) to be contaminated with petroleum, or soil that has been determined by the Minnesota Department of Agriculture (MDA) to be contaminated with agricultural pesticides may be land spread upon issuance of a permit pursuant to the following provisions.

1. The MPCA or MDA has issued a permit for the land spreading of contaminated soil on the proposed site.
2. The Redwood County Environmental Office has reviewed and approved the proposal. The County may impose conditions upon the permit to assure compliance with this Ordinance.
3. The affected township or townships shall be notified of the issuance of the spread area.

#### **SUBDIVISION 14. WILD OR DANGEROUS ANIMALS**

1. No person shall harbor, maintain or control any wild or dangerous animal within the County without obtaining a Conditional Use Permit. A dangerous animal is one which is capable of inflicting severe bodily harm to humans, and shall include, but not limited to, the following species:
  - A. Class mammalia. Members of the class mammalia which require a Conditional use permit are as follows:
    - (1.) African buffalo (*Syncerus caffer*)
    - (2.) Hippopotamus (*Hippopotamus amphibius*)
    - (3.) Any member of the Family Canidae, such as wolves, coyotes, dingoes, foxes and jackals, except domesticated dogs.
    - (4.) Hyenas, all species except aardwolves (*Proteles cristatus*)
    - (5.) (Family Hayaenidea)
    - (6.) Wolverine (*Gulo gulo*)
    - (7.) Honey badger or retel (*Mellivora campensis*)
    - (8.) Old world badger (*meles meles*)
    - (9.) Bears (Family Ursidae)
    - (10.) Lions, jaguars, leopards, tigers (Genus *Panthera*)
    - (11.) Clouded leopard (*Neofelis nebulosa*)
    - (12.) Cheetah (*Acinonyx jubatus*)
    - (13.) Cougar or mountain lion (*Felis concolor*)
    - (14.) Elephants (Family Elephantidae)
    - (15.) Rhinoceroses ( Family Rhinocerotidae)
    - (16.) Gibbons, siamangs (Family Hulobatidae)
    - (17.) Orangutans, chimpanzees, gorillas (Family Pongidae)
    - (18.) Baboons, drills, mandrills (Genus *Papio*)

- (19.) Macaques (Genus *Macaca*)
- (20.) Glead baboon (*Theropithecus gelada*)

B. Class reptilia. Members of the class reptilia which require a Conditional Use Permit are as follows:

- (1.) Gavials (Family Gavialidae)
- (2.) Crocodiles (Family Crocodylidae)
- (3.) Alligators, caimans (Family Alligatoridae)
- (4.) Cobras, coral snakes (Family Elapidae)
- (5.) Sea snakes (Family Hydrophidae)
- (6.) Adders, vipers (Family Viperidae)
- (7.) Pit vipers (Family Cortalidae)
- (8.) All venomous rear-fanged species (Family Colubridae)

The following species of constricting snakes over eight feet in length:

- (9.) Boa constrictor (*Boa constrictor*), all subspecies
- (10.) Anaconda (*Eunectes murinus*)
- (11.) Indian python (*Python molurus*)
- (12.) Reticulate python (*python reticulatus*)
- (13.) Rock python (*Python sebea*)
- (14.) Gila monsters and beaded lizards (Family Helodermatidae)
- (15.) Komodo dragon (*Varanus komodoensis*)

C. Other animals. Any other animal which by its size, vicious nature or other characteristics is dangerous to human beings.

2. Wild animals. A “wild animal” means all of the dangerous animals listed in subsections (A) through (C) and also any other animal which is commonly considered wild and not domesticated or that because of its odors, cries or similar characteristics is not compatible with residential living.

3. Compliance. Anyone keeping or maintaining any wild animal as of January 1, 2000, has 30 days in which to comply with the provisions of this subdivision. Extensions beyond 30 days may be granted by the County Board of Commissioners for a good cause, but in no case may an extension permanently exempt a person from the requirements of this subdivision.