

**RENVILLE COUNTY LAND USE ORDINANCE**

**CHAPTER TWO**

**ZONING REGULATIONS**

**PART 1**

**ZONING DISTRICTS, OFFICIAL MAPS, AND USES**

**SECTION 1. GENERAL ZONING DISTRICT RULES OF APPLICATION**

1. Establishment of Zoning Districts. The zoning districts shall apply as designated on the zoning maps or as defined within this Ordinance. Two types of zoning districts are utilized. All land under the jurisdiction of this Ordinance shall be designated as lying within one, and only one, primary zoning district. In addition, one or more overlay districts may apply.

PRIMARY DISTRICTS

- “A” – Agricultural
- “RR” – Rural Residential
- “UE” – Urban Expansion
- “HMU” – Healthcare/Mixed Use
- “CI” – Commercial/Industrial

OVERLAY DISTRICTS

- “FP” – Flood Plain
- “S” – Shoreland
- “SR” – Scenic River
- “PR” – Project River Bend

2. Official Zoning Maps. The locations and boundaries of the primary districts established by this Ordinance are set forth on the zoning maps which are hereby incorporated by reference as though a part of this Ordinance. It shall be the responsibility of the Department to maintain and update the zoning maps and any amendments thereto.
3. District Regulations.
  - A. Application of Standards. Unless specified otherwise in this Ordinance, when one or more zoning district standards are in conflict, the more restrictive standards shall apply.

- B. Appeal of District Boundary. Appeals from the Department’s determination of the exact location of district boundary lines shall be heard by the Board of Adjustment and Appeals.
- C. Prohibited Uses. Whenever, in any zoning district, a use is neither specifically permitted nor prohibited, the use shall be prohibited. In the case of a prohibited use, the Renville County Board of Commissioners or the Planning Commission, on its own initiative or upon request of a property owner, may conduct a study to determine if the use is acceptable and, if so, in what zoning district it should be placed. A determination would also be made as to conditions and standards relative to development of the use. The Renville County Board of Commissioners or Planning Commission, upon receipt of the study, shall, if appropriate, initiate an amendment to the Land Use Ordinance to provide for the particular use under consideration or shall find that the use is not compatible for development within the County.
- D. Zoning Upon Detachment. Any tract of land that is detached from a statutory or charter city and becomes part of an adjoining township shall be zoned “A” (Agricultural) District. The tract of land shall remain in the “A” (Agricultural) District until placed in another district by action of the Renville County Board of Commissioners.

**SECTION 2. “A” AGRICULTURAL DISTRICT**

- 1. Purpose. The purpose of the “A” Agricultural District is to maintain and conserve agricultural lands which are historically valuable for crop and animal production, pastureland, and natural habitat for wildlife. This district is intended to meet the goals of the Renville County Comprehensive Plan by sustaining agriculture as a desirable land use for the long term and to preserve highly valued farmland for agricultural pursuits.
- 2. Land Uses in an Agricultural District.
  - A. Permitted Uses. The following uses are permitted subject to any performance standards contained in Part 3 of this chapter:
    - i. Agricultural uses including agricultural buildings or structures.
    - ii. Feedlots up to 300 animal units located more than one mile from a municipal boundary or a designated planned growth area.
    - iii. One single-family dwelling (detached) or two single-family dwellings (detached) if one of the dwellings is a farm dwelling located on a separate building site from the other dwelling.
    - iv. Farm drainage and irrigation systems.

- v. Water management/flood control structures and erosion control/wildlife developments.
  - vi. Public buildings and facilities.
  - vii. Home occupation, Level I.
  - viii. Plant nursery, tree farm, and seasonal agricultural business.
  - ix. Agriculturally related services such as feed and seed sales, commercial manure applicators, and custom tillage/harvesting.
  - x. Essential services – minor.
  - xi. Land spreading of septage and sewage sludge regulated by the state.
  - xii. Temporary dwelling, during construction (use up to one year).
  - xiii. Non-commercial wind energy conversion systems.
  - xiv. Aquaculture facilities that produce less than 20,000 pounds of cold water fish (harvest weight) or 100,000 pounds of warm or cool water fish (harvest weight) per year.
  - xv. Horse training facility (private).
  - xvi. Telecommunication towers 200 feet or less in overall height.
  - xvii. Temporary grading.
- B. Conditional Uses. The following uses may be allowed following procedures set forth in Chapter One (Administration), Section 7, and further subject to any performance standards contained in Part 3 of this chapter:
- i. Feedlots 300 to 2,000 animal units.
  - ii. Commercial sales and service of agriculture products.
  - iii. Commercial grain and agricultural commodity storage facilities and feed and fertilizer plants.
  - iv. Private recreational area, game preserve, youth camp, golf course use, and gun club.
  - v. Solid waste and demolition landfill and yard waste facility as regulated by the state and County.

- vi. Public or private schools, religious facilities, cemeteries, columbaria, and mausoleums.
- vii. Veterinary/animal clinics.
- viii. Bed and breakfast establishments.
- ix. Telecommunication towers greater than 200 feet in overall height.
- x. Open space recreational use, wildlife management area, game refuge, forest preserve, nature center, conservancy, and interpretive center.
- xi. Light manufacturing uses which are determined not to need municipal sewer; would not require new construction, widening, or paving of roads; would need a spacious location; and would not adversely affect nearby properties and services.
- xii. Horse training facility (commercial).
- xiii. All feedlots located within one mile of a municipal boundary or a designated planned growth area or located in a wellhead protection area.
- xiv. Airport.
- xv. Public recreation facility.
- xvi. Essential services – major.
- xvii. Biofuel production facility.
- xviii. Used licensed vehicle sales lot not to exceed 20 vehicles or a lot area of 20,000 square feet when located on a parcel of land containing the owner's primary dwelling.
- xix. Commercial wind energy conversion systems including wind energy conversion substations.
- xx. Aquaculture facilities that produce more than 20,000 pounds of cold water fish (harvest weight) or 100,000 pounds of warm or cool water fish (harvest weight) per year. These aquaculture facilities are required to submit a state NPDES permit as part of the Conditional Use Permit application.
- xxi. Solar energy conversion systems – solar farms including energy conversion substations.

- xxii. Biomass conversion facility.
  - xxiii. Agriculture service business.
- C. Interim Uses. The following uses may be allowed following procedures set forth in Chapter One (Administration), Section 8, and further subject to any performance standards contained in Part 3 of this chapter:
- i. Temporary dwelling, care facility.
  - ii. Temporary dwelling, agricultural use.
  - iii. Mining, extraction, and processing of minerals.
  - iv. Home occupation, Level II.
  - v. Commercial boarding and breeding kennels.
  - vi. Temporary asphalt and concrete plants.
  - vii. Land alteration and grading (10,000 cubic yards or more).
  - viii. Rural event venues.
- D. Permitted Accessory Uses:
- i. Private garage and carports.
  - ii. Private swimming pool subject to compliance standards contained in Part 3 of this chapter.
  - iii. Other accessory uses customarily incidental to the permitted, conditional, and interim uses listed above including signage, sewage treatment systems, decks, patios, fences, and private kennels.
  - iv. Private television towers and satellite dishes.
  - v. Solar energy conversion systems, accessory. Active solar energy systems including building integrated roof and wall systems and solar systems using roof or ground mounting devices subject to district height, setback, and performance standards.
  - vi. On conforming and nonconforming lots of record, structures normally considered to be accessory structures are permitted without a primary permitted use first being established when all setbacks and other structure performance standards are met.

### **SECTION 3. "RR" RURAL RESIDENTIAL DISTRICT**

1. Purpose. The purpose of the "RR" Rural Residential District is to provide limited low-density residential development opportunity on land that is not highly valued farmland and is land that is located well beyond any growth or expansion area of a municipality. The intent of the district is to retain the rural character of the County by allowing residential development and on-site utilities in areas that will not be in conflict with agricultural uses, city growth, or destroy important natural resource areas.
2. Land Uses in a Rural Residential District.
  - A. Permitted Uses. The following uses are permitted subject to any performance standards contained in Part 3 of this chapter:
    - i. Single-family dwelling (attached and detached).
    - ii. Licensed residential programs (six or fewer persons).
    - iii. Existing agriculture and incidental agriculture related uses including farm dwellings and agricultural buildings but excluding confined feedlots.
    - iv. Essential services – minor.
    - v. Home occupation, Level I.
    - vi. Farm drainage.
    - vii. Water management/flood control structures and erosion control/wildlife developments.
    - viii. Public buildings and facilities.
    - ix. Accessory apartments.
    - x. Temporary dwelling, during construction (use up to one year).
    - xi. Temporary grading.
    - xii. Licensed nonresidential programs (12 or fewer persons) and group family day care facilities (14 or fewer persons).
  - B. Conditional Uses. The following uses may be allowed following procedures set forth in Chapter One (Administration), Section 7, and further subject to any performance standards contained in Part 3 of this chapter:

- i. Golf course use.
  - ii. Public or private schools, religious facilities, cemeteries, columbaria, and mausoleums.
  - iii. Planned unit development.
  - iv. Bed and breakfast establishments.
  - v. Open space recreational use, wildlife management area, game refuge, forest preserve, nature center, conservancy, and interpretive center.
  - vi. Plant nursery, tree farm, and seasonal agricultural business.
  - vii. Horse training facility (private).
  - viii. Public recreation facility.
  - ix. Essential services – major.
  - x. Residential subdivision subject to Renville County Subdivision Regulations.
- C. Interim Uses. The following uses may be allowed following procedures set forth in Chapter One (Administration), Section 8, and further subject to any performance standards contained in Part 3 of this chapter:
- i. Temporary dwelling, care facility.
  - ii. Home occupation, Level II.
  - iii. Land alteration and grading (10,000 cubic yards or more).
- D. Permitted Accessory Uses:
- i. Private garages and carports.
  - ii. Private swimming pool subject to compliance standards contained in Part 3 of this chapter.
  - iii. Other accessory uses customarily incidental to the permitted, conditional, and interim uses listed above including signage, sewage treatment systems, decks, patios, fences, and private kennels.
  - iv. Television towers and satellite dishes.

- v. Solar energy conversion systems, accessory. Active solar energy systems including building integrated roof and wall systems and solar systems using roof or ground mounting devices subject to district height, setback, and performance standards.

#### **SECTION 4. "UE" URBAN EXPANSION DISTRICT**

1. Purpose. The purpose of the "UE" Urban Expansion District is to attempt to limit urban sprawl and preserve agricultural and rural lands immediately adjacent to urban areas served with public infrastructure. The district is intended to preserve these areas of the County, in very low rural development densities, until such time when public infrastructure can be extended for future planned areas of commercial, industrial, and residential development. Limited rural development will be allowed in the Urban Expansion District that is consistent with a city's or township's Comprehensive Land Use Plan or Guide goals, objectives, and policies with regard to land use, facilities, utilities, and fiscal planning.

The Urban Expansion District boundaries shall be determined in conjunction with affected cities or townships. Future development in the "UE" District shall occur via orderly transition from agricultural to urban uses by:

- A. Annexation, rezoning, and development of area adjacent to the incorporated limits of existing urban center.
  - B. Contiguous development as a logical extension of similar urban land uses and zoned to the appropriate district.
2. Land Uses in an Urban Expansion District.
    - A. Permitted Uses. The following uses are permitted subject to any performance standards contained in Part 3 of this chapter:
      - i. Agricultural uses including buildings and structures except feedlots and other commercial operations.
      - ii. Essential services – minor.
      - iii. Farm drainage and irrigation systems.
      - iv. Home occupation, Level I.
      - v. Temporary dwelling, during construction (use up to one year).
      - vi. Temporary grading.
      - vii. Private kennels.



- viii. Single-family dwelling (detached) on parcels a minimum of 10 acres in area.
  - ix. Plant nursery, tree farm, and seasonal agricultural business.
- B. Conditional Uses. The following uses may be allowed following procedures set forth in Chapter One (Administration), Section 7, and further subject to any performance standards contained in Part 3 of this chapter:
- i. Golf course use.
  - ii. Public recreation facility.
  - iii. Essential services – major.
  - iv. Public buildings and facilities.
  - v. Water management/flood control structures and erosion control/wildlife developments.
  - vi. Open space recreational use, wildlife management area, game refuge, forest preserve, nature center, conservancy, and interpretive center.
  - vii. Uses listed as conditional uses in an Agricultural District, with the exception of feedlots and solar energy conversion systems (solar farms).
- C. Interim Uses. The following uses may be allowed following procedures set forth in Chapter One (Administration), Section 8, and further subject to any performance standards contained in Part 3 of this chapter:
- i. Temporary dwelling, care facility.
  - ii. Temporary dwelling, agricultural use.
  - iii. Mining, extraction, and processing of minerals.
  - iv. Home occupation, Level II.
  - v. Temporary asphalt and concrete plants.
  - vi. Land alteration and grading (10,000 cubic yards or more).
- D. Permitted Accessory Uses:
- i. Private garages and carports.

- ii. Private swimming pool subject to compliance standards contained in Part 3 of this chapter.
- iii. Other accessory uses customarily incidental to the permitted, conditional, and interim uses listed above including signage, sewage treatment systems, decks, patios, fences, and private kennels.
- iv. Private television towers and satellite dishes.
- v. Solar energy conversion systems, accessory. Active solar energy systems including building integrated roof and wall systems and solar systems using roof or ground mounting devices subject to district height, setback, and performance standards.

**SECTION 5. "HMU" HEALTHCARE/MIXED USE DISTRICT**

1. Purpose. The "HMU" Healthcare/Mixed Use District is established to preserve land in the area surrounding Olivia Hospital & Clinic in order to promote, support, and accommodate the development of a medical campus by providing healthcare and medical office uses, health-oriented professional and administrative offices, retail and service uses supporting healthcare uses, and medium to high-density housing uses which benefit from immediate proximity to healthcare uses, including mixed use projects.

Future development in the Healthcare/Mixed Use District is only intended when it is determined that it is consistent with the City of Olivia's Comprehensive Land Use Plan goals, objectives, and policies with regard to land use, facilities, utilities, and fiscal planning.

2. Land Uses in an "HMU" Healthcare/Mixed Use District.
  - A. Permitted Uses. The following uses shall be permitted in the "HMU" Healthcare/Mixed Use District:
    - i. Hospitals.
    - ii. Medical clinics/offices.
    - iii. Extended care, intermittent care, and long-term care facilities.
    - iv. Residential care, congregate care, and assisted living facilities.
    - v. Outpatient surgical, diagnostic, testing, and rehabilitative services.
    - vi. Professional offices of doctors, dentists, optometrists, and other medical professionals including incidental sales of medical and dental aids.

- vii. Urgent care centers.
  - viii. Essential services.
- B. Conditional Uses. The following uses may be allowed following procedures set forth in Chapter One (Administration), Section 7, and further subject to any performance standards contained in Part 3 of this chapter:
- i. Health and fitness centers.
  - ii. Adult and child care centers.
  - iii. Drug stores/pharmacies.
  - iv. Emergency air transportation landing facilities.
  - v. Senior independent living facilities.
  - vi. State licensed residential facility or housing with services establishments.
  - vii. Health-related educational institutions.
  - viii. Restaurants, cafes, delicatessens, and coffee shops.
  - ix. Medical equipment and supplies sales and services.
  - x. Public buildings.
  - xi. Hotels.
  - xii. Public parks and trails.
  - xiii. Fire, ambulance, and emergency medical services.
  - xiv. Learning centers.
- C. Interim Uses. NONE.
- D. Permitted Accessory Uses:
- i. Other accessory uses customarily incidental to the permitted and conditional uses listed above including garages, signage, decks, patios, and fences when located on the same property.
  - ii. Private television and telecommunication towers and satellite dishes.

- iii. Solar energy conversion systems, accessory. Active solar energy systems including building integrated roof and wall systems and solar systems using roof or ground mounting devices subject to district height, setback, and performance standards.
- iv. Buildings temporarily located for the purpose of construction for the construction period only.

### **SECTION 6. "CI" COMMERCIAL/INDUSTRIAL DISTRICT**

1. Purpose. The purpose of the "CI" Commercial/Industrial District is to provide land for the development of commercial and light industrial uses that require limited services, that allow the use to operate without providing environment or nuisance concerns, and that do not adversely impact natural or scenic resources.
2. Land Uses in a Commercial/Industrial District.
  - A. Permitted Uses. The following uses are permitted subject to any performance standards contained in Part 3 of this chapter:
    - i. Essential services – minor.
    - ii. Adult uses.
    - iii. Telecommunication towers 200 feet or less in overall height.
  - B. Conditional Uses. The following uses may be allowed following procedures set forth in Chapter One (Administration), Section 7, and further subject to any performance standards contained in Part 3 of this chapter:
    - i. Retail sales and service uses.
    - ii. Essential services – major.
    - iii. Health and day care centers.
    - iv. Grocery stores.
    - v. Restaurants/cafes.
    - vi. Convenience stores.
    - vii. Office uses.
    - viii. Hotels and motels.

- ix. Recreation vehicles and equipment sales and service.
- x. Commercial recreational and entertainment facilities when contained within a building.
- xi. Farm implement sales and service.
- xii. Motor vehicle sales and service.
- xiii. Plant nursery, tree farm, and seasonal produce stand.
- xiv. Equipment rental shop.
- xv. Manufactured home sales lot.
- xvi. Self-service storage facility.
- xvii. Funeral home and crematorium.
- xviii. Building material sales lot.
- xix. Car wash operation.
- xx. Small engine and appliance repair.
- xxi. Tavern/bar/liquor establishments.
- xxii. Dwellings when included as an integral part of the principal commercial/industrial structure.
- xxiii. Clubs and lodges.
- xxiv. Auto or truck repair and auto body repair.
- xxv. Bed and breakfast establishments.
- xxvi. Telecommunication towers greater than 200 feet in overall height.
- xxvii. Veterinary/animal clinics and commercial breeding and/or boarding kennels.
- xxviii. Light manufacturing.
- xxix. Medical uses.
- xxx. Warehousing and distributing uses.

- xxxi. Public recreation facility.
- xxxii. Commercial and health recreational facilities.
- xxxiii. Automotive dealerships.
- xxxiv. Freight transportation terminal.
- xxxv. Yard waste facility.
- xxxvi. Welding and machine shop.
- xxxvii. Contractor use.
- xxxviii. Wholesale business use.
- xxxix. Bulk storage use.
- xl. Auto or motor vehicle reduction, salvage yard, recyclable center, and junkyard when totally screened.
- xli. Concrete ready mix plants.
- xlii. Commercial grain and agricultural production facilities, commodity storage facilities, and feed and fertilizer plants.
- xliii. Commercial/industrial subdivisions subject to Renville County Subdivision Regulations.
- xliv. Commercial and non-commercial wind energy conversion systems including wind energy conversion substations.
- xlv. Apartment buildings.
- xlvi. Shopping center.
- xlvii. Truck stop use.
- xlviii. Open sales lot.
- xlix. Biofuel production facility.
- I. Solar energy conversion systems – solar farms including energy conversion substations.
- li. Biomass conversion facility.

- C. Interim Uses. The following uses may be allowed following procedures set forth in Chapter One (Administration), Section 8, and further subject to any performance standards contained in Part 3 of this chapter:
  - i. Mining, extraction, and processing of minerals.
  - ii. Temporary asphalt and concrete plants.
  - iii. Land alteration and grading (10,000 cubic yards or more).
  
- D. Permitted Accessory Uses:
  - i. Other accessory uses customarily incidental to the permitted, conditional, and interim uses such as off-street parking, loading and unloading area, storage building, fencing, signage, and sewage treatment systems.
  - ii. Buildings temporarily located for the purpose of construction for the construction period only.
  - iii. Solar energy conversion systems, accessory. Active solar energy systems including building integrated roof and wall systems and solar systems using roof or ground mounting devices subject to district height, setback, and performance standards.

**PART 2**  
**DENSITY AND LOT REQUIREMENTS**

This part regulates the development of land located in the A, RR, UE, HMU, and CI Districts.

This chapter does not apply to land located in the Minnesota Scenic River and Shoreland Management Districts. The development of land within these districts shall be determined in accordance with Chapter Six (Shoreland Management Regulations) and Chapter Five (Minnesota Scenic River Regulations).

**SECTION 1. DWELLING UNIT DENSITY**

1. Density in Districts.
  - A. In the “A” Agricultural District, the density of residential dwelling units shall not exceed one dwelling unit per 40 acres or quarter-quarter section or two farm dwelling units per 40 acres or quarter-quarter section consistent with Chapter Two, Part 1, Section 2, of this Ordinance if one of the dwelling units is a farm dwelling.
  - B. In the “RR” Rural Residential District, the density of residential dwelling units shall not exceed eight dwelling units per 40 acres or quarter-quarter section.
  - C. In the “UE” Urban Expansion District, the density of residential dwelling units shall not exceed one dwelling unit per 10 acres.

**SECTION 2. LOT AND SETBACK REQUIREMENTS**

In the “A” Agricultural District, the following lot requirements must be met:

1. Minimum Lot Size ..... 5 acres
2. Minimum Median Lot Width ..... 300 feet
3. Maximum Lot Coverage ..... 100 percent of buildable area
4. Minimum Building/Structure Setbacks:
  - A. Front ..... 67 feet from the right-of-way except for structures in the U.S. Highway 212 corridor, which shall be setback 200 feet from the centerline of U.S. Highway 212
  - B. Side ..... 20 feet
  - C. Rear ..... 20 feet



- D. Ditch ..... 150 feet
- E. Major Essential Service – Underground ..... 150 feet
- 5. Maximum Building Height:
  - A. Agriculture Buildings/Structures and Permitted Towers ..... None
  - B. Other Buildings and Structures ..... 35 feet

In the “RR” Rural Residential District, the following lot requirements must be met:

- 1. Minimum Lot Size ..... 5 acres
- 2. Minimum Frontage on a Public Road ..... 300 feet
- 3. Maximum Lot Coverage ..... 25 percent
- 4. Minimum Building/Structure Setbacks:
  - A. Front ..... 67 feet from the right-of-way except for structures in the U.S. Highway 212 corridor, which shall be setback 200 feet from the centerline of U.S. Highway 212
  - B. Side ..... 20 feet
  - C. Rear ..... 20 feet
  - D. Ditch ..... 150 feet
  - E. Major Essential Service – Underground ..... 150 feet
- 5. Maximum Building Height:
  - A. Agriculture Buildings and Structures ..... None
  - B. Other Buildings and Structures ..... 35 feet

In the “UE” Urban Expansion District, the following lot requirements must be met:

- 1. Minimum Lot Size ..... 10 acres
- 2. Minimum Median Lot Width ..... 300 feet
- 3. Maximum Lot Coverage ..... 25 percent

4. Minimum Building/Structure Setbacks:
  - A. Front ..... 67 feet from the right-of-way  
except for structures in the U.S. Highway 212 corridor, which shall be setback  
200 feet from the centerline of U.S. Highway 212
  - B. Side ..... 20 feet
  - C. Rear ..... 20 feet
  - D. Ditch ..... 150 feet
  - E. Major Essential Service – Underground ..... 150 feet
5. Maximum Building Height:
  - A. Agriculture Buildings and Structures ..... None
  - B. Other Buildings and Structures ..... 35 feet

In the “HMU” Healthcare/Mixed Use, the following lot requirements must be met:

1. Minimum Lot Size ..... .50 acres
2. Minimum Frontage on a Public Road ..... 200 feet
3. Maximum Lot Coverage ..... 40 percent
4. Minimum Building/Structure Setbacks:
  - A. Front ..... 40 feet from the right-of-way
  - B. Side ..... 10 feet
  - C. Rear ..... 20 feet
  - D. Ditch ..... 150 feet
  - E. Major Essential Service – Underground ..... 150 feet
5. Maximum Building Height ..... 60 feet

In the "CI" Commercial/Industrial District, the following lot requirements must be met:

1. Minimum Lot Size ..... 10 acres unless the property is platted. Platted sites will be allowed if connected to public water and sewer. The minimum lot size shall be sufficient to meet all applicable performance standards and lot and setback requirements.
2. Minimum Frontage on a Public Road ..... 300 feet (per 10-acre site unless subdivided)
3. Maximum Lot Coverage ..... 65 percent
4. Minimum Building/Structure Setbacks:
  - A. Front ..... 67 feet from the right-of-way except for structures in the U.S. Highway 212 corridor, which shall be setback 200 feet from the centerline of U.S. Highway 212
  - B. Side ..... 20 feet
  - C. Rear ..... 20 feet
  - D. Ditch ..... 150 feet
  - E. Major Essential Service – Underground ..... 150 feet
5. Maximum Building Height:
  - A. Buildings and Structures ..... 45 feet
  - B. Permitted Towers ..... None

**PART 3**  
**PERFORMANCE STANDARDS**

The performance standards established in this part apply to all land uses and structures and are in addition to any specific zoning district regulations. The standards are designed to encourage a high standard of development; to prevent and eliminate those conditions that cause blight; to minimize conflict between land uses; to preserve the use and enjoyment of property; and to protect the public health, safety, and welfare. All future development in all districts shall be required to meet these standards, and the standards shall also apply to existing development where so stated.

**SECTION 1. DEVELOPMENT STANDARDS**

1. General Standards. All sites, land uses, and structures will be subject to these general standards as well as other specific regulations that apply to the lot or the proposed use.
  - A. All agricultural and livestock operations being conducted in compliance with the terms of this Ordinance shall not be deemed a violation of this Ordinance notwithstanding the fact that there may have been changes in the surrounding character of the area.
  - B. No structure shall be constructed on sites with slopes of greater than 25 percent or on easily erodible soils as defined in the soil survey maps of Renville County.
  - C. The following structures shall be permitted encroachments into yard setback requirements set forth in other sections of this Ordinance: eaves, awnings, steps, chimneys, sidewalks, exposed wheelchair ramps, and bay windows.
  - D. Nothing shall be placed or allowed to grow, with the exception of seasonal crops, in such a manner as to materially impede vision between a height of 2.5 and 10 feet above the centerline grades of the intersecting streets to a distance such that a clear line of vision of the intersecting street is possible from a distance of 50 feet from the intersection of the right-of-way lines.
  - E. In all districts where single-family dwellings are permitted, the following standards shall apply:
    - i. The minimum width of the main portion of the structure shall be not less than 16 feet in width as measured across the narrowest portion.
    - ii. All dwellings shall be placed on a permanent foundation designed with anchors to resist overturning, uplift, and sliding.
    - iii. All manufactured homes shall bear a Seal of Compliance issued by the State of Minnesota.

- F. All building sites created, which are not served by public sanitary sewer and not part of an approved planned unit development, must have at least one contiguous acre of accessible buildable land. Buildable land is defined as:
- i. Land with a slope less than 25 percent.
  - ii. Outside of any required setbacks.
  - iii. Above any 100-year flood plain, drainageway, or drainage easement.
- G. There shall be no more than one principal structure on any one parcel of land, unless otherwise authorized by this Ordinance. All structures must be constructed on a buildable lot or site.
- H. No cellar, garage, recreational vehicle or trailer, basement with unfinished exterior above, or accessory building shall be used at any time as a dwelling unit.
- I. Access drives onto any public roads shall require a review and approval and/or permit by the Road Authority. The Road Authority shall determine the appropriate location, size, and design of such access drives and may limit the number of access drives in the interest of public safety and efficient traffic flow. Access drive permits shall be issued in conjunction with the issuance of any land use permit. The Road Authority, at its discretion, may refer a request for an access drive permit to the Planning Commission for its recommendation.
- J. No structure shall exceed the maximum height permitted for the zoning district in which it is located except for agricultural buildings or structures; church spires, belfries, or domes that do not contain useable space; chimneys or smokestacks; flagpoles; water and cooling towers; essential service structures; rooftop mechanical or electrical equipment; historic monuments; grain elevators; and permitted towers. Any construction or alteration of a structure or tower that exceeds 200 feet in height must notify and receive a letter of clearance from the Federal Aviation Administration and the Airport Commission for any airport located within five miles of the structure proposed to exceed the height limitation.
- K. No site area shall be reduced such that the required setbacks shall be smaller than described in this Ordinance nor shall the area or width of any site be reduced below the minimum requirement established in this Ordinance.
- L. All structures and/or facilities shall comply with the accessibility portion of the Minnesota State Building Code, when applicable.

2. Relocating Structures. Every licensed house mover shall, in each and every instance before moving any building along a state, County, or township road in Renville County, obtain a permit from the Road Authority. An application for such permit shall designate the type of structure, the origin and destination of the building, the route over which it is to be moved, and shall state the date and time in which the moving of the building shall occur. No land use permit to move a building into the unincorporated areas of the County shall be issued unless and until the following land use regulations are complied with and approved by the Zoning Administrator:
  - A. The building to be moved shall comply in all respects with the standards in the Renville County Land Use Ordinance.
  - B. The lot or site on which the building is to be located must meet all the minimum dimensional requirements of the zoning district in which it is located.
  - C. The building must be placed on the lot or site so as to meet all the front, side, and rear yard requirements as set forth in the Land Use Ordinance.
  - D. Any building relocated into a Rural Residential District or Shoreland Overlay District must be compatible in age, architectural style, appearance, and assessor's market value to the existing surrounding neighborhood to which it is being moved.
3. Environmental Regulations.
  - A. Storage and Disposal of Regulated Substances.
    - i. No underground gasoline, oil, or similar liquid storage tanks shall be permitted in a Rural Residential or Shoreland Overlay District.
    - ii. Any use that generates or stores hazardous substances and materials, petroleum products, or other regulated substances shall not contain interior floor drains. If floor drains are essential to a commercial/industrial use, then the facility shall:
      - a. Connect the floor drain to a certified holding tank with flammable waste trap.
      - b. Monitor substances and materials entering the holding tank to determine proper disposal methods.
      - c. Dispose of substances and materials in accordance with federal and state standards, rules, and regulations.

- iii. Hazardous materials shall be contained in a closed, leak-proof tank or container that shall be stored and labeled in compliance with federal and state standards, rules, and regulations.
  - iv. All above-ground and underground tanks containing hazardous substances and materials, petroleum products, or other regulated substances shall comply with Minnesota Pollution Control Agency and federal agency standards, rules, and regulations including, but not limited to, standards for leak detection, recordkeeping, spill prevention, emergency response, transport, monitoring, secondary containment, corrosion protection, substance transfer, overfill protection, registration, and tank closure and disposal unless exempted from federal and state regulations.
  - v. Dry commercial fertilizers must not be stockpiled in areas where stormwater runoff could enter tile intakes, ditches, lakes, rivers, streams, wells, or other surface or groundwater.
  - vi. Dry bulk pesticides shall be stored under a roof that excludes precipitation from reaching the pesticide.
- B. Explosives. Uses involving the commercial storage, use, or manufacture of materials or products which could detonate by decomposition shall comply with State of Minnesota Fire and Safety Rules and shall not be located within 2,640 feet of a Rural Residential District or Shoreland Overlay District.
- C. Radiation and Electrical Interference. No activities shall be permitted that emit dangerous radioactivity beyond enclosed areas. There shall be no electrical disturbance (except from domestic household appliances) adversely affecting the operation of ordinary business or household equipment and appliances. Any such emissions are hereby declared to be a nuisance.
- D. Contaminated Soils. 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 herbicides or pesticides may be land spread upon issuance of a permit. The permit shall be issued only upon the satisfaction of the following conditions:
- i. The MPCA or MDA has reviewed and approved the land spreading of contaminated soil on the proposed site.
  - ii. Renville County Environmental Services has received the completed agency agreement and all attachments.

- iii. The affected township or townships have been notified of the approved agency land spreading agreement. A copy of the permit shall be mailed to the affected Board of Township Supervisors.
- iv. A permit to allow land spreading of contaminated soil shall include the following information regarding the proposed application site. The County may impose conditions upon the permit to assure compliance with this Ordinance.
  - a. Site and Soils Characteristics – slope, distance to surface water, drainage ditches, open tile in-takes and wells, water table level, soil characteristics, distance to adjoining residences, and site soils analysis.
  - b. Land Application Procedures – timetable established, maximum spreading thickness established, incorporation procedure, loading rate established, and soil mixing procedures.
  - c. Soil Sampling Requirements – soil nutrient levels determined, contamination levels of soils to be spread, and the follow-up monitoring requirements.
  - d. Maps – topographic, plat, and soil maps with the proposed application site clearly marked.
- E. Well Protection. A well contamination source must not be placed, constructed, or installed any closer to setback distances required from a water supply well than the distance as regulated in Minnesota Rules 4725.4450, or successor rules.
- F. Environmental Hazards. Land use permits and final plats shall not be approved until all known environmental hazards situated on the subject property have been identified by a site inspection, site survey, or other means as determined by the Department. If an environmental hazard is identified, it shall be brought into compliance with all federal, state, and County rules, regulations, and ordinances. Environmental hazards include the following:
  - i. Unused or improperly sealed wells, cisterns, pits, tanks, and similar hazards.
  - ii. The unapproved storage of solid waste and demolition landfill waste.
  - iii. Discarded appliances and electronic devices.
  - iv. The unapproved storage or abandonment of inoperative or unlicensed motor vehicles, heavy equipment and farm implements, and combustion engines and parts.



- v. The unapproved storage of chemicals; explosives; and radioactive, infectious, or hazardous waste or material.
- vi. Abandoned, dilapidated, or burned-out structures.
- vii. Other uses similar to those listed above.

4. Exterior Storage Along Highways and Roads.

- A. The purpose of these standards is to protect the natural scenic beauty of roadsides along Renville County highways and roads. These standards are applicable in all primary and overlay districts and include all property with frontage on or visible within one-quarter mile of a federal, state, County, or township road or highway.
- B. In all districts, all useable personal property shall be stored within a building or fully screened so as not to be visible from a federal, state, County, or township road or highway except for the following: recreational equipment, construction and landscaping materials and equipment currently (within a period of 12 months) being used on the premises, agricultural equipment and materials if these are used or intended for use on the premises, off-street parking of licensed and operable vehicles, and permitted exterior storage and personal property.

5. Fences. These standards apply to all land use districts. Fences may be installed and maintained in accordance with the requirements contained in this section.

A. General Performance Standards.

- i. No fence shall be constructed on public rights-of-way.
- ii. Fences shall not impede the vision of the roadway from a driveway providing access to the road.
- iii. Where a property line or road right-of-way is not clearly defined, a certificate of survey may be required by the Zoning Administrator to establish the location of the property line.
- iv. Fences may be placed along a property line or road right-of-way provided there is a certificate of survey and the adjacent property owner or Road Authority agrees in writing. If the adjacent property owner or Road Authority does not agree that the fence should be located along the property line or road right-of-way or there is no certificate of survey, the following minimum setbacks are required:

- a. Fences (front, side, and rear yard) – five feet from the property line or road right-of-way.
    - b. Tree Lines – 20 feet from any property line or road right-of-way.
  - v. Electric and farm fences shall only be located in an Agricultural District.
  - vi. Barbed wire security arms may be allowed in an Agricultural (A) and Commercial/Industrial (CI) District. The security arm shall be angled in such a manner that it does not endanger the public.
- B. Fence Construction and Maintenance.
- i. Fences shall be constructed in a workmanlike manner and of substantial material reasonably suited for its intended purpose.
  - ii. Fences shall be maintained on both sides in a condition of good repair and shall not be allowed to become or remain in a condition of disrepair or danger or constitute a public or private nuisance. Any such fence that is or has become dangerous to health and welfare is a public nuisance, and the County may commence proper proceedings for the abatement thereof.
- C. Properties located in any residential land use district which are improved with an outdoor swimming pool or hot tub having a depth of 24 inches or greater at any one point shall comply with the following standards. Temporary or inflatable pools having a depth of 24 inches or less are exempt from these requirements.
- i. All swimming pools and hot tubs shall be provided with safeguards to prevent children from gaining uncontrolled access. This can be accomplished with fencing, screening, elevating, or other enclosure, or any combination thereof, of sufficient density as to be impenetrable. A locking manufactured safety cover may be used as an alternative to the fencing and screening requirements.
  - ii. All pool and hot tub fences shall comply with any required setbacks.
  - iii. The pool or hot tub or the yard surrounding it shall be enclosed by a wall or fence or combination thereof that shall be at least four feet in height, shall be made of a noncorrosive material, shall be constructed so as to be not easily climbable, and the bottom of the fence shall not be more than four inches above grade. Above-ground pool vertical sidewalls may be used to meet the fence height requirement provided all points of access are controlled including removal of all stairs and ladders when the pool is not in use.

- iv. All fence openings or points of entry into the pool or hot tub shall be equipped with gates or doors. All gates or doors to swimming pools and hot tubs shall be equipped with self-closing and self-latching devices placed at sufficient height so as to be inaccessible to small children.

6. Land Alteration and Grading.

- A. The purpose of these standards is to regulate the alteration or grading of land. A land alteration and grading permit is required for:

- i. The movement of more than 10 cubic yards of material on steep slopes or within shore or bluff impact zones.
- ii. The movement of more than 50 cubic yards of material outside of steep slopes and shore and bluff impact zones.
- iii. Grading and excavating of 500 cubic yards or more of material per project.
- iv. Removal or alteration of vegetation in shoreland and bluff impact zones.

Projects for which a permit has been issued including agricultural activities, road construction projects, excavations necessary for the construction of structures, sewage treatment systems, driveways, and subdivisions that have received final plat approval do not require the issuance of a separate land alteration and grading permit.

In addition, grading, excavating, or filling of 10,000 cubic yards or more of material per project including, but not limited to, landscaping, excavation for wildlife habitat, excavation and preparation for building or similar activity, and land improvements shall require an Interim Use Permit.

- B. Land alteration and grading permit applications shall contain the following minimum standards:

- i. The application for a permit shall include an existing grade and finished reclamation plan. The finished grade shall pose no adverse effects on adjacent land. The Zoning Administrator may require information including, but not limited to, a plan for erosion control, general maintenance of site, vehicle ingress and egress, drainage plan, and plan for control of material disburshed from wind or hauling of material to or from the site.
- ii. Grading permit reclamation plans shall be reviewed by the Renville County Soil and Water Conservation District and may be reviewed, as

deemed necessary by the Zoning Administrator or in accordance with other rules, by the Minnesota Department of Natural Resources, the County Engineer, and the appropriate watershed management organization.

- iii. A grading, drainage, and erosion control plan may be required if, in the judgment of the Zoning Administrator, significant soil erosion, vegetation destruction, or drainage damage may occur during the land alteration process. This plan shall be reviewed and approved by the Renville County Soil and Water Conservation District and shall contain specific recommendations regarding soil protection, preservation of vegetation, and drainage patterns during the land alteration process.
- iv. The Zoning Administrator may require the applicant to post a bond or other financial guarantee to ensure compliance with the grading permit. The permittee shall acquire and keep in force for the duration of the permit liability insurance specifically covering the project.

## 7. Land Preservation.

- A. General Standards. The following general standards shall apply for grading, drainage, and erosion control:
  - i. All development shall conform to the natural limitations presented by the topography and soil as to create the best potential for preventing soil erosion.
  - ii. Slopes over 25 percent (4:1) shall not be developed or altered.
  - iii. Development on slopes with a grade between 13 percent (8:1) and 25 percent (4:1) shall be carefully reviewed to ensure adequate measures have been taken to prevent soil erosion, sedimentation, vegetative, and structural damage.
  - iv. Erosion and siltation control measures shall be coordinated with the different stages of development. When soil is exposed, the exposure shall be for the shortest feasible period of time. Appropriate control measures shall be installed prior to development when necessary to control erosion.
  - v. Land shall be developed in increments of workable size such that erosion and siltation controls can be provided as construction progresses. The smallest practical area of land shall be exposed at any one period of time.
  - vi. The drainage system shall be constructed and operational as quickly as possible during development.

- vii. Whenever possible, natural vegetation shall be retained and protected.
- viii. Where the topsoil is removed, sufficient soil capable of producing crops shall be set aside for re-spreading over the disturbed area. The soil shall be restored to a minimum depth of four inches and shall be of quality at least equal to the soil quality prior to development.
- ix. When soil is exposed, the exposure shall be for the shortest feasible period of time.
- x. The natural drainage system shall be used as far as feasible for the storage and flow of runoff. Stormwater drainage shall be discharged to sediment, detention or retention basins, or other treatment facilities. Prior to discharge to wetlands, diversion of stormwater to marshlands or swamps shall be considered for existing and planned surface drainage. Wetlands used for stormwater shall provide for natural or artificial water level control. Storage area or retention basins scattered throughout developed areas shall be encouraged to reduce peak flow, erosion damage, and development cost.
- xi. No structure shall be erected in any bluff impact zone as defined in this Ordinance. Essential services shall be exempt from this restriction.
- xii. Grading and land alteration activity in any bluff impact zone shall be designed by a registered engineer. In no case shall excavating or filling be allowed for the purpose of establishing a site for the erection of a structure.
- xiii. No structure shall be erected within 30 feet of a bluff line. If the adjacent bluff zone is actively eroding, the Zoning Administrator may increase the setback requirement.

**B. Erosion Control.** The following measures shall be taken to control erosion during development:

- i. Exposed slopes shall not be steeper in grade than four feet horizontal to one foot vertical (25 percent).
- ii. Exposed slopes shall be protected by whatever means effective to prevent erosion considering the degree of the slope, soil material, and expected length of exposure. Slope protection may consist of mulch, sheets of plastic, burlap or jute netting, sod blankets, fast growing grasses, or temporary seeding of annual grasses. Control measures, other than those stated above, may be used in place of the above

measures to control if it can be demonstrated that they will as effectively protect exposed slopes.

- iii. At the foot of each exposed slope, a channel and berm should be constructed to control runoff. The channelized water should be diverted to a sedimentation basin (debris basin, silt basin, or silt trap) before being allowed to enter the natural drainage system.
- iv. Along the top of each exposed slope, a berm should be constructed to prevent runoff from flowing over the edge of the slope. Where runoff collecting behind a berm cannot be diverted elsewhere and must be directed down the slope, appropriate measures shall be taken to prevent erosion.
- v. Control measures, other than those specifically stated above, may be used in place of the above measures if it can be demonstrated that they will as effectively protect exposed slopes.
- vi. The erosion and velocity control structures shall be maintained in a condition that will insure continuous functioning according to the provisions of this chapter.
- vii. Sediment basins shall be maintained as the need occurs to insure continuous desilting action.
- viii. The areas utilized for runoff waterways and sediment basins shall not be allowed to exist in an unsightly condition. The banks of the sediment basin shall be landscaped.
- ix. Prior to the approval of a plat for development, the developer shall make provisions for continued maintenance on the erosion and sediment control system.

C. Sediment Control. The following measure shall be taken to control sediment from leaving the site during development:

- i. Temporary barriers shall be constructed to prevent sediment from leaving the site. These barriers may consist of silt fences, straw bale sediment traps, or other proven methods.
- ii. Temporary sediment basins or traps may be required to remove medium and large-sized sediment particles from runoff and reduce discharge velocity.
- iii. The Zoning Administrator may require a temporary rock driveway at the site entrance to prevent sediment from leaving the site on the tires of vehicles.

- iv. Permanent impervious sediment control structures shall be utilized to remove sediment from runoff prior to its disposal in any protected body of water.
- D. Restoration. All permits shall contain a restoration plan providing for the use of land after development. The following are minimum standards for restoration:
  - i. All disturbed areas shall be restored at the completion of the project.
  - ii. All restoration shall include the application of a minimum of four inches of a mineral topsoil or similar material that will support plant growth.
  - iii. Final grades shall be in conformity with the permit and topography of the surrounding land.
  - iv. If the land is to be restored to crop production, no slope shall exceed five feet horizontal to one foot vertical (20 percent).
  - v. If the restoration is not for crop production, no grade shall exceed four feet horizontal to one foot vertical (25 percent).
  - vi. All restored areas shall be seeded with a mixture recommended by the Renville County Soil and Water Conservation District or returned to crop production.
  - vii. The standards in ii, iii, iv, and v above may be raised or modified to accommodate a specific restoration plan.
- E. Flood Plain Development. Land alteration shall also be in accordance with Chapter Nine (Flood Plain Regulations), Chapter Five (Minnesota Scenic River Regulations), Chapter Six (Shoreland Management Regulations), and Chapter Fourteen (Project River Bend Management Regulations).
- F. Wetland Preservation.
  - i. To the extent reasonable, all wetlands including marshlands and swamps shall be retained in their natural state to serve as a stormwater runoff basin, recharge area, and also as a wildlife habitat.
  - ii. No public water shall be filled, partially filled, dredged, altered by grading or mining, or disturbed in any manner without first securing a permit from the Minnesota Department of Natural Resources and/or the United States Army Corp of Engineers. A copy of any required permit must be filed with the Zoning Administrator.

- iii. The alteration of wetlands shall comply with the rules and regulations of federal, state, and local agencies.

G. Surface Water Runoff.

- i. No land shall be developed or altered and no use shall be permitted that results in surface water runoff causing unreasonable flooding, erosion, or deposit of materials on adjacent properties, road rights-of-way, or water bodies. Such runoff shall be properly channeled into a storm drain, a natural watercourse or drainageway, a ponding area, or other facility.
- ii. Upon inspection of any site that has created drainage problems or could create a drainage problem with proposed new development, the owner of the site or contractor may be required to complete a grading plan and apply for a grading permit.
- iii. The owner or contractor of any natural drainage improvement or alteration may be required to obtain a grading permit.
- iv. On any slope in excess of 13 percent (8:1) where the natural drainage pattern may be disturbed or altered, the owner or contractor may be required to obtain a grading permit.
- v. The use of storm sewers is not an acceptable alternative to the use of the natural above-ground drainage systems to dispose of runoff. Storm sewers may only be used where it can be demonstrated that the use of the above-ground natural drainage system will inadequately dispose of runoff.

8. Land Clearing.

- A. A permit is required for land clearing of 20,000 square feet or more in non-prime agricultural use areas. A permit is not required for a minimum amount of clearing of trees and other woody plants associated with a construction project, provided a land use permit has been issued, and for development of subdivisions that have received final plat approval.
- B. Land clearing shall comply with all rules and regulations of federal, state, County, and local agencies.
- C. Land clearing shall comply with the following:
  - i. There shall be no removal of trees and vegetation located on slopes greater than 25 percent or in wooded flood plains, wooded wetlands, and stream corridors. Trees and woodlands within the Shoreland



Management District, the Flood Plain District, the Project River Bend Management District, and the Minnesota Scenic River District are subject to the requirements as stated in Chapter Five (Minnesota Scenic River Regulations), Chapter Six (Shoreland Management Regulations), Chapter Nine (Flood Plain Regulations), and Chapter Fourteen (Project River Bend Management Regulations) in addition to the regulations of this chapter.

- ii. Construction fences, barricades, or signage may be required to be placed at the perimeter of the area to be cleared.
- iii. Erosion and siltation measures shall be coordinated with the different stages of clearing. Appropriate control measures shall be installed prior to land clearing when necessary to control erosion.
- iv. Land shall be cleared in increments of a workable size such that erosion and siltation controls can be provided as the clearing progresses. The smallest practical area of land shall be exposed at any one period of time.
- v. Any land clearing permits shall contain a land restoration plan providing for the use of the land after project completion. The following are minimum standards for restoration:
  - a. All disturbed area shall be restored at the completion of the project.
  - b. All restoration shall include the application of a minimum of four inches of soil or similar material that will support plant growth.
  - c. All restored areas shall be seeded with a mixture recommended by the Renville County Soil and Water Conservation District unless it is put into forest or row crop production.
  - d. Final grades shall be in conformity with the permit and topography of the surrounding land.
  - e. The standards above may be raised or modified to accommodate a specific restoration plan.
- vi. The Zoning Administrator may require the applicant to post a bond or other financial guarantee to ensure completion of the restoration plan.

9. Parking. The purpose of this section is to establish parking standards.
- A. Off-street parking area shall be improved with a durable surface. Such areas shall be so graded and drained as to dispose of all surface water accumulation within the parking area. Durable surfacing may include crushed rock treated with a dust inhibitor, asphalt, concrete pavers, or a reasonable substitute surface as approved by the County Engineer. All surfacing must be completed prior to occupancy of the structure unless approved by the Zoning Administrator.
  - B. All accessory off-street parking spaces required herein shall be located on the same site or adjacent to the site of the principal use served. Parking as required by the Americans with Disabilities Act (ADA) for the disabled shall be provided.
  - C. All off-street parking shall comply with the following general provisions:
    - i. Existing off-street parking spaces and loading spaces upon the effective date of this Ordinance shall not be reduced in number unless the number exceeds the requirements set forth in this Ordinance for a similar use.
    - ii. A parking space shall be at least nine feet wide by 20 feet long. In considering parking lots, a standard of 300 square feet per parking space shall be used to compute total area requirements including maneuvering areas. Parking spaces for the handicapped shall be provided in accordance with Minnesota Rules, Chapter 1341 (Accessibility for Buildings and Facilities), or successor rules.
    - iii. Joint off-street parking facilities for a combination of mixed buildings, structures, or uses may be provided collectively in the Commercial/Industrial District provided that the total number of spaces provided shall equal the sum of the separate requirements of each use during any peak hour parking period. The Zoning Administrator may require a properly drawn legal instrument covering access easements, cross parking arrangements, maintenance, or other pertinent issues executed by the parties involved.
    - iv. When required accessory off-street parking facilities are provided elsewhere than on the site in which the principal use served is located, they shall be in the same ownership or control, either by deed or long-term lease, as the property occupied by such principal use, and the owner of the principal use shall file a recordable document with Renville County requiring the owner and his or her heirs and assigns to maintain the required number of off-street parking spaces during the existence of the principal use.

- v. Required off-street parking space in any district shall not be utilized for open storage of goods or for the storage of vehicles that are inoperable, for sale, or for rent.
- vi. Off-street parking areas shall be sufficient to provide parking for patrons, customers, suppliers, visitors, and employees. The number of parking spaces required shall be as set forth in the following table:

Apartment building use, single-family (attached and detached) dwelling	Two spaces per dwelling unit
Auto and truck repair, motor vehicle sales and service (new/used), farm implement sales and service, recreation vehicle and equipment sales and service, plant nursery, or building material sales	10 customer parking spaces plus two additional spaces for each 1,000 square feet of gross floor area
Drive-in retail use, restaurant/café, bars/taverns, clubs	One space for each 100 square feet of gross floor space but not less than 20 spaces
Golf course	Three spaces for each green plus additional spaces as may be required herein for related uses such as a restaurant
Hotel or motel, bed and breakfast	One space per unit plus one space per full-time employee
Nursing home/care center	One space per four beds
Public buildings	At least one off-street parking space for each 400 square feet of gross floor area
Retail store, service establishments, office uses, shopping centers, convenience store, medical uses, animal clinic	At least one off-street parking space for each 200 square feet of gross floor area
Schools:	
Nursery school	One space per teacher/employee
Elementary and junior high schools	Three spaces for each classroom
High school	At least one parking space for each four students based on design capacity. Additional spaces may be required for related uses such as a theater, gymnasium, or stadium.
Theaters, auditoriums, cinemas, religious facilities, stadiums, arenas, dance halls, and other places of assembly	Spaces equal in number to one-third of the maximum design capacity
Warehousing and distribution, light manufacturing	One space for each employee on maximum shift
Uses not specifically noted	As determined by the Zoning Administrator based on a parking study and/or industry standards

- vii. Parking areas shall be designed so as to provide adequate means of access to a public right-of-way. Such driveway access widths shall not exceed 32 feet in width or less than 24 feet in width. Driveway access shall be so located as to cause the least interference with traffic movement. Frontage or service roads may be required when, in the opinion of the Planning Commission, they are necessary to maintain traffic safety.
  - viii. When the calculation of the number of off-street parking spaces required results in a fraction, such fraction shall require a full space.
  - ix. No parking space shall be closer than 10 feet to any right-of-way or any property line.
- 10. Screening. Screening of commercial/industrial structures and parking and outside storage areas shall comply with the following performance standards:
  - A. Off-street parking areas shall be screened when any of the following circumstances exist:
    - i. Any commercial/industrial off-street parking area that contains more than four parking spaces and is within 30 feet of an existing residential use or residential zoned district.
    - ii. Where the driveway to a commercial/industrial parking area of more than six parking spaces is within 15 feet of an existing residential use or residential zoned district.
  - B. Where any commercial/industrial structure is located adjacent to property zoned for residential use, that business or industry shall provide screening along the boundary of the residential property.
  - C. All exterior storage in Commercial/Industrial Districts shall be screened. The exceptions are: (1) merchandise being displayed for sale; (2) materials and equipment currently being used for construction of the premises; and (3) merchandise located on service station pump islands.
  - D. Any screening required in this section shall consist of earth mounds, berms, or ground forms; fences and walls; landscaping (plant materials); or other similar form of screening.
- 11. Signs. The purpose of this section is to protect the natural scenic beauty of roadsides in Renville County.
  - A. The regulations contained herein do not apply to signs painted, attached by adhesive, or otherwise attached directly to or visible through windows and glass portions of doors.

B. General Standards:

- i. All signs erected, altered, substantially repaired, relocated, or maintained following the effective date of this Ordinance shall conform to the regulations in this Ordinance.
- ii. No sign may be erected that, by reason of position, shape, movement, color, or any other characteristic, interferes with the proper functioning of a traffic sign or signal or otherwise constitutes a traffic hazard; nor shall signs be permitted which would otherwise interfere with traffic control.
- iii. Private signs are prohibited within the public right-of-way and easements on any public property.
- iv. Flashing signs and signs giving off direct light that may be confused with traffic, aviation, or emergency signaling are prohibited.
- v. Illuminated signs shall be diffused or indirect so as not to direct rays of lighting onto any state, County, or township road or residential structure.
- vi. No sign shall be painted directly on the roof or outside wall of a building. Signs shall not be painted on a fence, tree, stone, or other similar objects in any district.
- vii. All signs and displays using electric power shall have a cutoff switch on the outside of the sign and on the outside of the building or structure to which the sign is attached.
- viii. No sign shall be erected or maintained:
  - a. That would obstruct a clear view of an intersection of a public road or a railroad for a distance of 500 feet.
  - b. That would partly or totally obstruct the view of a lake, river, rocks, wooded area, stream, or other point of natural and scenic beauty.
- ix. All signs shall be set back from the right-of-way of public roads not less than 10 feet from the closest part of the sign. All signs shall be set back 10 feet from adjacent property lines.
- x. No private sign shall be erected that resembles any official marker erected by a government agency or otherwise constitutes a traffic hazard.

- xi. No sign shall be permitted that obstructs any window, door, fire escape, stairway, or opening intended to provide light, air, ingress, or egress of any building or structure.
- xii. No signs shall be erected on a roof of a structure.

C. Performance Standards.

- i. Political signs are allowed in any district on private property with the consent of the owner of the property.
- ii. A real estate sign for purposes of selling, renting, or leasing a property may be placed in any yard of the property.
- iii. Real estate development and housing development signs may be erected for the purpose of selling or promoting a single-family or multiple-family residential project. The plat of the development must be recorded with the Renville County Recorder prior to the erection of a sign. The sign shall be removed when the project is completed, sold, or leased.
- iv. Billboard/advertising signs are allowed only in the Commercial/Industrial (CI) District and shall not be located closer than 1,320 feet to any other advertising sign measured in any direction and within 500 feet of any state or County park, public rest area, or significant historic site. All billboard/advertising signs shall require a Conditional Use Permit (CUP). No billboard/advertising sign shall be located along a road designated by the State of Minnesota as a scenic byway.
- v. Portable signs must advertise the use located on the premises. Portable signs must be securely placed so as to avoid damage or creation of a nuisance.
- vi. Projecting signs shall not project over a public sidewalk.

D. Signs Permitted Per District.

Type of Sign	District Allowed	Maximum Number	Maximum Area	Other Restrictions
Real estate signs	A, CI, UE, RR	Unlimited	None	None
Political signs	A, CI, UE, RR	Unlimited	None	Removal required 10 days following election
Directional and parking signs	A, CI, UE, RR, HMU	One per entrance/exit	None	None
Public signs	A, CI, UE, RR	Unlimited	None	None
Identification and nameplate signs	A, CI, UE, RR, HMU	Unlimited	None	None
Memorial signs	A, CI, UE, RR, HMU	Unlimited	None	None
Real estate development, housing development	A, CI, UE, RR, HMU	One	100 square feet	Removal required when project is completed, sold, or leased
Construction signs	A, CI, UE, RR, HMU	One	32 square feet	Removal required when project is completed
Agricultural product signs	A	Unlimited	None	None
Crop demonstration signs	A	Unlimited	None	Removal required following harvest
Institutional signs	A, CI, UE, RR, HMU	One	32 square feet	None
Portable signs	A, CI	One	32 square feet	May be erected up to 30 consecutive days
Freestanding signs	A, CI	One	100 square feet	Maximum height 35 feet
Wall and projecting signs, canopy or marquee signs	A, CI, HMU	One	Total of 300 square feet	Minimum height 10 feet
Billboard/advertising signs	CI	One	600 square feet	Maximum height 35 feet; minimum height 10 feet
Home occupation signs (Level II)	A, CI, UE, RR	One	32 square feet	None

E. Maintenance.

- i. All signs, together with all of their supports, braces, guys, and anchors, shall be kept in repair and in a proper state of preservation. All signs shall be maintained in a safe, presentable, and good structural condition at all times. Maintenance shall include painting, repainting,

cleaning, replacement or repair of defective parts, and other necessary acts. The display surfaces of all signs shall be kept neatly painted or posted at all times.

- ii. Any sign which becomes structurally unsafe or endangers the safety of a building or premises or endangers the public safety shall be taken down and removed or structurally improved by the owner, agent, or person having the beneficial use of the building, structure, or land upon which the sign is located within 10 days after written notification from the Zoning Administrator.
- iii. All sign locations shall be kept free from unreasonable growth, debris, or rubbish. Failure to correct such conditions after being so directed in writing by the Zoning Administrator shall be cause for removal of the sign or signs on said location or locations.

F. Abandoned Signs.

- i. Removal Required. Abandoned signs should be removed by the owner of the sign. Any such sign not removed shall be subject to removal by the County 30 days after the Zoning Administrator shall have served a notice of removal on the owner thereof by mail or, if the owner cannot be found, publication in the legal newspaper of the County. The notice of removal shall specify the nature of the violation, the action required by the owner, and the date by which the action must be completed. If the owner of the sign is not the owner of the premises on which the sign is located, the owner of the premises shall also be served. The expense of removal, if not paid by the owner of the sign within 30 days after removal thereof by the County and billing of the owner of the sign, shall be assessed against the real estate on which the sign is located in the manner in which improvements are assessed. This shall not limit any other rights that the County has to enforce collection of the cost against the owner of the sign and the owner of the property.
- ii. Exception. Permanent signs applicable to a business temporarily suspended because of a change of ownership or management of such business shall not be deemed abandoned unless the property remains vacant for a period of 12 consecutive months.

G. Variances. Variances from sign standards may be granted if, upon showing the size and location of the proposed sign, the size of the structure to which the sign will be affixed, if any, and other space consideration of the area, it is determined that the proposed signs will not be hazardous and will not obstruct the view for or otherwise be detrimental to property or persons in the area.



12. Recreational Vehicle Use and Storage. The purpose of these regulations is to set standards to allow the parking and use of recreational vehicles (RV) in a residential zoned primary or overlay district, including travel vehicles, motor homes, campers, and park trailers, as temporary, seasonal living quarters while not substantially diminishing or otherwise impairing property value in the neighborhood nor causing any unreasonable adverse effects on adjacent properties.
- A. General Performance Standards.
- i. No recreational vehicle may be used as a dwelling unit, as defined by this Ordinance, or for business purposes.
  - ii. The placement of a recreational vehicle on a permitted lot or site shall comply with all lot and setback requirements of the primary and overlay district.
  - iii. Treatment and disposal of sewage and wastewater generated from the use of a recreational vehicle shall comply with all state and County regulations and standards.
  - iv. No recreational vehicle may be parked or used without current license registration.
  - v. The permanent parking and use of one recreational vehicle on an undeveloped, permitted lot or site shall be allowed by a land use permit and is subject to the general performance standards of this section.
  - vi. The use of a recreational vehicle shall only be allowed in the rear yard. For riparian lots, the front yard shall be considered that portion of the lot extending from the ordinary high water level to the minimum front yard building setback required in a residential district.

## **SECTION 2. PERFORMANCE STANDARDS FOR USES**

Purpose. The purpose of this section is to provide standards for specific uses listed as permitted, accessory, interim, or conditional within the primary district or any applicable overlay district. The performance standards contained in Part 3, Section 2, of this chapter apply to specific uses and are requirements that are in addition to any other requirements of this Ordinance for a specific use.

1. Accessory Apartments. An accessory apartment shall comply with all of the following performance standards:
  - A. There shall be no more than one accessory apartment within the single-family dwelling unit.
  - B. No separate drive shall be permitted for the accessory apartment unit.
2. Accessory Buildings – Residential. All residential accessory buildings shall comply with the following performance standards:
  - A. All setback and height requirements of the primary and overlay districts shall be met.
  - B. Residential accessory buildings shall be used for residential accessory uses only and shall not be used at any time as a residential dwelling unit. No commercial use or commercial-related storage is allowed in these structures except as otherwise allowed with the operation of a home occupation.
3. Agricultural Buildings and Structures. An agricultural building and structure shall comply with the following performance standards:
  - A. All setback and height requirements of the primary and overlay districts shall be met.
  - B. Agricultural buildings and structures shall be used for agricultural use only. No commercial use or commercial-related storage is allowed in these structures except as otherwise allowed with the operation of a home occupation.
  - C. Agricultural buildings and structures used to shelter domestic farm animals shall also meet the animal feedlot standards contained in Chapter Eight (Feedlot and Manure Management Regulations) of this Ordinance.
4. Agricultural Business – Seasonal. Seasonal agricultural businesses shall comply with the following performance standards:
  - A. The majority of product sold on the property shall be grown or raised on the property. No sale of product shall take place on any road right-of-way.
  - B. Any temporary structure used for the selling of product shall be located on the property and must be removed at the end of the selling season. The size of the temporary structure shall not exceed 150 square feet without a land use permit.
  - C. Adequate parking for employees and customers shall be provided on site.

- D. Signs shall comply with the requirements of Part 3, Section 1.11, of this chapter.
  - E. The business shall comply with all federal, state, and County rules and regulations.
  - F. The grounds and all structures shall be maintained in a clean and safe manner.
5. Aquaculture Facilities. All aquaculture operations shall comply with the following performance standards:
- A. Aquaculture facilities shall comply with standards set forth in Minnesota Statutes, Sections 17.46 to 17.4999, or successor statutes.
  - B. Aquaculture facilities shall be permitted by the state according to Minnesota Rules, Part 7053.0405, or successor rules.
  - C. In order to protect surface and groundwater resources, aquaculture operations may be required to include wastewater treatment or to be closed loop systems with no discharge.
  - D. Aquaculture facilities shall comply with all federal, state, and County rules, regulations, and ordinances.
6. Bed and Breakfast Establishments. Bed and breakfast establishments shall comply with the following performance standards:
- A. It is intended that bed and breakfast establishments be a converted or a renovated single-family residence and that this principal function be maintained. No structure shall be constructed for the sole purpose of being utilized as a bed and breakfast establishment; no existing structure shall be enlarged or expanded for the purpose of providing additional rooms for guests. The exterior appearance of the structure shall not be altered from its single-family character.
  - B. Primary entrance to the guestrooms shall be located within the principal residential structure.
  - C. Guests are limited to a length of stay of no more than 30 consecutive days.
  - D. Parking shall comply with the requirements of Part 3, Section 1.9, of this chapter.
  - E. The use shall comply with all federal, state, and County rules, regulations, and ordinances.

- F. The site shall be owner-occupied.
  - G. Signs shall comply with the requirements of Part 3, Section 1.11, of this chapter.
7. Car Wash Operation. A car wash operation shall comply with the following performance standards:
- A. The site shall be designed to provide additional parking or car stacking space to accommodate the number of vehicles that can be washed during a 15-minute period.
  - B. The car wash operation shall be connected to a public wastewater treatment facility.
  - C. The car wash operation shall comply with all federal, state, and County rules, regulations, and ordinances.
  - D. Signs shall comply with the requirements of Part 3, Section 1.11, of this chapter.
8. Cemeteries. Cemeteries shall comply with all of the following performance standards:
- A. The minimum area of a newly created cemetery shall be five acres. Existing cemeteries may be expanded in area by the addition of tracts of land which are less than five acres as long as the newly created parcel is surveyed and legally combined with the adjacent parcel on which the existing cemetery is located.
  - B. The site proposed for a cemetery or cemetery expansion shall not interfere with the development plans for future road rights-of-way in the vicinity of the site.
  - C. Burial plots, grave markers, monuments, and buildings operating in connection with a cemetery must meet the building and height requirements of the underlying zoning district.
  - D. Graves and structures used for interment shall be set back 50 feet from wells.
  - E. Cemeteries are prohibited below the regulatory flood protection elevation as defined in Chapter Nine (Flood Plain Regulations) of the Ordinance.

- F. Cemeteries shall comply with all federal, state, and County rules, regulations, and ordinances.
  - G. Signs shall comply with the requirements of Part 3, Section 1.11, of this chapter.
9. Convenience Store/Truck Stop Use. Convenience stores and truck stop uses shall comply with the following performance standards:
- A. All buildings including canopies and pump islands shall be in compliance with all lot and setback requirements of the primary or overlay district in which the use is located.
  - B. A drainage system for collection of hazardous materials runoff must be installed if applicable. Such installation is subject to approval by the Zoning Administrator.
  - C. The entire site, other than that devoted to structures and landscaped areas, shall be maintained for control of dust, erosion, and drainage.
  - D. Wherever fuel pumps are installed, pump islands shall be installed.
  - E. Access drives onto a road must be approved by the Road Authority.
  - F. No vehicles shall be parked on the premises other than those utilized by employees and customers awaiting service.
  - G. Exterior storage shall be limited to items offered for sale on pump islands; exterior storage of items offered for sale shall be within yard setback requirements and shall be located in containers such as the racks, metal trays, and similar structures designed to display merchandise or as indicated by the Conditional Use Permit.
  - H. All areas utilized for the storage and disposal of trash, debris, salvaged vehicles, discarded parts, and similar items shall be fully screened. The storage of hazardous materials is prohibited.
  - I. The use shall be screened from all adjacent residential land uses and residential subdivisions. A landscape plan shall be submitted to the Zoning Administrator at the time of application for a Conditional Use Permit.
  - J. All structures and grounds shall be maintained in an orderly, clean, and safe manner.
  - K. Convenience stores and truck stop uses shall comply with all federal, state, and County rules, regulations, and ordinances.

- L. Signs shall comply with the requirements of Part 3, Section 1.11, of this chapter.
  - M. Parking shall comply with the requirements of Part 3, Section 1.9, of this chapter.
10. Essential Services – Utility Substation. The essential services shall comply with the following performance standards:
- A. The lot area for an essential service – utility substation can be acquired by lease provided that it complies with the required lot requirements and setbacks for the zoning district in which it is located.
  - B. If the approved lot is no longer needed or used by the utility, the applicant shall return the property to its original state. The Zoning Administrator may require a bond to ensure compliance with this standard.
  - C. Utility substations or any other essential service as defined above containing antennas and towers greater than 200 feet in height shall comply with Chapter Sixteen (Telecommunication Tower and Antenna Regulations).
  - D. The utility substation shall comply with all federal, state, and County rules, regulations, and ordinances.
11. Golf Courses. The golf course shall comply with the following performance standards:
- A. Storage and use of pesticides and fertilizers shall comply with the standards of the Minnesota Department of Agriculture. A management plan shall be submitted for storage and use of pesticides and fertilizers at the facility.
  - B. Accessory uses to a golf course are limited to a driving range, putting greens, a pro shop, a club house, locker rooms, a restaurant and bar, cart shed, and maintenance buildings.
  - C. Golf course uses shall comply with all federal, state, and County rules, regulations, and ordinances.
  - D. Golf courses including accessory uses shall be designed with environmental resources in mind. Performance standards to this effect include:
    - i. Water recycling and conservation through on-site storage and use facilities.
    - ii. Use of landscaped buffers and other Best Management Practices (BMPs) to minimize fertilizer runoff and other chemicals from entering surface water bodies.

- E. Parking shall comply with the requirements of Part 3, Section 1.9, of this chapter.
- F. Signs shall comply with the requirements of Part 3, Section 1.11, of this chapter.

12. Home Occupations.

- A. Purpose. The purpose of home occupations is to allow for persons to engage in certain limited economic activities in order to produce or supplement personal or family income. Home occupations shall be limited to those uses that are compatible with neighboring uses; that do not adversely affect the character, livability, and market value of properties located in the surrounding neighborhood; and which do not create safety or environmental concerns at levels that are higher than as otherwise permitted in the neighborhood.
- B. Intent. The intent of providing zoning authorization for home occupations is to allow for the growth and development of small businesses. Applicants for home occupations should be aware that when the scale and intensity of their business activity expands to such a level that the business no longer meets these regulations, they need to relocate to a Commercial/Industrial zoned site.
- C. Home occupations are subject to the following general performance standards:
  - i. The home occupation shall not constitute or create a nuisance.
  - ii. There shall be no exterior display or storage of equipment, vehicles, trailers, materials, tools, supplies, products, or by-products used or produced in conjunction with the home occupation except as otherwise set forth herein. All storage associated with the home occupation shall be within the dwelling, accessory building, screened area, or behind a fence or buildings so not to be visible from the road.
  - iii. The home occupation shall not use or generate hazardous waste unless a plan for off-site disposal of the waste is approved.
  - iv. A home occupation located in a dwelling or accessory structure that is served by a sewage treatment system shall only generate normal domestic household sewage unless a plan for off-site disposal and treatment of the sewage is approved.
  - v. Adequate off-street parking for vehicles used in conjunction with the home occupation shall be provided on the site.

- vi. The home occupation shall comply with all rules and regulations of federal, state, County, and local agencies. Any required state or County license shall be obtained prior to authorization of the zoning or Interim Use Permit.
  - vii. Interim Use Permits issued for home occupations shall become void if the home occupation is discontinued or abandoned for a period of one year.
  - viii. If the property is rented, written approval must be obtained from the property owner(s) to allow the home occupation within the residence or accessory structure. If any violation of the home occupation regulations occurs, the property owner as well as the renter will be held responsible.
  - ix. The hours of operation for all home occupations shall be limited to between the hours of 8:00 a.m. and 8:00 p.m.
  - x. The home occupation shall be incidental and subordinate to the primary use of the property and shall not substantially change the appearance or condition of the residence or accessory structure.
  - xi. In Agricultural, Rural Residential, and Urban Expansion Districts, a home occupation shall not use more than 25 percent of the gross floor area of the dwelling, which may include use of an attached garage, not to exceed 600 square feet.
- D. Level I Home Occupation Performance Standards. In addition to general performance standards found in Part 3, Section 2.12.C above, Level I home occupations shall comply with the following additional performance standards:
- i. The home occupation shall be conducted within the dwelling, which may include use of an attached garage or an accessory building less than 2,000 square feet. The home occupation shall only be carried on by the inhabitants residing in the dwelling with no more than two outside employees.
  - ii. No signage shall be allowed on the dwelling or on the site.
- E. Level II Home Occupation Performance Standards. In addition to general performance standards found in Part 3, Section 2.12.C above, Level II home occupations shall comply with the following additional performance standards:
- i. The home occupation shall be conducted entirely within the dwelling, which may include use of an attached garage, or an accessory



structure and shall be carried on by the inhabitants residing at the residence with no more than five outside employees.

- ii. In Rural Residential and Urban Expansion Districts, no more than 600 square feet of gross floor area of an accessory structure may be used for home occupation purposes. The gross square footage of an accessory structure may be increased up to 3,000 square feet in an Agricultural District.
- iii. The home occupation shall be limited to one non-illuminated, 32-square-foot sign. Signage shall comply with standards set forth in Part 3, Section 1.11, of this chapter.

F. Prohibited Uses.

- i. Rural Residential and Urban Expansion Districts. The following uses are prohibited home occupations in the Rural Residential and Urban Expansion Districts:
  - a. Restaurant/café.
  - b. Tavern, bar, liquor establishment.
  - c. Auto or truck repair and auto body repair.
  - d. Funeral home or crematorium.
  - e. Clubs and lodges.
  - f. Veterinary/animal clinic, commercial kennels, and stables.
  - g. Medical uses – hospital, dental and medical clinic, nursing home, assisted living center.
  - h. Welding and machine shop.
  - i. Farm implement, recreational and motor vehicle sales and service.
  - j. Retail sales and service uses.
  - k. Taxi service.
  - l. Small engine and appliance repair.
  - m. Warehousing and distributing uses.

- n. Light manufacturing.
  - o. Private school.
  - p. Wholesale businesses.
  - q. Dance studio.
  - r. Repair business – television, radio, bicycle.
  - s. Upholstering.
- ii. All Districts. The following uses are prohibited home occupations in all zoning districts:
- a. Junk, salvage yards, and recycling centers.
  - b. Adult uses.

G. Permitted Uses.

- i. Rural Residential and Urban Expansion Districts. The following uses may be conducted as home occupations in the Rural Residential and Urban Expansion Districts:
- a. Art, handicraft, music, writing, photography, or similar studios.
  - b. Direct sale product distribution (Avon, Tupperware, etc.).
  - c. Dressmaker, seamstress, tailor, or millinery.
  - d. Haircutting and styling.
  - e. Home typing and computer services.
  - f. Telephone and mail-order sales.
  - g. Personal professional office – accountant, broker, contractor, religious leader, notary public, lawyer, realtor, architect, engineer, insurance agent, consultant.
  - h. Teaching or tutoring – including musical instruments and dance.
  - i. Day care.
  - j. Cake making and decorating.

- k. Home school.
    - l. Firearms sale, lease, trade, or other transfer or sale of ammunition by a firearms dealer.
    - m. Taxidermy.
  - H. Permit Revocation. A permit for a home occupation may be revoked for noncompliance of any performance standard set forth in this chapter, any violation of any condition set forth in an Interim Use Permit, or any violation of this Ordinance.
- 13. Horse Training Facilities. All horse training facilities shall comply with the following performance standards:
  - A. Horse training facilities shall comply with the setback requirements for agricultural farm buildings.
  - B. Horse training facilities equipped with wash stalls shall be provided with a drainage and septic system separate from the principal structure.
  - C. All horse training facilities shall comply with the requirements of Chapter Eight (Feedlot and Manure Management Regulations).
  - D. All horse training facilities shall comply with all federal, state, and County rules, regulations, and ordinances.
  - E. Every commercial horse training facility, or portion thereof, where the public is served shall provide sanitary facilities in accordance with the regulations of Chapter Four (Sewage and Wastewater Treatment Regulations) of this Ordinance.
- 14. Kennels – Commercial. All commercial boarding and breeding kennels shall comply with the following performance standards:
  - A. Permit Application Requirements. In addition to permit requirements required elsewhere in this Ordinance, all proposed commercial kennel permit applications shall include the following information:
    - i. Type of kennel operation.
    - ii. Species and maximum number of animals that will be at the site. For commercial breeding kennels, include the number of unsterilized females that will be housed permanently at the facility.

- iii. A dead animal disposal plan in conformance with Minnesota Rules, Sections 1721.0700, or successor rules.
  - iv. A site plan identifying the location and size of the lot and all existing and proposed physical or structural kennel improvements, such as housing facilities, confinement areas, dog runs and/or outside exercise areas, parking areas, food storage areas, watering facilities, wells, subsurface sewage treatment systems, and other improvements.
  - v. A wastewater disposal plan, including how the owner will handle on-site kennel wash water, for housing facilities and confinement areas.
  - vi. The number of employees and the approximate time periods per week employees will be overseeing kennel operations.
  - vii. A noise management or mitigation plan.
- B. Density Standards.
- i. No more than 40 animals of any age may be kept on a commercial boarding kennel property.
  - ii. No more than 40 animals over six months of age may be kept on a commercial breeding kennel property including no more than 10 unsterilized female animals over six months of age.
- C. The following performance standards shall apply to all commercial kennels:
- i. The use shall comply with all applicable federal, state, and County rules and regulations.
  - ii. All animals shall be provided the opportunity for periodic exercise.
  - iii. The owner/operator of the kennel shall operate the kennel as to not unreasonably disturb the peace and quiet of neighboring residents.
  - iv. Outdoor kennel areas shall be adequately enclosed with walls or fences. Walls and fences shall be a minimum height of six feet and shall deter animals from escaping over, under, or through them. Walls and fences shall be constructed, so as to reduce noise and visual impacts of the kennel operation, and maintained in compliance with performance standards outlined in Part 3, Section 1.5, of this chapter.
  - v. Kennels must comply with the minimum lot area requirements of the land use district in which they are located.

- vi. Housing facilities, confinement areas, and outdoor kennel areas and runs require a minimum setback of 500 feet from any residential dwelling site (other than the applicant's), any residential subdivision, or any residential land use district.
- vii. Subsurface sewage treatment facilities shall be designed to accommodate all waste generated from all kennel facilities including wash water.
- viii. Confinement areas must be maintained at a temperature suitable for the specific breed of animal, but in no case shall the temperature for indoor housing facilities be allowed to fall below 50 degrees Fahrenheit for animals not acclimated to lower temperatures.
- ix. Different species of animals shall not be housed together unless they are compatible.
- x. Animals with vicious dispositions shall be housed apart from other animals.
- xi. Housing facilities and indoor confinement areas must be ventilated. Drafts, odors, and moisture condensation must be minimized.
- xii. Housing facilities must have at least eight hours of illumination (natural or artificial) sufficient to permit routine inspection and cleaning.
- xiii. Housing facilities shall be constructed with adequate soundproofing materials to reduce noise.
- xiv. Enclosures must be of sufficient size to allow each animal to turn about fully and to stand, sit, and lie in a comfortable, normal position. The enclosure shall be constructed so as to prevent injury to the animal being confined.
- xv. Adequate storage and refrigeration must be provided to protect food supplies from contamination and deterioration.
- xvi. All animals must be fed at least once a day with clean, wholesome food of sufficient quantity to meet the normal daily nutritive requirements for the animal's age, size, and condition.
- xvii. All animals shall be housed within a structure between the hours of 10:00 p.m. and 6:00 a.m.
- xviii. Kennels shall comply with Minnesota Rules 7030 noise pollution control standards, or successor rules.

- xix. Clean, potable water must be made available to all animals at least twice daily for periods of not less than one hour.
  - xx. All feeding and watering receptacles must be kept clean and sanitary.
  - xxi. Animals affected with any clinical evidence of infections and/or contagious or communicable disease must be separated from other animals.
  - xxii. The owner/operator of the kennel shall establish and maintain an effective program for the control of insects, external parasites, rodents, and other pests.
  - xxiii. All kennels shall be subject to periodic inspection by County staff or their designees.
  - xxiv. All outdoor kennel facilities shall provide adequate shelter from the elements including sunlight, wind, rain, snow, and cold weather.
  - xxv. The premises, housing facilities, exercise areas, and confinement areas must be cleaned and disinfected as often as necessary to maintain a clean and sanitary condition.
  - xxvi. Signs shall meet the requirements of Part 3, Section 1.11, of this chapter.
  - xxvii. Parking shall comply with the requirements of Part 3, Section 1.9, of this chapter.
  - xxviii. All housing facilities must be structurally sound and maintained in good repair. Interior surfaces must be constructed and maintained so that they are substantially impervious to moisture, provide for rapid drainage, and may be readily cleaned.
  - xxix. Carcass and garbage disposal facilities must be provided and managed to minimize vermin infestation, odors, and disease hazards.
  - xxx. Animals shall not be confined by chains or by tethering.
- D. The following performance standards shall apply to all commercial breeding kennels:
- i. Females in estrus must not be housed in the same confinement area with males except for breeding purposes.

- ii. Kennels shall establish and maintain a program of disease control and prevention, euthanasia, and adequate veterinary care under the supervision of a licensed veterinarian.
  - iii. Young animals shall not be housed with adult animals other than their mothers.
  - iv. Animals determined to be unfit for sale shall be isolated until satisfactory recovery to a normal state of health or euthanized by a doctor of veterinary medicine in a humane manner.
15. Kennels – Private. A private kennel may be allowed as an accessory use subject to the following performance standards:
- A. Structures used for animal confinement shall comply with the setback requirements of the land use district in which they are located.
  - B. No more than 10 animals may be kept in a private kennel. A private kennel housing more than 10 animals shall be considered a commercial breeding or boarding kennel and must comply with all use and performance standard requirements of the land use district in which it is located.
  - C. Kennel facilities shall be designed to accommodate winter boarding including adequate heating, ventilation, and lighting.
  - D. All outdoor kennel facilities shall provide adequate shelter from the elements including sunlight, wind, rain, snow, and cold weather.
  - E. Kennel facilities shall be adequately drained and maintained in a healthful manner.
16. Licensed Group Family Day Care Facility (Nonresidential Program). A licensed group family day care facility shall comply with the following performance standards:
- A. The building and any exterior fenced areas shall comply with the setback standards for a single-family residence in the district in which they are located.
  - B. The use shall comply with all applicable federal, state, and County rules, regulations, and ordinances.
  - C. Signs shall comply with the requirements of Part 3, Section 1.11, of this chapter.
  - D. Parking shall comply with the requirements of Part 3, Section 1.9, of this chapter.

- E. The structure shall be connected to an approved subsurface sewage treatment system.
  - F. The facility shall be licensed by the appropriate state and/or County agencies.
17. Licensed Residential Care Facility (Residential Program). A licensed residential care facility shall comply with the following performance standards:
- A. The building and any exterior fenced areas shall comply with the setback standards for a single-family residence in the district in which they are located.
  - B. The use shall comply with all applicable federal, state, and County rules, regulations, and ordinances.
  - C. The primary purpose of the facility cannot be to treat juveniles who have violated criminal statutes relating to sex offenses or have been adjudicated delinquent on the basis of conduct in violation of criminal statutes relating to sex offenses.
  - D. The facility shall not provide accommodations to treat persons whose tenancy would constitute a direct threat to the health and safety of other individuals.
  - E. The facility cannot accept court-ordered referrals for treatment in lieu of incarceration without adequate security.
  - F. Signs shall comply with the requirements of Part 3, Section 1.11, of this chapter.
  - G. Parking shall comply with the requirements of Part 3, Section 1.9, of this chapter.
  - H. The structure shall be connected to an approved subsurface sewage treatment system.
  - I. The facility shall be licensed by the appropriate state and/or County agencies.
18. Light Manufacturing. Light manufacturing facilities shall comply with the following performance standards:
- A. The light manufacturing facility may contain a retail sales room. Retail sales are limited to those products that are produced by the manufacturing use, and the retail sales area shall not occupy more than 20 percent of the structure.
  - B. Buildings, parking areas, loading areas, and any exterior storage shall comply with the setback requirements of this chapter.



- C. Parking shall comply with the requirements of Part 3, Section 1.9, of this chapter.
  - D. There shall be no hazardous waste runoff. Storage of hazardous waste shall comply with all federal, state, and County rules, regulations, and ordinances.
  - E. Outdoor storage areas may be allowed as an accessory use provided they are located to the rear of the structure, fenced, or adequately screened from adjacent land uses and public roadways in accordance with Part 3, Section 1.10, of this chapter.
  - F. The hours of operation shall not have an adverse impact on adjacent property owners.
  - G. Signs shall comply with the requirements of Part 3, Section 1.11, of this chapter.
  - H. Light manufacturing facilities shall comply with all federal, state, and County rules, regulations, and ordinances.
19. Motor Vehicle Repair. Motor vehicle repair establishments shall comply with the following performance standards:
- A. A drainage system for collection of any hazardous material run-off must be installed. Such system shall be subject to approval by the Zoning Administrator.
  - B. The entire site, other than that devoted to structures and landscaped areas, shall be maintained for control of dust, erosion, and drainage.
  - C. No vehicles shall be parked on the premises other than those utilized by employees, customers awaiting service, or as allowed through a Conditional Use Permit.
  - D. Outside storage of salvage vehicles shall be prohibited. All salvage vehicles shall be stored in a fenced or screened area.
  - E. Buildings and parking vehicle storage areas shall comply with the lot and setback requirements of this chapter.
  - F. There shall be no hazardous waste runoff. Storage of hazardous waste shall comply with all applicable federal, state, and County rules, regulations, and ordinances.
  - G. Parking shall comply with the requirements of Part 3, Section 1.9, of this chapter.

- H. All areas used for storage or trash disposal shall be fully screened from adjacent land uses and public roadways in accordance with Part 3, Section 1.10, of this chapter.
  - I. The outdoor storage of hazardous materials shall be prohibited.
  - J. The grounds and all structures shall be maintained in a clean and safe manner.
  - K. Signs shall comply with the requirements of Part 3, Section 1.11, of this chapter.
  - L. The outdoor storage of motor vehicle parts and debris is prohibited unless the vehicle parts are stored in a fenced or screened area.
  - M. Motor vehicle repair establishments shall comply with all federal, state, and County rules, regulations, and ordinances.
20. Plant Nursery/Tree Farm. Plant nurseries/tree farms shall comply with the following performance standards:
- A. All structures including temporary structures shall comply with the lot and setback requirements of the district in which they are located.
  - B. The exterior storage of landscaping equipment and storage areas shall be screened from view of adjacent residential uses.
  - C. Signs shall comply with the requirements of Part 3, Section 1.11, of this chapter.
  - D. No sale of product shall take place in the public right-of-way of any federal, state, County, or township roadway.
  - E. Parking shall comply with the requirements of Part 3, Section 1.9, of this chapter.
  - F. The exterior storage of landscaping equipment and storage areas shall be screened from view of adjacent residential uses and federal, state, County, or township roadways.
  - G. Plant nursery/tree farm uses shall comply with all federal, state, and County rules, regulations, and ordinances.

21. Recreational Vehicle Parks. Recreational vehicle parks shall comply with all of the following performance standards:
- A. The use shall comply with all applicable local, state, and federal laws, rules, regulations, and ordinances.
  - B. A water and sewer management plan shall be submitted to address the use of water and the treatment of waste on-site and the impact on the environment.
  - C. At least 25 percent of the recreational vehicle park area shall be dedicated as permanent open space which may be used for passive or active recreation. The open space shall be developed and maintained by the property owner. Roads shall not be used to calculate the required open space.
  - D. All buildings, structures, recreational vehicles, and parking areas shall comply with the setback requirement of the applicable zoning district.
  - E. One caretaker residence may be allowed. The residence is to be used strictly for the caretaker and his/her family members. The caretaker residence shall be accessed via the access road to the recreation facility.
  - F. Signs shall comply with the requirements of Part 3, Section 1.11, of this chapter.
  - G. All sanitary facilities must conform to Chapter Four (Sewage and Wastewater Treatment Regulations) of this Ordinance.
  - H. Access to the campground from a public road shall be approved by the Road Authority.
  - I. All utilities such as sewer, water, fuel, electric, telephone, and cable television lead-ins shall be buried; and there shall be no overhead wires or support poles except those essential for street or other lighting purposes.
  - J. All centralized refuse collection containers and equipment and park maintenance equipment shall be stored in a screened and fenced service yard within the park.
  - K. Outdoor cooking or burning shall be confined to fireplaces, pits, grills, or stoves so as to minimize fire hazards and smoke nuisance.
  - L. Recreational vehicle parks shall be licensed by Renville County Public Health and shall comply with all requirements of Minnesota Rules, Chapter 4630, or successor rules.

22. Religious Facilities. A religious facility shall comply with the following performance standards:
- A. Parking shall comply with the requirements of Part 3, Section 1.9, of this Ordinance.
  - B. The grounds and all structures shall be maintained in a clean and safe manner.
  - C. Signs shall comply with the requirements of Part 3, Section 1.11, of this Ordinance.
  - D. All accessory residential, school, or day care uses shall be subject to the provisions of this Ordinance.
  - E. The use shall be connected to a compliant SSTS meeting the requirements of Chapter Four (Sewage and Wastewater Treatment Regulations) of this Ordinance.
  - F. The use shall comply with all federal, state, or County rules, regulations, and ordinances.
23. Rural Event Venues. A rural event venue must comply with the following performance standards:
- A. The owner shall be responsible for maintenance and restoration of all County and township roads leading to the venue site that may be damaged due to excessive traffic. All maintenance and restoration shall be done with the approval of the Road Authority and to the Road Authority's satisfaction.
  - B. Structure(s) must meet state building code, fire code, and handicap accessibility standards. The reports must be submitted as part of the Interim Use Permit Application.
  - C. Owner(s) must provide proof of liability insurance in the minimum amount of \$1,000,000.
  - D. Approved sanitary facilities must be onsite.
  - E. Any outdoor lighting must be arranged as to reflect the light away from adjoining property and the right-of-way. The County may require submission of a lighting plan as part of the Interim Use Permit Application.
  - F. Parking must meet County standards. A parking plan shall be submitted as part of the Interim Use Permit Application. No parking shall be permitted on any public roads.

- G. If alcohol is served, a liquor license must be obtained.
  - H. If cannabis will be sold or used on-site, a cannabis event organizer license must be obtained. The organizer must comply with all requirements for such events in accordance with Minnesota Statutes, Chapter 342, or successor statutes, and any other applicable regulations.
  - I. The owner shall work with Renville County Emergency Management staff to ensure an adequate severe weather safety plan is in place.
  - J. Overnight camping shall be allowed providing proper permits are received by Renville County Public Health.
  - K. If food is to be sold or distributed during the event, owner(s) or their designee shall ensure that the methods of and the facilities for the storage, refrigeration, cooking, service, and trash disposal of food are adequate and in compliance with any rules and regulations of the Minnesota Department of Health and Renville County Public Health Services.
  - L. Events with more than 1,000 expected guests are additionally subject to Renville County's Special Event/Mass Gatherings Ordinance.
24. Salvage/Junkyard/Recyclable Center. Both new and existing salvage/junkyard/recyclable centers shall comply with the following performance standards:
- A. All processing equipment shall be enclosed within a structure.
  - B. Access to the site shall be controlled to prevent unauthorized dumping during non-business hours.
  - C. In the event the business ceases operation, the owner or operator must close the operation in a manner that prevents the escape of pollutants to groundwater or surface waters, to soils, or to the atmosphere during post-closure periods. Where such facility is regulated by closure rules of the MPCA, such closure rules must be complied with.
  - D. All junk and salvage operations shall comply with the minimum standards for operation, safety, storage, and all waste management as listed in the MPCA Motor Vehicle Salvage Facility Environmental Compliance Manual, June 2002, or successor manuals.
  - E. The use shall comply with all applicable federal, state, and County rules, regulations, and ordinances.
  - F. Buildings, parking areas, loading areas, and any exterior storage including, but not limited to, vehicles, vehicle bodies, salvaged materials, salvaged parts,

waste materials, items for resale, or items for disposal shall comply with the lot and setback requirements of the district in which they are located.

- G. Parking shall comply with the requirements of Part 3, Section 1.9, of this chapter.
- H. No vehicles or vehicle parts may be placed within the public right-of-way or on public property.
- I. The facility shall be fenced and fully screened from adjacent land uses and public roadways. A screening plan shall be submitted to the Zoning Administrator for review and approval at the time of application for a Conditional Use Permit.
- J. Exterior storage of vehicles, vehicle bodies, salvaged materials, salvaged parts, waste materials, items for resale, or items for disposal shall be limited to a maximum height of 12 feet above grade provided that screening to a height of 12 feet is also provided.
- K. The County shall be notified of any hazardous materials stored on site. Storage of hazardous materials shall comply with all federal, state, and County rules, regulations, and ordinances.
- L. An environmental management plan including plans for the collection, retention, and drainage of stormwater and hazardous material runoff shall be submitted to address the impact of the facility on the environment.
- M. The grounds and all structures shall be maintained in a safe manner.
- N. The salvage facility operator shall keep a written record of all vehicles received, date when received, date when fluids were removed, and date when vehicles were removed from the facility. The record shall also include the vehicle identification number (VIN) and manufacturer's name. Each record shall be initiated the day that the vehicle is received at the site.
- O. All fluids including, but not limited to, motor oil, transmission and/or transfer case lubricants, differential lubricants, fuel, antifreeze, refrigerants, and window washing fluids shall be removed from the vehicle within three days of receipt of the vehicle at the salvage facility.
- P. All lead acid batteries, mercury containing devices, and other hazardous materials shall be removed from the vehicle within three days of receipt of the vehicle at the salvage facility.
- Q. Vehicles that are not to be used for salvage and are kept intact for resale, and recorded in the facility records for such purposes, are exempt from the requirements of Sections O and P above.

- R. On-site disposal or burning of trash, refuse, garbage, or other waste materials is prohibited. Salvage of materials by fire, burning, explosives, or chemical decomposition is prohibited.
  - S. Owners of a vehicle salvage facility shall submit a written report to Renville County Environmental Services by March 1 of each year. The report shall include the number of vehicles stored on site for salvage; vehicles stored on site for resale; and an inventory of fluids, lead acid batteries, refrigerants, mercury containing devices, and other hazardous materials collected and how the materials collected were disposed of. A copy of the facility's written record for vehicles as required in Section N above shall be attached to the report.
  - T. Junk yards and salvage operations shall be subject, at a minimum, to an annual inspection by the Department.
  - U. Signs shall comply with the requirements of Part 3, Section 1.11, of this chapter.
25. Self-Service Storage Facility (Mini-Storage). Self-service storage facility (mini-storage) shall comply with the following performance standards:
- A. Units are to be used for dead storage only. Units are not to be used for retailing, auto repair, human habitation, or any commercial activity. Storage of any flammable or hazardous material is prohibited.
  - B. No outside storage is allowed.
26. Solid Waste Disposal Facilities and Transfer Stations. Solid waste disposal facilities and transfer stations shall comply with the following performance standards:
- A. The site shall be located at least 1,000 feet from any existing residential use.
  - B. The facility operator or owner shall submit information to the Department regarding the surroundings, any potential environmental hazard, sanitary facilities and waste disposal, lighting and hours of operation, and other issues identified as relevant to the proposed use.
  - C. The use shall comply with all applicable County, state, and federal laws, rules, regulations, and ordinances.
  - D. Buildings, parking areas, loading areas, and any exterior storage shall comply with the setback requirements of the underlying zoning district.
  - E. All loading and unloading facilities shall be located on the rear or side of the structure or be screened from view from all public roadways and adjacent residential uses.

- F. Transfer stations may store materials capable of decaying outside of the structure provided the materials are stored in a covered container.
  - G. Outdoor storage areas shall be constructed of an impervious surface and screened from view of public roadways and adjacent residential uses.
  - H. A drainage system, reviewed and approved by the County, shall be installed to collect hazardous material runoff.
  - I. Parking shall comply with the requirements of Part 3, Section 1.9, of this chapter.
  - J. A water and sewer management plan shall be submitted to address the use of water and the treatment of waste on site and the impact on the environment.
  - K. An operations plan addressing air quality, dust management, sound reduction, and vibration dampening shall be submitted for approval.
  - L. Access to the site shall be controlled to prevent unauthorized dumping.
  - M. In the event that the facility ceases operation, the owner or operator shall close the facility in a manner that prevents the escape of pollutants to groundwater or surface waters, to soils, or to the atmosphere during post-closure periods.
  - N. The owner or operator may be required to submit a financial guarantee to the County to ensure compliance with permit closure requirements. A financial guarantee may be submitted in the form of a bond, insurance policy, escrow account, letter of credit, or other accepted alternative.
  - O. Signs shall comply with the requirements of Part 3, Section 1.11, of this chapter.
27. Temporary Dwelling – Agricultural Use. Temporary farm dwellings shall be subject to administration requirements of Chapter One (Administration), Section 8, of this Ordinance and shall comply with the following performance standards:
- A. A building site shall be limited to one temporary farm dwelling unit.
  - B. The temporary farm dwelling shall be in compliance with all lot and setback requirements of the district in which it is located.
  - C. The temporary single-family residential dwelling unit shall be an accessory to an agricultural operation.



- D. The temporary single-family residential dwelling unit shall be located within the existing building site.
- E. The temporary single-family residential dwelling unit may only be occupied by an employee or family member who is engaged in the farming operations.
- F. Any manufactured home to be used as a temporary single-family residential dwelling unit shall be no less than 16 feet in width, shall be placed on a permanent foundation, anchored to resist overturning, and shall bear a Seal of Compliance issued by the State of Minnesota.
- G. Upon termination of the Interim Use Permit, the temporary single-family residential dwelling unit shall be removed from the site within 30 days.
- H. A temporary single-family residential dwelling unit shall not be considered in the calculation of any residential density determination required by this Ordinance.
- I. The temporary farm dwelling unit shall use the existing road access drive of the principal dwelling unit.
- J. The temporary farm dwelling shall be connected to an approved subsurface sewage treatment system in accordance with Chapter Four (Sewage and Wastewater Treatment Regulations) of this Ordinance.
- K. The Interim Use Permit will be reviewed annually by the Zoning Administrator to determine if the temporary farm dwelling is in use.
- L. The property owner may be required to submit a financial guarantee to the Zoning Administrator to ensure that the structure will be removed upon termination of the land use permit. A financial guarantee may be submitted in the form of a bond, insurance policy, escrow account, letter of credit, or other accepted alternative.
- M. The use of the property for a temporary farm dwelling is interim and so conditioned that it will expire and terminate at such time as the persons occupying the temporary farm dwelling unit are no longer engaged in the farming operations. The property owner shall sign a binding agreement that the temporary dwelling unit will be removed at which time it is no longer needed. At the time of termination of the agreement, the temporary farm dwelling unit shall be removed from the site within 30 calendar days unless otherwise approved by the Zoning Administrator.
- N. Temporary dwellings for agricultural use shall comply with all federal, state, and County rules, regulations, and ordinances.

28. Temporary Dwelling – Care Facility. A temporary dwelling – care facility shall be subject to the administration requirements of Chapter One (Administration), Section 8, of this Ordinance and shall comply with the following performance standards:
- A. An existing building site is limited to one temporary care facility dwelling unit.
  - B. The temporary care facility dwelling unit shall be accessory to the principal dwelling and shall only be occupied by persons that are family members, as defined in Chapter One (Administration), Section 2, of this Ordinance, of the occupants of the primary dwelling that, due to health reasons, require special care that can best be provided by family members residing in the principal dwelling.
  - C. The temporary care facility dwelling unit shall use the existing road access drive of the principal dwelling unit.
  - D. The use shall comply with all federal, state, and County rules, regulations, and ordinances.
  - E. The temporary single-family residential dwelling unit shall be located within the existing building site.
  - F. The temporary dwelling unit shall be limited to a manufactured home that shall be no less than 16 feet in width, shall be placed on a permanent foundation, anchored to resist overturning, and shall bear a Seal of Compliance issued by the State of Minnesota.
  - G. Upon termination of the Interim Use Permit, the temporary single-family residential dwelling unit shall be removed from the site within 30 days unless otherwise approved by the Zoning Administrator.
  - H. A temporary single-family residential dwelling unit shall not be considered in the calculation of any residential density determination required by this Ordinance.
  - I. The structure shall be in compliance with all lot and setback requirements of the zoning district in which it is located.
  - J. The unit shall be connected to an approved subsurface sewage treatment system in accordance with Chapter Four (Sewage and Wastewater Treatment Regulations) of this Ordinance.
  - K. The property owner may be required to submit a financial guarantee to the Zoning Administrator to ensure the temporary dwelling unit will be removed upon termination of the land use permit. A financial guarantee may be

submitted in the form of a bond, insurance policy, escrow account, letter of credit, or other accepted alternative.

- L. The use of the property for a temporary care facility is interim and so conditioned that it will expire and terminate at such time as the care facility is no longer the residence of the person or persons that require such health care. The property owner shall sign a binding agreement that the temporary dwelling unit will be removed at which time health care is no longer needed. At the time of termination of the agreement, the temporary dwelling unit shall be removed from the site within 30 calendar days unless otherwise approved by the Zoning Administrator.
  - M. The Interim Use Permit shall be reviewed annually by the Zoning Administrator to determine if the temporary care facility dwelling is in use.
29. Temporary Dwelling – During Construction. Temporary dwelling units during construction shall comply with the following performance requirements:
- A. A building site is limited to one temporary dwelling unit during construction.
  - B. The temporary dwelling unit shall only be occupied by persons who are the present or potential occupants of the single-family residence being constructed, reconstructed, or altered.
  - C. Temporary dwelling units during construction shall comply with all federal, state, and County rules, regulations, and ordinances.
  - D. The temporary dwelling unit may only be used for up to one year unless otherwise approved by the Zoning Administrator.
  - E. The temporary dwelling unit during construction shall use the existing or the proposed road access drive of the principal dwelling unit under construction.
  - F. The temporary dwelling unit must be connected to an approved subsurface soil treatment system in accordance with Chapter Four (Sewage and Wastewater Treatment Regulations) of this Ordinance.
  - G. The property owner may be required to submit a financial guarantee to the Zoning Administrator to ensure that the temporary dwelling unit will be properly removed upon termination of the land use permit. A financial guarantee may be submitted in the form of a bond, insurance policy, escrow account, letter of credit, or other accepted alternative. The amount of the guarantee shall be determined by the Zoning Administrator.
  - H. The use of the property for a temporary facility during construction shall expire when construction of the new single-family dwelling is completed and the new dwelling is occupied. The property owner shall sign a binding agreement that

the temporary dwelling unit will be removed from the site within 30 calendar days of the occupancy of the new single-family dwelling unless otherwise approved by the Zoning Administrator. Extension of the agreement may be approved by the Zoning Administrator.

30. Warehousing, Storage, Distribution, and Wholesale Facilities. Warehousing, storage, distribution, and/or wholesaling facilities shall comply with the following performance standards:

- A. The use shall comply with all applicable local, state, and federal laws, rules, regulations, and ordinances.
- B. Buildings shall comply with the setback requirements of the applicable zoning district.
- C. All loading and unloading facilities shall be located on the rear or side of the structure and be screened from view from residential uses.
- D. Outdoor storage areas may be allowed as an accessory use provided they are located to the rear or side of the structure, fenced, and adequately screened from adjacent land uses and public roadways.
- E. A retail sales area may be allowed as an accessory use provided that sales are limited to the sale of goods warehoused or stored on-site and the retail sales area does not occupy more than 40 percent of the principal structure.
- F. Parking shall comply with the requirements of Part 3, Section 1.9, of this chapter.
- G. Signs shall comply with the requirements of Part 3, Section 1.11, of this chapter.

31. Yard Waste Facilities. A yard waste facility shall comply with the following performance standards:

- A. The minimum lot area required for yard waste facilities is 10 acres.
- B. Composting, storage, transfer, loading, and processing activities must be set back as follows:
  - i. Property lines ..... 100 feet
  - ii. Existing residential uses not on the property .... 500 feet
  - iii. DNR protected watercourse ..... 200 feet
  - iv. Wetland ..... 75 feet

- C. Access to the site shall be controlled to prevent unauthorized dumping during non-business hours.
- D. An environmental management plan including plans for collection, retention, and drainage of stormwater and hazardous material runoff shall be submitted to address the impact of the facility on the environment.
- E. The owner/operator shall provide a site plan showing all equipment maintenance and storage areas. Plans shall show the location of all fuel storage facilities, hazardous material storage, and hazardous waste disposal, lighting, and sanitary facilities.
- F. The materials which can be processed are limited to garden waste, leaves, lawn cuttings, weeds, shrub and tree waste, and prunings.
- G. The operator shall provide information specifying the volume of waste brought onto the property for composting.
- H. The facility shall operate only between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday, unless other hours or days of operation are specifically authorized by the County Board. The County shall be notified in writing when the owner/operator varies the hours.
- I. The yard waste facility shall comply with all federal, state, and County rules, regulations, and ordinances.
- J. Buildings, parking areas, loading areas, and any exterior storage shall comply with the setback requirements of the underlying zoning district.
- K. All loading and unloading facilities shall be located on the rear or side of the structure and be screened from view from all public roadways and adjacent residential uses.
- L. Outdoor storage areas shall be constructed of an impervious surface and screened from view of public roadways and adjacent residential uses.
- M. Parking shall comply with the requirements of Part 3, Section 1.9, of this chapter.
- N. A water and sewer management plan shall be submitted to address the use of water and the treatment of waste on-site and the impact on the environment.
- O. An operations plan addressing air quality, dust management, sound reduction, and vibration dampening shall be submitted for approval.

- P. In the event that the facility ceases operation, the owner or operator shall close the facility in a manner that prevents the escape of pollutants to groundwater or surface waters, to soils, or to the atmosphere during post-closure periods.
- Q. The owner or operator may be required to submit a financial guarantee to the County to ensure compliance permit closure requirements. A financial guarantee may be submitted in the form of a bond, insurance policy, escrow account, letter of credit, or other accepted alternative.
- R. Signs shall comply with the requirements of Part 3, Section 1.11, of this chapter.

### **SECTION 3. CLUSTER/PLANNED UNIT DEVELOPMENT**

- 1. Purpose.
  - A. To provide a simplified residential development technique that concentrates lots in a specific area on a site and requires, at a minimum, an equivalent land area to remain in agricultural production or open space.
  - B. To encourage creative and flexible residential site development, which is not allowed under base zoning requirements, that is sensitive to the land's natural features and adapts to the natural topography.
  - C. To protect environmentally sensitive areas of a development site and preserve on a permanent basis open space, natural features, scenic views, rare plant communities, endangered species, and prime agricultural lands.
  - D. To decrease or minimize nonpoint source pollution impacts by reducing the amount of impervious surfaces in site development.
- 2. Performance Standards.
  - A. Cluster developments shall only be permitted in the Rural Residential zoning district pursuant to this Ordinance.
  - B. All permitted and accessory uses authorized in the Rural Residential District shall be allowed in the cluster development.
  - C. The number of single-family dwelling unit sites in the development shall not exceed the maximum density permitted in the Rural Residential zoning district.
  - D. The maximum impervious lot coverage of any lot in the development shall not exceed 25 percent.

- E. The development shall provide for the preservation of unique natural amenities such as streams, stream banks, wooded cover, rough terrain, and similar areas.
  - F. All Rural Residential lots in the development shall be clustered into a group and shall be a minimum of 2.5 acres.
  - G. All structure setbacks, height, and parking requirements shall meet the minimum requirements of the Rural Residential zoning district.
  - H. Deed restrictions, covenants, permanent easements, public dedication and acceptance, or other equally effective and permanent means must be provided to ensure perpetual preservation and maintenance of common open space.
  - I. Not less than 50 percent of the development shall be conveyed as open space.
  - J. A development shall be a minimum of 20 acres, must be a contiguous tract, and ownership of a tract shall be under single control.
  - K. Development subdivisions shall be connected to publicly owned water supply and sewer systems, if available. Where publicly owned water supply and sewer systems are not available, subdivisions shall either establish dedicated areas for individual sewage treatment systems or establish centralized water supply and sewage treatment systems to serve the entire subdivision.
  - L. All essential services shall be placed underground.
3. Conditional Use Permit Required. A Conditional Use Permit is required for all cluster/planned unit developments. An applicant shall make an application for a Conditional Use Permit following the procedural steps as set forth in Chapter One (Administration), Section 7, of this Ordinance.
4. Coordination with Conditional Use Permit and Platting Procedure Application Processes.
- A. A cluster/planned unit development application shall be filed and processed simultaneously in accordance with the platting procedures as outlined in Chapter Three (Subdivision Regulations) and Chapter One (Administration), Section 7, of this Ordinance.
  - B. All development plans must be submitted in a form which will satisfy the requirements of Chapter Three (Subdivision Regulations) of this Ordinance with regard to preliminary and final plat approval required under these regulations.

- C. No conveyance of property or a lot shall take place until the development is platted in conformance with Chapter Three (Subdivision Regulations) of this Ordinance.
5. Permit Application.
- A. Prior to the submission of an application for a cluster/planned unit development, the applicant shall meet with the Zoning Administrator to discuss the proposed project and to learn the procedural steps for a Conditional Use Permit and major subdivision platting. The applicant shall submit a sketch plan for informal review and discussion. The sketch plan shall include the location of the site, size of the site, utilization of land adjacent to the site, existing buildings on the site, significant topographical and physical features of the site, and proposed general street and lot layout. The applicant shall also supply proof of ownership of the proposed development site.
  - B. Following the pre-application meeting, the developer shall submit preliminary plans of the proposed development for review. In addition to the submittal requirements required for a Conditional Use Permit elsewhere in this Ordinance, the preliminary plans shall include the following additional information:
    - i. A statement of proposed financing of the cluster/planned unit development.
    - ii. A general development plan indicating the expected construction schedule including sequential phasing and timetable.
    - iii. Site plan to scale indicating the following information:
      - a. The maximum number and type of dwelling units proposed.
      - b. The calculations used to determine overall maximum density of dwelling units.
      - c. Specific location and dimensions of streets, parking areas, sidewalks, trails, bike paths, and other easements.
      - d. Specific location, size, and number of acres to be conveyed as common open space.
      - e. Location of all proposed areas on which dwelling units are to be constructed, general development floor plans, accessory structures, site landscaping, utilities, and other features.



- iv. Preliminary plat and subdivision design information required in Chapter Three (Subdivision Regulations) of this Ordinance.
  - v. Evidence that the applicant has sufficient control over the subject property to bring about the proposed development including an up-to-date certified abstract of title or registered property report and such other evidence as may be required to show the status of title or control of the subject property.
  - vi. Any restrictive covenants that are to be recorded with respect to property included in the proposed development.
  - vii. The Zoning Administrator may require additional information or excuse an applicant from submitting any specific item of information or document required.
6. Final Plan and Conditional Use Permit Review. The Conditional Use Permit application shall be accompanied by final development plans of the proposed cluster/planned unit development.
7. Development Agreement. Prior to the issuance of a final plat, the developer and the County shall enter into a development agreement that contains, as applicable, provisions for: construction schedule, landscape plan, development plan, open space plan, any public improvements required, any developer's improvements required, signs, on-site improvements, occupancy requirements, insurance, inspections, any dedication to the public, ownership of improvements, site cleanup, responsibility for costs, hold harmless provision for the benefit of the County, any screening, and any other provision required by the County Board.
8. Review and Amending a Cluster/Planned Unit Development.
- A. Minor changes in the location, placement, and heights of buildings, structures, or landscaping may be authorized by the Zoning Administrator if required by engineering or other circumstances not foreseen at the time the final plan was approved. Approval of the Planning Commission and County Board shall be required for all other changes such as rearrangement of lots, blocks, and building tracts. These changes shall be consistent with the purpose and intent of the approved final development plan.
  - B. Any desired change involving structural alteration, enlargement, or intensification of the use not specifically allowed by the approved development plan or any request for a variance from the specific terms of the approved development plan shall require that an application to be filed for an amended permit, and all procedures shall then apply as if a new permit was applied for.

9. Development Siting Standards. Cluster/planned unit developments shall be sited to achieve the following siting standard goals:
  - A. Development shall result in a contiguous tract of land.
  - B. Development shall be located to minimize negative impacts on the natural, scenic, and cultural resources of the site and conflicts between incompatible uses.
  - C. Development shall avoid encroaching on rare plant communities, high quality sites, and endangered species identified by the Department of Natural Resources.
  - D. Whenever possible, open space shall connect with existing or potential open space lands on adjoining parcels.
  - E. Development should be sited to achieve the following goals, to the extent practicable:
    - i. Minimize impacts to tillable farmland and large tracts of land in agricultural use and avoid interference with normal agricultural practices.
    - ii. Minimize disturbance to woodlands, wetlands, grasslands, and mature trees.
    - iii. Prevent downstream impacts due to runoff through adequate on-site stormwater management practices.
    - iv. Protect scenic views of open land from adjacent roads. Visual impact should be minimized through use of landscaping or other features.
    - v. Protect archaeological sites and existing historic buildings or incorporate them through adaptive reuse.
10. Open Space Design.
  - A. The minimum open space required shall be owned and maintained under one of the alternatives listed in Section 3.11. The uses within the open space shall be accessible to the residents of the development. These uses may also be available to the general public providing the proper approvals are received. The required open space shall be undivided and restricted in perpetuity from future development.
  - B. Open space shall be designated as part of the development. The minimum required open space is 50 percent of the gross acreage.

- C. The following areas or structures may be located within the open space area and shall be counted toward the overall open space percentage required:
  - i. Parking areas.
  - ii. Buildings or structures provided they are accessory to the use of the open space.
  - iii. Shared septic systems and shared drinking water systems.
- D. Road rights-of-way shall not be counted towards the required minimum open space.
- E. That portion of open space designed to provide plant and animal habitat shall be kept as intact as possible. Trails shall be designed to avoid fragmenting these areas.

11. Ownership and Maintenance of Open Space and Common Facilities.

- A. Alternatives. The designated common open space and common facilities may be owned and managed by one or a combination of the following:
  - i. A homeowners' association.
  - ii. A nonprofit conservation organization.
  - iii. The township in which the open space is located.
  - iv. An individual who will use the land for open space purposes as provided by a conservation easement.
- B. Homeowners' Association. A homeowners' association shall be established if the common open space is proposed to be owned by a homeowners' association. Membership in the association is mandatory for all purchasers of homes in the development and their successors.

The homeowners' association bylaws, guaranteeing continuing maintenance of the open space and other common facilities, and the declaration of covenants, conditions, and restrictions of the homeowners' association shall be submitted for approval as part of the information required for the preliminary plat. The homeowners' association bylaws or the declaration of covenants, conditions, and restrictions of the homeowners' association shall contain the following information:

- i. The legal description of the common land.
- ii. A description of common facilities.

- iii. The restrictions placed upon the use and enjoyment of the lands or facilities.
  - iv. Persons or entities entitled to enforce the restrictions.
  - v. A mechanism to assess or enforce the common expenses for the land or facilities including upkeep and maintenance expenses, real estate taxes, and insurance premiums.
  - vi. A mechanism for resolving disputes among the owners or association members.
  - vii. The conditions and timing of the transfer of ownership and control of land facilities to the association.
  - viii. Any other matter the developer deems appropriate.
- C. A Nonprofit Conservation Organization. If the common open space is to be held by a nonprofit conservation organization, the organization must be acceptable to the County. The conveyance to the nonprofit conservation organization must contain appropriate provisions for reversion in the event that the organization becomes unwilling or unable to uphold the terms of the conveyance.
- D. Public Dedication of Open Space. The township may accept the dedication of fee title or dedication of a conservation easement to the common open space provided:
- i. The common open space is accessible to the residents of the township.
  - ii. The township agrees to and has access to maintain the common open space.
- E. Individual Ownership. An individual may hold fee title to the land while a nonprofit or other qualified organization holds a conservation easement for the common open space.
- F. Maintenance Plan. A cluster/planned unit development must include a plan that provides evidence of a means to properly manage the common open space in perpetuity and evidence of the long-term means to properly manage and maintain all common facilities including any stormwater facilities. The plan shall be approved by the Renville County Board of County Commissioners prior to final plat approval.

- i. The plan shall do the following:
  - a. Designate the ownership of the open space and common facilities.
  - b. Establish necessary regular and periodic operation and maintenance responsibilities.
  - c. Estimate staffing needs, insurance requirements, and other associated costs and define the means for funding the maintenance on an ongoing basis.
  - d. Include a maintenance plan specifically focusing on the long-term management of common open space lands. The plan shall include a narrative describing:
    - 1. Measures proposed to preserve all natural, cultural, historic, and scenic elements in the landscape.
    - 2. The operations needed for maintaining the open space resources including mowing schedules, weed control, planting schedules, clearing, and cleanup.
- ii. In the event that the organization established to own and maintain the open space and common facilities, or any successor organization, fails to maintain all or any portion of the common facilities in reasonable order and condition, the County shall provide notice upon the residents and owners of the open space and common facilities setting forth the manner in which the organization has failed to maintain the common facilities in reasonable condition. The notice shall set forth the nature of corrections required and the time within which the corrections shall be made. Upon failure to comply within the time specified, the organization, or any successor organization, shall be considered in violation of this Ordinance. The County shall have authority to enter the premises and take corrective action and assess the costs back to the owners of the open space.
- iii. Management plans can be amended by the owner of the open space and common facilities with the approval of the Department.

12. Sewage and Facilities.

- A. Water for a cluster/planned unit development shall be provided by individual on-site wells or by one or more community wells meeting the permit requirements of the Minnesota Department of Health. The use of shared or community wells is encouraged. Plans for shared or community wells should include an approved wellhead protection plan including a map of the primary

and emergency wells, emergency response area, wellhead protection area, and the drinking water supply management area.

- B. All cluster/planned unit developments shall be connected to a publicly owned wastewater treatment facility or provided with adequate sewage treatment facilities meeting the standards of Chapter Four (Sewage and Wastewater Treatment Regulations) of this Ordinance.

**PART 4  
GENERAL PROVISIONS**

**SECTION 1. FEES**

From time to time, the Board of County Commissioners shall establish fees for activities undertaken by the Department pursuant to this chapter. Fees shall be due and payable at a time and in a manner to be determined by the Department.

**SECTION 2. SEPARABILITY**

Administration of this chapter with regard to interpretation, conflict, and separability shall be done in accordance with policies established in Chapter One (Administration), Section 3.2 (Separability), of the Renville County Land Use Ordinance.

**SECTION 3. EFFECTIVE DATE**

The regulations in this chapter shall become effective from and after its publication according to law.