

# **RENVILLE COUNTY LAND USE ORDINANCE**

## **CHAPTER ELEVEN**

### **OFFICIAL MAP REGULATIONS**

#### **SECTION 1. ZONING DISTRICTS**

The unincorporated areas of the County are divided into classes of districts. The districts are hereby designated as follows:

1. Agricultural District "A".
2. Rural Residential District "RR".
3. Urban Expansion District "UE".
4. Healthcare/Mixed Use District "HMU".
5. Commercial/Industrial District "CI".
6. Shoreland Management District "S".
7. Flood Plain District "FP".
  - A. Floodway District "FW".
  - B. Flood Fringe District "FF".
  - C. General Flood Plain District "GF".
8. Minnesota Scenic River District "SR".
9. Project River Bend District "PR".

#### **SECTION 2. OFFICIAL ZONING MAPS**

1. The boundaries of the districts are as shown on the maps (zoning, Minnesota Scenic River District overlay map, Flood Plain District overlay map, Shoreland Management District overlay map) published and made part hereof. These maps are designated as the Official Zoning Map of the County and shall be maintained by the Zoning Administrator. The district boundary lines on these maps are intended to follow street/highway or railroad right-of-way lines, street/highway centerlines, or such lines extended or lines parallel or perpendicular to, or section, quarter section, or quarter-quarter section or other fractional section lines of the United States public land surveys established by law. In the case of unsubdivided property or in any case where street/highway or lot lines are not used as boundaries, the district boundary

lines shall be determined by use of dimensions or the scale appearing on the map. All of the notations, references, and other information shown thereon shall have the same force and effect as if fully set forth herein and are made a part of this part by reference and incorporated herein fully as if set forth herein at length. Whenever any street/highway or public way is vacated, any zoning district line following the centerline of a vacated road or way shall not be affected by the vacation.

2. When any conflict appears in the Ordinance with respect to uses within a district, the more restrictive provisions shall be applied.
3. Any land detached from an incorporated municipality and placed under the jurisdiction of this Ordinance in the future shall be placed in the Agricultural District "A" until placed in another district by action of the Board of County Commissioners after recommendation of the County Planning Commission.

### **SECTION 3. OFFICIAL ZONING MAP APPEALS**

1. Whenever a land use permit is denied to build within the limits of land delineated on the Official Map enacted by the Renville County Board, the Board of Adjustment and Appeals shall, upon appeal filed by the owner of the land, hold a public hearing upon the appeal. After receiving the advice and recommendations of the Zoning Administrator, the Board of Adjustment and Appeals may grant a permit for building in an area designated on an Official Map in any case in which the Board finds, upon the evidence and arguments presented to it:
  - A. That the entire property of the applicant cannot yield a reasonable return to the owner unless such a permit is granted.
  - B. That balancing the interest of the County in preserving the integrity of the Official Map and of the Comprehensive Plan and the interest of the property owner in the use of the property and in the benefits of the ownership, the granting of such permit is required by considerations of justice and equity.
2. If the Board authorizes issuance of a permit, it shall specify the exact location, ground area, height, and other details as to the extent and character of the building for which the permit is granted. If the Board authorizes issuance of a permit, the Renville County Board shall have six months from the date of the decision of the Board to institute proceedings to acquire such land or interest therein and if no such proceedings are started within that time, the Zoning Administrator shall issue the permit if the applicant otherwise conforms to the Ordinance.
3. All decisions by the Board of Adjustment and Appeals shall be final, except that anyone aggrieved by decision shall have the right to seek judicial review as authorized by law. In order to preserve their right to judicial review, a non-party must notify the Zoning Administrator within seven calendar days of the date of the hearing at which the decision was made of their desire to obtain a copy of the decision in order to preserve their right to judicial review or it is deemed waived.

#### **SECTION 4. OFFICIAL ZONING MAP AMENDMENTS**

An amendment to this Ordinance or the Comprehensive Plan may be initiated by the County Board, the Planning Commission, or by petition of the affected property owners. A petition by affected property owners shall be presented to the County Board of Commissioners. An amendment not initiated by the Planning Commission shall be referred to the Planning Commission for its study, report, and recommendation and may not be acted upon by the Board until it has received the recommendation of the Planning Commission or 60 days have elapsed from the date of the first meeting of the Planning Commission following reference of the amendment without a report by the Planning Commission.

In connection with the adoption by Ordinance of any Comprehensive Plan amendment or adoption or amendment of any official control, public hearings required by this Ordinance including notice of the time, place, and purpose of the hearing, Ordinance enactment and publication shall be given in the manner provided by Minnesota Statutes, Chapters 394.26 and 375.51.

In determining whether a proposed amendment of the official Renville County land use maps is in harmony with the general purpose and intent of the Ordinance and the Comprehensive Plan, the Planning Commission shall consider:

1. Is the change consistent with the Renville County Comprehensive Plan?
2. Are the existing surrounding land uses consistent with the permitted uses of the proposed zoning classification?
3. Will a zoning change alter the characteristics of the neighborhood?
4. Will a zoning change have a negative effect on property values in the neighborhood?

No application for an amendment to the Comprehensive Plan or amendment of the official controls shall be resubmitted for a period of 12 months from the date of denial of a previous application unless conditions have substantially changed.

#### **SECTION 5. RENVILLE COUNTY LAND USE MAPS**

1. Official Zoning Maps including shoreland management zones.
2. Minnesota Scenic River District management maps.
3. Flood Plain District management maps.
4. Project River Bend District management maps.
5. Renville County Airport Zoning Maps.

**SECTION 6. APPENDIX**

1. The following deeds, permits, minutes, photographs, and surveys were used in determining land use districts.

Maps governing the regulation of land development in the unincorporated flood hazard areas of Renville County include all lands designated in the Flood Insurance Rate Map, effective date September 25, 2009. It shall also include any map amendments as may be adopted periodically by the Board.

The following maps are designated as the Renville County Official Airport Zoning Maps.

1. Redwood Falls Municipal Airport Zoning Map consisting of 12 sheets, prepared by Bolton & Menk, Inc. and dated May 3, 2013, attached hereto.
2. Olivia Airport Zoning Map consisting of eight sheets, prepared by Short Elliot Hendrickson Inc. and dated June 2, 2014, attached hereto.
3. Hector Municipal Airport Zoning Map consisting of three sheets, prepared by D. L. Noyes and dated August 1974, revised March 1975, September 1977, November 1980, and September 1982, attached hereto.

These maps, together with any future amendments made, and all notations, references, elevations, data, zone boundaries, and other information thereon, are made a part of this Ordinance.