CORINNA TOWNSHIP
LAND USE
ORDINANCE

Adopted:
March 17, 2026

CORINNA TOWNSHIP LAND USE ORDINANCE
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CORINNA TOWNSHIP LAND USE ORDINANCE

AN ORDINANCE REGULATING THE USE OF LAND IN CORINNA TOWNSHIP BY DISTRICTS, INCLUDING THE REGULATION OF THE LOCATION, SIZE, USE AND HEIGHT OF BUILDINGS, THE ARRANGEMENT OF BUILDINGS ON LOTS AND THE DENSITY OF POPULATION FOR THE PURPOSE OF PROMOTING THE PUBLIC HEALTH, SAFETY, ORDER, CONVENIENCE, AND GENERAL WELFARE OF CORINNA TOWNSHIP.

THE CORINNA TOWNSHIP BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

SECTION 1. TITLE

101. This Ordinance shall be known, cited and referred to as the Corinna Township Zoning Ordinance.

SECTION 2. INTENT AND PURPOSE

201. This Ordinance is adopted for the purpose of:

(1) protecting the public health, safety, morals, comfort, convenience and general welfare.

(2) promoting orderly development of the residential, commercial, industrial, recreational and public areas.

(3) conserving the natural and scenic beauty and attractiveness of the community.

(4) conserving and developing natural resources.

(5) providing for the compatibility of different land uses and the most appropriate use of land throughout the community.

(6) protect agricultural area.

(7) To preserve the rural character of Corinna Township.

(8) To effectuate the goals and strategies of the Corinna Township Comprehensive Plan.

SECTION 3. RULES AND DEFINITIONS

301. RULES

The language set forth in the text of this Ordinance shall be interpreted in accordance with the following rules of construction:

(1) The singular number includes the plural and the plural the singular.

(2) The present tense includes the past and future tenses, and the future the present.

(3) The word "shall" is mandatory, and the word "may" is permissive.

(4) The masculine gender includes the feminine and neuter genders.

(5) Whenever a word or term defined hereinafter appears in the text of this Ordinance, its meaning shall be constructed as set forth in such definition.

(6) All measured distances expressed in feet shall be to the nearest tenth of a foot.

(7) In the event of conflicting provisions within this ordinance, the more restrictive provision shall apply.

302. DEFINITIONS

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the same meaning as they have in common usage and so as to give this ordinance its most reasonable application. For the purpose of this ordinance, the words "must" and "shall" are mandatory and not permissive. All distances, unless otherwise specified, shall be measured horizontally.

(1) Accessory Use or Structure - A use or building, improvement, structure or portion of a structure subordinate to and serving the principal use structure on the same lot and customarily incidental thereto and which, in shoreland areas, because of the nature of its use, can reasonably be located at normal, or greater than normal, structure setbacks. For the purposes of Section 611 of this Ordinance, a structure, as defined in this ordinance, that is on the same parcel of property as, and is incidental to, the principal structure or use; an accessory structure specifically excludes structures used for human habitation.

(2) Access Drive (driveway) - An improved area of any lot or parcel which is used for vehicular access or parking.

(3) Addition, Building - Any construction that expands the footprint, livable space, or volume of a building, such as a porch, basement, an additional level or floor, attached garage, carport, new room, or roof pitch or wall height change.

(4) Administrator - The duly appointed person charged with enforcement of this Ordinance.

(5) Agricultural Use - The use of land for the growing and/or production of field crops, livestock, and livestock products for the production of income including but not limited to the following:

(a) field crops, including: barley, soy beans, corn, hay, oats, potatoes, rye, sorghum, and sunflowers.

(b) livestock, including: dairy and beef cattle, goats, horses, sheep, hogs, poultry, game birds and other animals including ponies, deer, rabbits and mink.

(c) livestock products, including: milk, butter, cheese, eggs, meat, fur and honey.

(6) Airport or Heliport - Any land or structure which is used or intended for use for the landing and take-off of

aircraft, and for appurtenant land or structure used or intended for use for port buildings or other port structures of rights-of-way.

(7) Animal Unit - A unit of measure used to compare differences in the production of animal wastes which has as a standard the amount of waste produced on a regular basis by a slaughter steer or heifer. For purposes of this Ordinance, the definition and units of measure contained in Minnesota Rules Part 7020.0300, Subpart 5 shall apply.

(8) Apartment - A room or suite of rooms with cooking facilities available which is occupied as a residence by a single family, or group of individuals living together as a single family unit. This includes any units in buildings with more than two dwelling units.

(9) Auto or Motor Vehicle Reduction Yard - A lot or yard where one or more unlicensed motor vehicles, or the remains thereof, are kept for the purpose of dismantling, wrecking, crushing, repairing, rebuilding, sale of parts, sale as scrap, storage, or abandonment. (See also Junk Yard).

(10) Base Flood. The flood having a one-percent chance of being equaled or exceeded in any given year. "Base flood" is synonymous with the term "regional flood" used in Minnesota Rules, part 6120.5000.

(11) Base Flood Elevation - The elevation of the base flood, regional flood, or one-percent annual chance flood. The term "base flood elevation" is used in the flood insurance study.

(12) Basement - A portion of a building located partly underground but having half or more of its total wall area (measured from floor-to-ceiling) below the average grade of the adjoining ground. For flood plain regulatory purposes, basement shall include any area of a structure, including crawl spaces, having its floor or base subgrade (below ground level) on all four sides, regardless of the depth of excavation below ground level.

(13) Bed and Breakfast - A single-family dwelling with furnished bedrooms provided to guests, at which meals may be served to guests by the permanent residents, which is kept, used or advertised as, or held out to the public to be, a place where sleeping accommodations are supplied for pay to guests for transient occupancy as defined in Minn. Stat. 327.70, Subd. 5, but in no case shall continuous occupancy exceed 30 days. There shall be offered for guests no more than four bedroom units per single family dwelling, accommodating not more than two adult persons per unit. One (1) guesthouse, as defined in Section 712, located on the same property, may be used as one of the permitted four (4) units for an approved Bed and Breakfast provided that the residence on the property does include at least one unit.

(14) Bedroom (relating to Section 781) – a part of the inside of a private/vacation home that is divided from other areas by walls and a doorway and that has its own floor and ceiling that is furnished primarily as sleeping quarters, containing a bed or furniture that can convert to a bed, and having more than one egress.

(15) Bluff - A topographic feature such as a hill, cliff, or embankment having the following characteristics (an area with an average slope of less than 18 percent over a distance for 50 feet or more shall not be considered part of a bluff):

(a) Part or all of the feature is located in a shoreland area;

(b) The slope rises at least 25 feet above the ordinary high water level of the water body;

(c) The grade of the slope from the toe of the bluff to a point 25 feet or more above the ordinary high water level averages 30 percent or greater;

(d) The slope drains toward the water body.

(16) Bluff impact zone - A bluff and land located within 20 feet from the top of a bluff.

(17) Bluffline - A line along the top of a slope connecting the points at which the slope becomes less than 13%. This applies to those slopes within the land use district(s) which are beyond the setback provisions from the ordinary high water mark.

(18) Boardinghouse (Rooming or Lodging House) - A building other than a motel or hotel where, for compensation and by prearrangement for definite periods, meals or lodging are provided for three or more persons, but not to exceed twenty persons.

(19) Boathouse - A one (1) story structure not to exceed ten feet in height, exclusive of safety railing, designed and used solely for the storage of boats or boating equipment, the top of which may be used as an open deck with safety railings. A boathouse shall not be allowed to serve as living quarters and shall not contain sanitary facilities.

(20) Building - Any structure having a roof which may provide shelter or enclosure of persons, animals, chattel, or property of any kind and when said structures are divided by party walls without openings, each portion of such building so separated shall be deemed a separate building. For the purposes of Section 611 of this Ordinance, see definition of "Structure".

(21) Building Code - Minnesota State Building Code as adopted by Corinna Township.

(22) Building line. A line parallel to a lot line or the ordinary high water level at the required setback beyond which a structure may not extend.

(23) Building Setback - The minimum horizontal distance between the building and a lot line.

(24) Business - Any occupation, employment or enterprise wherein merchandise is exhibited, stored[1], sold, or where services are offered for compensation.

(25) Cannabis – as defined in Minn. Statute 342.01, or successor statute.

(26) Carport - an automobile shelter having one or more sides open.

(27) Channel. A natural or artificial depression of perceptible extent, with definite bed and banks to confine and conduct flowing water either continuously or periodically.

(28) Church - A building and uses, where persons regularly assemble for religious worship and which building, and uses, is maintained and controlled by a religious body organized to sustain public worship.

(29) Clear-cutting - Shall mean "intensive vegetative clearing" including the complete removal of trees or shrubs in a contiguous patch, strip, row, or block.

(30) Commercial agricultural tourism – A rural commercial operation that is connected to a primary agricultural use and may include orchards, wineries, the promotion of agriculture or the natural environment, or the use of the rural outdoor environment for events such as weddings and gatherings. Commercial agricultural tourism may allow for the construction of accessory structures to be used for events and special gatherings of people to be held within such structures. Food catering and limited food preparation, along with limited retail that is directly associated with the commercial agricultural tourism use may be allowed.

(31) Commercial use - The principal use of land or buildings for the sale, lease, rental, or trade of products, goods, and services.

(32) Comprehensive Plan or Policies Plan - A compilation of goals, policy statements, standards, programs and maps for guiding the physical, social and economic development, both public and private, of the county and

1 Amended 12/18/2018 (Resolution 2018-09)

its environs, as defined in the Minnesota County Planning Act M.S. 364, and includes any unit or part of such plan separately adopted and any amendment to such plan or parts thereof.

(33) Commissioner - Commissioner of Department of Natural Resources.

(34) Community Water and Sewer Systems - Utilities systems serving a group of buildings, lot, or any area of the community, with the design and construction of such utility systems as approved by the community and the State of Minnesota.

(35) Conditional Use - A land use or development as defined by ordinance that would not be appropriate generally but may be allowed with appropriate restrictions upon a finding that certain conditions as detailed in the zoning ordinance exist, the use or development conforms to the comprehensive land use plan of the community, and the use is compatible with the existing neighborhood.

(36) Contractors Yard, Non-Commercial - Buildings and structures, including limited outdoor storage, located on the homestead of a contractor in the building trades or other similar business, for the purpose of storing machinery and equipment related to the business which is primarily conducted off-site. All storage and screening requirements in Sections 702 through 705 of this ordinance must be met, all building size requirements must be met and the use must be clearly incidental to the primary use of the property as a homestead. One identification sign, not to exceed 12 square feet, is permitted. (Pre-existing yards will not be required to obtain an Interim Use Permit provided all ordinance requirements are met.)

(37) County Board - Wright County Board of Commissioners

(38) Critical Facilities. Buildings and structures that contain essential facilities and services necessary for emergency response and recovery, or that pose a substantial risk to the public in the event of failure, disruption of function, or damage by flooding. Specifically, this includes facilities identified as Flood Design Class 4 in ASCE 24-14, Flood Resistant Design and Construction, as amended. Examples include health care facilities, facilities required for emergency response, power generating stations, communications towers, or electrical substations.

(39) Curb Level - The grade elevation established by the governing body of the curb in front of the center of the building. Where no curb level has been established, the engineering staff shall determine a curb level or its equivalent for the purpose of this Ordinance.

(40) Deck - A horizontal, unenclosed platform with or without attached railings, seats, trellises, or other features, attached or functionally related to a principal use or site and at any point extending more than thirty (30) inches above ground.

(41) Development - Any man-made change to improved or unimproved real estate, including, but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials.

(42) Drive-In - Any use where products and/or services are provided to the customer under conditions where the customer does not have to leave the car or where fast service to the automobile occupants is a service offered regardless of whether service is also provided within a building.

(43) Duplex, Triplex or Quad - a dwelling structure on a single lot, having two, three, and four units, respectively, being attached by common walls and each unit equipped with separate sleeping, cooking, eating, living, and sanitation facilities.

(44) Dwelling site. A designated location for residential use by one or more persons using temporary or movable shelter, including camping and recreational vehicle sites.

(45) Dwelling Unit - Any structure or portion of a structure, or other shelter designed as short- or long-term living quarters for one or more persons, including rental or timeshare accommodations such as motel, hotel, and resort rooms and cabins.

(46) Dwelling Attached - A dwelling which is joined to another dwelling at one or more sides by a party wall or walls.

(47) Dwelling Detached-A dwelling which is entirely surrounded by open space on the same lot.

(48) Easement - A grant by a property owner for the use of a strip of land by the public or for any person for any specific purpose or purposes but not for purposes of ingress and egress to residential areas.

(49) Equal Degree Encroachment - A method of determining the location of floodway boundaries so that floodplain lands on both sides of a stream are capable of conveying a proportionate share of flood flow.

(50) Essential Services - The erection, construction, alteration or maintenance by public utilities or municipal departments of underground or overhead telephone, gas, electrical, communication, water or sewer transmission, distribution, collection, supply or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, switches, civil defense sirens, fire alarm boxes, police call boxes, traffic signals, hydrants and other similar equipment, appurtenances, facilities, and accessories in connection therewith for the furnishing of adequate service by such private or public utilities or municipal departments. Antennas and support structures as defined in Section 760.1 shall not be considered an essential service.

(51) Exterior Storage (Includes Open Storage) - The storage of goods, materials, equipment, manufactured products and similar items not fully enclosed by a building.

(52) Extraction Area - Any non-agricultural artificial excavation of earth exceeding fifty square feet of surface area or two feet in depth, excavated or made by the removal from the natural surface of the earth, or sod, soil, sand, gravel, stone or other natural matter, or made by turning, or breaking or undermining of the earth.

(53) Extractive Use - The use of land for surface or subsurface removal of sand, gravel, rock, industrial minerals, other nonmetallic minerals, and peat not regulated under Minnesota Statutes, sections 93.44 to 93.51.

(54) FEMA. Federal Emergency Management Agency.

(55) Family - An individual, or two or more persons related by blood, marriage or adoption, living together as a single house keeping unit in a dwelling unit.

(56) Farm - A tract of land, ten (10) acres or more in size, which is principally used for agricultural activities such as the production of cash crops, livestock or poultry farming. Such farm may include agricultural dwelling and accessory buildings and structures necessary to the operation of the farm.

(57) Farm Accessory Mobile Home - A mobile home placed on a farm which already has a primary residence on the same parcel or nearby land under the same homestead, said mobile home to be used as a temporary residence by a family member or farm employee. Farm employment must be the primary occupation of the resident of the mobile home, and the applicant for such a mobile home must demonstrate the need for such occupant to be located on the farm site in addition to the primary farm residence. No such mobile home shall be allowed as the primary or only residence on any parcel.

(58) Feed lots, Livestock - The place of confined feeding of livestock or other animals for food, fur, pleasure or resale purposes in yards, lots, pens, buildings, or other areas not normally used for pasture or crops in which substantial amounts of manure or related other wastes may originate by reason of such feeding of animals.

(59) Fence - A fence is defined for the purpose of this Ordinance as any partition, structure, wall or gate erected as a dividing marker, barrier or enclosure and located along the boundary, or along the required yard.

(60) Fence, Farm. An open type of fence of posts and horizontally run wire, further specified in Minnesota Statutes, section 344.02, Subd. 1(a-d).

(61) Flood - A temporary rise in the stream flow or water surface elevation from any source that results in the inundation of normally dry land areas.

(62) Flood Frequency - The frequency for which it is expected that a specific flood stage or discharge may be equalled or exceeded.

(63) Flood Fringe - The portion of the one-percent annual chance floodplain located outside of the floodway.

(64) Floodplain - The beds, channel and the areas adjoining a wetland, lake or watercourse, or other source which have been or hereafter may be inundated by the base flood.

(65) Flood Prone Area – any land susceptible to being inundated by water from any source (see "Flood").

(66) Floodproofing - A combination of structural provisions, changes or adjustments to properties and structures subject to flooding, primarily for the reduction or elimination of flood damages.

(67) Floodway - The bed of a wetland or lake and the channel of a watercourse and those portions of the adjoining floodplain which must be reserved to carry or store the base flood discharge without cumulatively increasing the water surface elevation more than one-half foot.

(68) Floor Area - The sum of the gross horizontal areas of the several floors of the building or portion thereof devoted to a particular use, including accessory storage areas located within selling or working space and including any basement floor area devoted to retailing activities, to the production or processing of goods, or to business or professional offices. However, the floor area shall not include: basement floor area other than area devoted to retailing activities, the production of processing of goods, or to business or professional offices.

(69) Floor Area Ratio - The numerical value obtained through dividing the gross floor area of a building or buildings by the net area of the lot or parcel of land on which such building or buildings are located.

(70) Floor Plan - A graphic representation of the anticipated utilization of the floor area within a building or structure but not necessarily as detailed as construction plans.

(71) Forest land conversion - The clear cutting of forested lands to prepare for a new land use other than reestablishment of a subsequent forest stand, not to include normal clearing for permitted, interim or conditional uses. This definition does not include sanitary landfills.

(72) Forestry - The use and management including logging, of a forest, woodland or plantation and related research and educational activities, including the construction, alteration or maintenance of woodroads, skidways, landings, and fences.

(73) Frontage - That boundary of a lot which abuts an existing or dedicated public street.

(74) Garage, Private - An accessory building or accessory portion of the principal building which is intended for and used to store the private passenger vehicles of the family or families resident upon the premises.

(75) General Floodplain. Those floodplains designated on the Flood Insurance Rate Maps referenced in Section 611, but that do not have a delineated floodway.

(76) Governing Body - Corinna Township Board of Supervisors

(77) Guest cottage (for shoreland purposes) - A structure used as a dwelling unit that may contain sleeping spaces and bathroom facilities in addition to those provided in the primary dwelling unit on a lot, but no kitchen facility provision is made.

(78) Guest house (for non-shoreland purposes) – An accessory building detached from the principal building where accommodations for sleeping are provided but no kitchen facility provision is made.

(79) Hardship - "Hardship" means the same as that term is defined in Minnesota Statutes, Chapters 394 and 462.

(80) Height of Building – The vertical distance between the highest adjoining ground level at the building or ten feet above the lowest ground level, whichever is lower, and the highest point of any roof.

(81) Highway - Any public thoroughfare or vehicular right-of-way with a Federal or State Numerical route designation; any public thoroughfare or vehicular right-of-way with a Wright County numerical route designation.

(82) Home Occupation - Any occupation of a service character which is clearly secondary to the main use of the premises as a dwelling and does not change the character thereof or exhibit any exterior evidence of such secondary use. Such occupation shall be conducted or carried on only by the person residing on the premises.

(83) Horticulture - Horticultural uses and structures designed for the storage of products and machinery pertaining and necessary thereto.

(84) Hotel - A building which provides a common entrance, lobby, halls and stairway and in which twenty or more people are, for compensation, lodged with or without meals.

(85) Impervious Surface - Any surface that is incapable of being penetrated by water and thereby restricts percolation of water into the ground or does not maintain a vegetative cover. Impervious surfaces include but are not limited to the footprint of all structures or buildings, decks, stairways, lifts and landings, patios, sidewalks, plastic landscaping material, and all driving and parking areas. Any overhangs or cantilevers that extend more than 24 inches from the foundation shall be included in this calculation. Patios, walkways and other such areas professionally designed/engineered to allow infiltration of water may be credited as up to fifty (50) percent pervious upon review and approval by the Zoning Administrator.

(86) Industrial use - The use of land or buildings for the production, manufacture, warehousing, storage, or transfer of goods, products, commodities, or other wholesale items.

(87) Interim Use – A temporary use of a property until a particular date, until the occurrence of a particular event, or until zoning regulations no longer permit it.

(88) Interim Use Permit – A permit that allows a use that is for a limited period of time, subject to conditions set forth in this Ordinance or as established by the Planning Commission.

(89) Irrigation System - Any structure or equipment, mechanical or otherwise, used to supply water to, or supplement normal rainfall to, cultivated fields including but not limited to wells, pumps, motors, pipes, culverts, gates, dams, ditches, tanks, ponds and reservoirs.

(90) Junk Yard - An open area where waste, used, or second hand materials are bought, sold, exchanged, stored, baled, packed, disassembled or handled, including but not limited to, scrap iron and other metals, paper, rags, rubber, tires and bottles. A junk yard includes an auto wrecking yard but does not include uses established entirely within enclosed buildings. This definition does not include sanitary landfills.

(91) Kennel - Any structure or premises on which four (4) or more dogs over four (4) months of age are kept for pets, sale, breeding, profit, etc.

(92) Landscaping - Planting such as trees, grass, and shrubs.

(93) Light Duty Truck. Any motor vehicle that has all three of the following:
(a) 8,500 pounds Gross Vehicle Weight Rating or less;
(b) vehicle curb weight of 6,000 pounds or less; and
(c) basic vehicle frontal area less than 45 square feet.

(94) Livestock Waste Lagoon - A diked enclosure for disposal of livestock wastes by natural process**.**

(95) Lodging Room - A room rented as sleeping and living quarters, but without cooking facilities. In a suite of rooms, without cooking facilities, each room which provides sleeping accommodations shall be counted as one (1) lodging room.

(96) Lot - A parcel or portion of land designated by plat, metes and bounds, registered land survey, auditors plot, or other accepted means and separated from other parcels or portions by said description for the purpose of sale or lease or separate use thereof.

(97) Lot Area - The area of a lot in a horizontal plane bounded by the lot lines. Only land above the Ordinary High Water Level can be used to meet lot area standards.

(98) Lot of Record - Any lot which is one unit of a plat heretofore duly approved and filed, or one unit of any Auditor's Subdivision or a Registered Land survey that has been recorded in the office of the County Recorder for Wright County, Minnesota, prior to the effective date of this Ordinance. Lot of record shall also include parcels of land for which a deed or contract for deed has been recorded in the Office of the Wright County Recorder prior to August 2, 1978, provided that said parcel or parcels were legally created in accord with ordinances in effect at the time the deed or contract was recorded.

(99) Lot, Corner - A lot situated at the junction of, and abutting on two or more intersecting streets, or a lot at the point of deflection in alignment of a continuous street, the interior angle of which does not exceed one hundred thirty-five degrees.

(100) Lot Depth - The mean horizontal distance between the front lot line and the rear lot line of a lot.

(101) Lot Line - The property line bounding a lot except that where any portion of a lot extends into the public right-of-way shall be the lot line for applying this Ordinance.

(102) Lot Line Front - That boundary of a lot which abuts an existing or dedicated public street, and in the case of a corner lot it shall be the shortest dimension on a public street. If the dimensions of a corner lot are equal, the front lot line shall be designated by the owner and filed with the County Recorder.

(103) Lot Line Rear - That boundary of a lot which is opposite the front lot line. If the rear line is less than ten feet in length, or if the lot forms a point at the rear, the rear lot line shall be a line ten feet in length within the lot, parallel to, and at the maximum distance from the front lot line.

(104) Lot Line Side - Any boundary of a lot which is not a front lot line or a rear lot line.

(105) Lot, Through - A lot which has a pair of opposite lot lines abutting two substantially parallel streets, and which is not a corner lot. On a through lot, both street lines shall be front lot lines for applying this Ordinance.

(106) Lot Width - The minimum horizontal distance between the side lot lines of a lot measured within the first thirty feet of the lot depth, or for shoreland areas, the shortest distance between lot lines measured at the midpoint of the building line. The lot width shall determine the required road frontage and shoreline frontage for lots.

(107) Lowest Floor – the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, used solely for parking of vehicles, building access, or storage in an area other than a basement area, is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of 44 CFR § 60.3.

(108) Maintenance - The normal upkeep of a structure including the replacement of windows, siding, external roof surfaces, or exterior finish, such as paint or stain.

(109) Manufactured Home - A structure manufactured in accord with the Manufactured Home Building Code as defined in M.S. Ch. 327B, as it may be amended from time to time, and meeting the definition in M.S. Ch. 327B, as it may be amended from time to time. For the purpose of this Ordinance, Manufactured Homes which comply with the standards listed in Section 740 of this Ordinance shall be considered to be Single Family Dwellings. The term "manufactured home" does not include the term "recreational vehicle.

(110) Market Value, Estimated – The estimated value of a structure as indicated in the records of the Wright County Assessor.

(111) Metes and Bounds - A method of property description by means of their direction and distance from an easily identifiable point.

(112) Mining - The extraction of sand, gravel, rock, soil or other material from the land in the amount of one thousand cubic yards or more and the removing thereof from the site shall be mining. The only exclusion from this definition shall be removal of minerals associated with construction of a building provided such removal is an approved item in the building permit.

(113) Mobile Home - For the purposes of this ordinance, a mobile home shall be any Manufactured Home, as defined above, which does not meet the standards in Section 740. Mobile Homes to be used for residential purposes must have a minimum floor area of 800 square feet on the main floor. Structures which do not meet these minimum standards shall not be permitted for residential purposes, except when located within legally established mobile home parks.

(114) Mobile Home Park - Any site, lot, field, or tract of land under single ownership designed, maintained or intended for the placement of two (2) or more occupied mobile homes. "Mobile home park" shall include any buildings, structure, vehicle, or enclosure intended for use as part of the equipment of such mobile home park.

(115) Mobile Home Stand - The part of an individual mobile home lot which has been reserved for placement of the mobile home, appurtenant structures, or additions.

(116) Motel (Tourist Court) - A building or group of detached, semi-detached, or attached buildings containing guest rooms or dwellings, with garage or parking space conveniently located to each unit, and which is designed, used or intended to be used primarily for the accommodation of automobile transients.

(117) Multiple Residence (Apartment Building) - Three or more dwelling units in one structure.

(118) New Construction – Structures for which the start of construction commenced on or after the effective date of an adopted floodplain management regulation and includes any subsequent improvements to such structures.

(119) Nonconformity - Any legal use, structure or parcel of land already in existence, recorded, or authorized before the adoption of official controls or amendments thereto that would not have been permitted to become established under the terms of the official controls as now written, if the official controls had been in effect prior to the date it was established, recorded or authorized.

(120) Nursery, Landscape - A business growing and selling trees, flowering and decorative plants, and shrubs and which may be conducted within a building or without, for the purpose of landscape construction.

(121) Nursing Home - A building with facilities for the care of children, the aged, infirm, or place of rest for those suffering bodily disorder. Said nursing home shall be licensed by the State Board of Health as provided for in Minnesota Statute, Sec. 144.50.

(122) Obstruction (flood plain) - any dam, wall, wharf, embankment, levee, dike, pile, abutment, projection, excavation, channel modification, culvert, building, wire, fence, stockpile, refuse, fill, structure, or matter in, along, across, or projecting into any channel, watercourse, or regulatory flood plain which may impede, retard, or change the direction of the flow of water, either in itself or by catching or collecting debris carried by such water.

(123) Official Map - The map established by the governing body, in accordance with State Statutes, showing streets, highways, parks and drainage, both existing and proposed.

(124) Off-Street Loading Space - A space accessible from a street, alley, or driveway for the use of trucks or other vehicles while loading or unloading merchandise or materials. Such space shall be of size as to accommodate one vehicle of the type used in the particular business.

(125) One Hundred Year Floodplain – lands inundated by the "Regional Flood" (see definition).

(126) Open Sales Lot (Exterior Storage) - Any land used or occupied for the purpose of buying and selling any goods, materials, or merchandise and for the storing of same under the open sky prior to sale.

(127) Open Space Use - A use oriented to and utilizing the outdoor, unimproved, natural character of an area; including trails, primitive campsites, waysides, parks, and general recreation uses.

(128) Ordinary High Water Level - The boundary of public waters and wetlands, and shall be an elevation delineating the highest water level which has been maintained for a sufficient period of time to leave evidence upon the landscape, commonly that point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial. For watercourses, the ordinary high water level is the elevation of the top of the bank of the channel. For reservoirs and flowages, the ordinary high water level is the operating elevation of the normal summer pool. Might also refer to MS, section 103G.005

(129) Overnight guest (relating to Section 781) – a person who is boarding overnight at a private/vacation home rental, hotel, motel, bed and breakfast, or resort.

(130) Parking Space - A suitably surfaced and permanently maintained area on privately owned property either within or outside of a building of sufficient size to store a standard automobile.

(131) Pedestrian Way - A public or private right-of-way across or within a block, to be used by pedestrians.

(132) Person (relating to Section 781) – a natural person over the age of 5 years, who is patronizing, staying, or visiting a private/vacation home either as the renter of the facility or a guest of the renter.

(133) Planned Unit Development - An urban development having two or more principal uses or structures on a single lot and developed according to any approved plan. Where appropriate this development control advocates: (1) a mixture of land uses, one or more of the non-residential uses being regional in nature, (2) the clustering of residential land uses providing common and public open space, the former to be maintained either by the residents of the development or the local community and, (3) increased administrative discretion to a local professional planning staff and the setting aside of present land use regulations and rigid plat approval processes.

(134) Planned Unit Development (as it relates to Sections 611 and 612) - A type of development characterized by a unified site design for a number of dwelling units or dwelling sites on a parcel, whether for sale, rent, or lease, and also usually involving clustering of these units or sites to provide areas of common open space,

density increases, and a mix of structure types and land uses. These developments may be organized and operated as condominiums, time-share condominiums, cooperatives, full fee ownership, commercial enterprises, or any combination of these, or cluster subdivisions of dwelling units, residential condominiums, townhouses, apartment buildings, campgrounds, recreational vehicle parks, resorts, hotels, motels, and conversions of structures and land uses to these uses.

1. Planned Unit Development, Commercial – A planned unit development that typically has uses that provide transient, short-term lodging spaces, rooms, or parcels and their operations are essentially service-oriented. For example, hotel/motel accommodations, resorts, recreational vehicle and camping parks, and other primarily service-oriented activities are commercial planned unit developments.

2. Planned Unit Development, Residential - A use where the nature of residency is nontransient and the major or primary focus of the development is not service-oriented. For example, residential apartments, manufactured home parks, time-share condominiums, townhouses, cooperatives, and full fee ownership residences would be considered as residential planned unit developments. To qualify as a residential planned unit development, a development must contain at least five dwelling units or sites.

(135) Planning Commission - The Planning Commission of Corinna Township except when otherwise designated.

(136) Principal Structure or Use - All uses or structures which determine the predominant use and that are not accessory uses or structures. Only one (1) principal structure or use shall be permitted per lot, except as expressly permitted elsewhere in this ordinance. For the purposes of Section 611 of this Ordinance, the main building or other structure on a lot that is utilized for the property's principal use.

(137) Property Line - The more restrictive of either the legal boundaries of a parcel of property, or a right-of-way line of a road, cartway, and the like, including a zoning district boundary line. For zoning purposes, property line is unaffected by change in property ownership, including the common ownership of adjacent parcels of property, lots, lot lines or lots of record. Nonconforming lots of record in the same zoning district that are owned by the same entity may be combined for residential purposes by order of the zoning administrator.

(138) Protective Covenant - A contract in readable form entered into between private parties which constitutes a restriction of the use of a particular parcel of property.

(139) Public Land - Land owned or operated by municipal, school district, county, state or other governmental units.

(140) Public Waters - Any waters as defined in Minnesota Statutes, section 103G.005, subdivision 15.

(141) Reach - A hydraulic engineering term to describe a longitudinal segment of a stream or river influenced by a natural or man-made obstruction. In an urban area, the segment of a stream or river between two consecutive bridge crossings would most typically constitute a reach.

(142) Recreation, Public - Includes all uses such as tennis courts, ball fields, picnic areas, and the like that are commonly provided for the public at parks, playgrounds, community centers, and other sites owned and operated by a unit of government for the purpose of providing recreation.

(143) Recreation, Commercial - Includes all uses such as bowling alleys, driving ranges, and movie theaters that are privately owned and operated with the intention of earning a profit by providing entertainment for the public.

(144) Recreation, Commercial Outdoor-Commercial Recreation which requires large land areas or location in a rural setting such as golf courses, driving ranges, flea markets, shooting ranges, etc., but not to include campgrounds nor recreational vehicle camps.

(145) Recreation Equipment - Play apparatus such as swing sets and slides, sandboxes, poles for nets, unoccupied boats and trailers not exceeding twenty feet in length, picnic tables, lawn chairs, barbecue stands, and similar equipment or structures but not including tree houses, swimming pools, or sheds utilized for storage of equipment.

(146) Recreational Vehicle – a vehicle that is built on a single chassis, is 400 square feet or less when measured at the largest horizontal projection, is designed to be self-propelled or permanently towable by a light duty truck, and is designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use. Those vehicles not meeting this definition shall be considered a structure for the purposes of this ordinance. For the purposes of this ordinance, the term recreational vehicle shall be synonymous with the term "travel trailer/travel vehicle."

(147) Reclamation Land - The improvement of land by deposition movement of material to elevate the grade. Any parcel upon which 500 cubic yards or more of fill are deposited (50 cubic yards in shoreland areas) shall be considered as reclaimed land.

(148) Registered Land Survey - A survey map of registered land designed to simplify a complicated metes and bounds description, designating the same into a tract of tracts of a Registered Land Survey Number. See Minnesota Statutes 508.47.

(149) Regional Flood - A flood which is representative of large floods known to have occurred generally in Minnesota and reasonably characteristic of what can be expected to occur on an average frequency in the magnitude of the 100-year recurrence interval. Regional flood is synonymous with the term "base flood" used in the Flood Insurance Study.

(150) Regulatory Flood Protection Elevation (RFPE) – An elevation that is one foot above the elevation of the base flood plus any increases in the water surface elevation caused by encroachments on the floodplain that result from designation of a floodway. These increases in water surface elevations are typically identified in the Floodway Data Tables, found in the Flood Insurance Study.

(151) Remodel - An alteration of the interior or exterior portion of the existing structure to include work performed on the interior of a structure (provided the work performed does not increase the number of bedrooms or increase water usage), maintenance, and adding windows and doors. Under no circumstances shall remodeling constitute the replacement of the main structural frame, walls, or changes in the exterior dimensions of the structure.

(152) Repetitive Loss: Flood related damages sustained by a structure on two separate occasions during a ten year period for which the cost of repairs at the time of each such flood event on the average equals or exceeds 25% of the market value of the structure before the damage occurred.

(153) Resort – An establishment that includes buildings, campgrounds, lodges, structures, dwelling units/sites, homes, enclosures or any part thereof kept, used, maintained or advertised as or held out to the public to be, a place where sleeping accommodations are furnished to the public and primarily to those seeking recreation, for periods of one (1) day, one (1) week, or longer, and having for rent two (2) or more homes, cabins, units, campsites or enclosures (excepting private/vacation home rentals approved as such). All cabins, rooms, dwelling units/sites or enclosures must be included in the resort rental business. The entire parcel(s), lot(s), or tract(s) of land must be controlled and managed by the licensee.

(154) Retreat Center - A semipublic use oriented to using the natural features and outdoor character of the area for short term stays and featuring educational, contemplative and human development workshop and related training activities, which may include the following: religious worship and workshops; passive recreation (non-motorized) oriented to appreciating the outdoor and natural character of the area; a nature center, conservatory, interpretive center, exhibit, museum or library space; residential buildings (cabins) for short term occupancy by a single family or unrelated individuals attending an educational or similar event or workshop at the retreat (but not designed or intended for use as a residence); and/or having limited communal facilities for

dining, sanitation, meeting, educational or worship purposes.

(155) Riding Academies - Includes stables and riding facilities, both outdoor and indoor, operated as a commercial recreation use with the intention of earning a profit by providing entertainment for the public.

(156) Road - A public right-of-way affording primary access by pedestrians and vehicles to abutting properties, whether designated as a street, highway, thoroughfare, parkway, throughway, road, avenue boulevard, lane, place or however other designated. Ingress and egress easements shall not be considered roads.

(157) School - As defined within Minnesota Statutes 120.03 Subdivision 2, as amended, and Minnesota Statutes 123.932 Subdivisions 3 and 3a, as amended.

(158) Seasonal Storage: The use of an accessory building for the purposes of renting or leasing indoor storage space for the storing and removal of personal property, where the facility is open to the public in the spring and fall on a limited seasonal basis. An Interim Use Permit for Seasonal Storage shall be required for such use. The accessory structure must meet all requirements of the Minnesota State Building Code. Outdoor storage shall be prohibited.[2]

(159) Selective Cutting - The removal of single scattered trees.

(160) Semipublic Use - The use of land by a private, nonprofit organization to provide a public service that is ordinarily open to some persons outside the regular constituency of the organization.

(161) Sensitive Resource Management - The preservation and management of areas unsuitable for development in their natural state due to constraints such as shallow soils over groundwater or bedrock, highly erosive or expansive soils, steep slopes, susceptibility to flooding, or occurrence of flora or fauna in need of special protection.

(162) Setback - The minimum required horizontal distance between a structure, sewage treatment system, or other facility and an ordinary high water level, sewage treatment system, top of a bluff, road, highway, property line, or other facility.

(163) Sewage Treatment System - A septic tank and soil absorption system or other individual or cluster type sewage treatment system as described and regulated in Section 716 of this ordinance.

(164) Sewage Treatment System, Public - A system owned and operated by a City, Township, County, or other governmental entity recognized by Minnesota Statute, including the sewage treatment plant, and all pipelines or conduits, pumping stations, force main, and all other construction, devices, appliances, or appurtenances used for conducting sewage or industrial waste or other wastes to the treatment plant. This definition does not include cluster systems nor any ISTS as defined by MPCA regulations, nor any privately owned and operated sewage treatment systems.

(165) Sewer System - Pipelines or conduits, pumping stations, and force main, and all other construction, devices, appliances, or appurtenances used for conducting sewage or industrial waste or other wastes to a point of ultimate disposal.

(166) Shore Impact Zone - Land located between the ordinary high water level of a public water and a line parallel to it at a setback of 50 percent of the structure setback.

(167) Shoreland - Land located within the following distances from public waters. (1) 1,000 feet from the normal high water mark of a lake, pond, flowage: and (2) 300 feet from a river or stream or the landward extend of a flood plain designated by Ordinance on such river or stream, whichever is greater. The practical limits of shorelands may be less whenever the waters involved are bounded by natural topographic divides which extend

2 Amended 12/18/2018 (Resolution 2018-09)

landward from the water for less distances and when approved by the Commissioner.

(168) Sidewall Height - The vertical distance between the lowest exposed floor and the point where the wall meets the roof truss. “Tuck-under” garages may be allowed provided only one wall is more than 25% exposed and the exposed wall is no more than twice the allowable sidewall height.

(169) Sign - Any structure or device that has a visual display that is visible from a public right-of-way in view of the general public and is designed to identify, announce, direct, or inform.

(170) Sign Area - Sign area is calculated as the total area of signage and shall include all area bound by a rectangle that encompasses the markings that comprise the sign. For two-sided signs, each side shall be counted.

(171) Sign, Billboard - A large freestanding signboard, on or off premise, which displays a message or advertising in a public place alongside a highway or freeway.

(172) Sign, Canopy. A protective roof like covering, made of canvas or similar fabric, mounted on a frame over a walkway, door, or window of a building.

(173) Sign, Dynamic – Any sign with a characteristic that appears to have movement or that appears to change more than once per calendar day. This definition includes a display that incorporates a technology or method allowing the sign face to change the image without having to replace the sign face or its components physically or mechanically. This definition also includes any rotating, revolving, moving, flashing, blinking, or animated graphic or illumination, and any graphic that incorporates rotating panels, LED lights manipulated through digital input, "digital ink" or any other method or technology that allows the sign face to present a series of images or displays.

(174) Signs, Directory. A sign erected at an intersection that lists the residences or businesses that reside along the intersecting roadway.

(175) Sign, Flashing - Any illuminated sign on which such illumination is not kept stationary or constant in intensity and color at all times when such sign is in use.

(176) Sign, Identification. A sign that identifies a place of business or occupant of the lot where sign is placed.

(177) Sign, Illuminated - Any sign which has characters, letters, figures, designs or outlines illuminated by electric lights or luminous tubes as a part of the sign.

(178) Sign, Monument. A ground sign having a solid appearance and a generally low profile. Must be attached to a proportionate enclosed base (fifty percent minimum). The sign may be constructed with stone, concrete, metal, routed wood planks or beams, or similar materials which harmonize with the establishment it serves. The sign base area shall not exceed the actual sign face are by ten percent.

(179) Sign, Pole/Pylon. A freestanding sign that is suspended by no more than three (3) metal, wood or concrete poles.

(180) Signs, Portable. A sign that is intrinsically designed to be moved or a sign that is not permanently affixed to the ground or a building.

(181) Sign, Rotating - A sign which revolves or rotates on its axis by mechanical means.

(182) Sign, Surface Area Of - The entire area within a single, continuous perimeter enclosing the extreme limits of the actual sign surface. It does not include any structural elements outside the limits such sign and not forming an integral part of the display. Only one side of a double-faced or V-type sign structure shall be used in computing total surface area.

(183) Sign, Wall. A painted or non-painted sign affixed on the side of a building

(184) Sign, Window. A painted or freestanding sign placed in/on a window of a building.

(185) Significant Historic Site - Any archaeological site, standing structure, or other property that meets the criteria for eligibility to the National Register of Historic Places or is listed in the State Register of Historic Sites, or is determined to be an unplatted cemetery that falls under the provisions of Minnesota Statutes, section 307.08. A historic site meets these criteria if it is presently listed on either register or if it is determined to meet the qualifications for listing after review by the Minnesota state archaeologist or the director of the Minnesota Historical Society. All unplatted cemeteries are automatically considered to be significant historic sites.

(186) Single Family Dwelling - A detached permanent structure, designed for use by one family only, which contains at least one story with a floor area of at least 800 square feet and is constructed in accord with all applicable codes and ordinances in Corinna Township. Mobile homes are not considered as permitted single dwellings except as expressly permitted elsewhere in this ordinance.

(187) Solar Energy Farms - A solar array composed of multiple solar panels on ground-mounted rack or poles which are the primary land use for the parcel on which it is located and is greater than two hundred (200) kilowatts alternating current (AC) rated capacity.

(188) Solar Energy Systems – a solar panel or array mounted on a building, pole or rack that is secondary to the primary use of the parcel on which it is located and is two hundred (200) kilowatts alternating current (AC) rated capacity and under.

(189) Special Flood Hazard Area – a term used for flood insurance purposes synonymous with “One Hundred Year Floodplain.”

(190) Special Protection - A zoned area, the purpose of which is to manage areas unsuitable for development.

(191) Speech, Commercial. Speech done on behalf of a company or individual for the intent of making a profit. It is economic in nature and usually has the intent of convincing the audience to partake in a particular action, often purchasing a specific product or service.

(192) Speech, Non-commercial. Any speech that is not commercial, as defined in this Code.

(193) Stage Increase. Any increase in the water surface elevation during the one-percent annual chance flood caused by encroachments on the floodplain.

(194) Steep Slope - Land where agricultural activity or development is either not recommended or described as poorly suited due to slope steepness and the site's soil characteristics, as mapped and described in available county soil surveys or other technical reports, unless appropriate design and construction techniques and farming practices are used in accordance with the provisions of this ordinance. Where specific information is not available, steep slopes are lands having average slopes over 12 percent, as measured over horizontal distances of 50 feet or more, that are not bluffs.

(195) Start of Construction - Includes substantial improvement, and means the date the permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, foundations, or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any

wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

(196) Street - A public right-of-way which afford's primary means of access to abutting property, and shall also include avenue, highway, road or way.

(197) Street, Collector - A street which serves or is designed to serve as a trafficway for a neighborhood or as a feeder to a major road.

(198) Street, Major or Thoroughfare - A street which serves or is designed to serve heavy flows of traffic and which is used primarily as a route for traffic between communities and/or other heavy traffic generating areas.

(199) Street, Local - A street intended to serve primarily as access to abutting properties.

(200) Street Pavement - The wearing or exposed surface of the roadway used by vehicular traffic.

(201) Street Width - The width of the right-of-way, measured at right angles to the centerline of the street.

(202) Story - That portion of a building included between the surface of any floor and the surface of the floor next above. For the purpose of height regulations a basement shall not be counted as a story.

(203) Structure - Anything constructed, the use of which requires more or less permanent location on the ground, including decks, or attached to something having a permanent location on the ground. Construction of a building or structure on skids or other non- permanent fixture shall not obviate the requirement for a building permit or compliance with setback standards in this ordinance. Fences six (6) feet and under in height and aerial or underground utility lines, such as sewer, electric, telephone, telegraph, gas lines, poles and other supporting facilities shall not be considered structures for the purposes of this ordinance.

(204) Structure (applicable to Section 611 – Floodplain) - A roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. Recreational vehicles not considered travel/highway ready, as detailed in Section 611.8 of this Ordinance, shall also be considered a structure for the purposes of this ordinance.

(205) Structural Alteration - Any change, other than incidental repairs, which would prolong the life of the supporting members of a building, such as bearing walls, columns, beams, girders or foundations.

(206) Subdivision – A subdivision is the dividing of any parcel of land into two or more parcels for the purpose of sale, rent, or lease including planned unit developments.

(207) Subdivision Mobile Home - A subdivision containing a minimum of ten (10) lots, allowing both conventional homes and mobile homes. Existing subdivisions containing a minimum of thirty (30) percent mobile homes, shall be defined as mobile home subdivisions. The creation of new mobile home subdivisions is prohibited.

(208) Substantial Damage - Damage of any origin sustained by a structure where the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

(209) Substantial Improvement - Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the “start of construction” of the improvement. This term includes structures that have incurred “substantial damage,” regardless of the actual repair work performed. The term does not, however, include either:

(a) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions.

(b) Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure." For the purpose of this ordinance, "historic structure" shall be as defined in 44 Code of Federal Regulations, Part 59.1.

(210) Surface Water-Oriented Commercial Use - The use of land for commercial purposes, where access to and use of a surface water feature is an integral part of the normal conductance of business. Marinas, resorts, and restaurants with transient docking facilities are examples of such use.

(211) Temporary. A use or structure that lasts longer than three days and is discontinued within 14 days. Any use or structure existing longer than 14 days, except where specifically provided for in this Ordinance, shall be considered permanent unless a specific date of discontinuation, agreeable to the Planning and Zoning Administrator to be reviewed by the Planning Commission, has been submitted, in writing, to the City or a specific date has been established by Conditional or Interim Use Permit.

(212) Travel Trailer/Park Trailer- A travel trailer is a trailer mounted on wheels which is designed to provide temporary living quarters during recreation, camping or travel, does not require a special highway moving permit based on its size or weight when towed by a motor vehicle, and is less than 40 feet in length (including hitches) and less than 102 inches in width. A park trailer is a travel trailer which is 102 inches or more in width, and no larger than 400 square feet when any collapsible components or additions are fully extended. Any trailer larger than these dimensions shall be considered to be a mobile home. (See section 717 for trailer regulations.)

(213) Toe of the Bluff - The point on a bluff where there is, as visually observed, a clearly identifiable break in the slope, from gentler to steeper slope above. If no break in the slope is apparent, the toe of the bluff shall be the lower end of a 50-foot segment with an average slope exceeding 18 percent.

(214) Top of the Bluff - The point on a bluff where there is, as visually observed, a clearly identifiable break in the slope, from steeper to gentler slope above. If no break in the slope is apparent, the top of the bluff shall be the upper end of a 50-foot segment with an average slope exceeding 18 percent.

(215) Townhouse - A single family building attached to party walls with other single family buildings, and oriented so that all exits open to the outside.

(216) Use - The purpose or activity for which the land or building thereon is designated, arranged or intended, or for which it is occupied, utilized or maintained.

(217) Use, Accessory - A use subordinate to and serving the principal use or structure on the same lot and customarily incidental thereto.

(218) Use, Non-Conforming - Use of land, buildings or structures legally existing at the time of adoption of this Ordinance which does not comply with the use restrictions governing the zoning district in which such use is located.

(219) Use, Permitted - A public or private use which of itself conforms with the purposes, objectives, requirements, regulations and performance standards of a particular district.

(220) Use, Principal - The main use of land or buildings as distinguished from subordinate or accessory uses. A "principal use" may be either permitted, interim or conditional.

(221) Variance - A modification or variation of the strict terms of this chapter, as applied to a specific piece of property, in order to provide relief for a property owner because of undue hardship or peculiar difficulty imposed upon him or her by this chapter; except that, modification in the allowable uses within a district shall

not be considered a variance. Variances shall normally be limited to height, bulk, density and yard requirements. "Variance" means the same as that defined in 44 CFR § 59.1 and Minnesota Statutes, Section 462.357. Subd. 6, or successor statute.

(222) Watercourse. A channel in which a flow of water occurs either continuously or intermittently in a definitive direction. The term applies to either natural or artificially constructed channels.

(223) Water-Oriented Accessory Structure or Facility - A small, above ground structure or other improvement, except stairways, fences, docks, and retaining walls, which, because of the relationship of its use to a surface water feature, reasonably needs to be located closer to public waters than the normal structure setback. Examples of such structures and facilities include boathouses, gazebos, screen houses, fish houses, pump houses, and detached ground level platforms or landings.

(224) Wetland - A surface water feature classified as a wetland in the United States Fish and Wildlife Service Circular No. 39 (1971 edition)

(225) Wind Energy Conversion System (WECS) – An electrical generating facility comprised of one or more wind turbines and accessory facilities, including but not limited to: power lines, transformers, substations and meteorological towers that operate by converting the kinetic energy of wind into electrical energy. The energy may be used on-site or distributed into the electrical grid.

(226) Yard - Any space in the same lot with a building open and unobstructed from the ground to the sky.

(227) Yard, Front - The area extending across the front of the lot between the side yard lines and lying between the center line of the road or highway and the nearest line of the building, except on riparian lots the front yard will be taken to be that part of the lot that faces the water.

(228) Yard, Rear - An open unoccupied space except for accessory buildings on the same lot with a building between the rear lines of the building and the rear line of the lot, for the full width of the lot.

(229) Yard, Side - An open unoccupied space on a lot between the main building and the side line of the lot, extending from the front of the lot to the rear of the lot.

SECTION 4. GENERAL PROVISIONS

401. APPLICATION OF THIS ORDINANCE

(1) In their interpretation and application, the provisions of this Ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, morals and welfare.

(2) Where the conditions imposed by any provision of this Ordinance are either more restrictive or less restrictive than comparable conditions imposed by any other law, ordinance, statute, resolution, or regulation of any kind, the regulations which are more restrictive or which impose higher standards or requirements shall prevail.

(3) Except as in this Ordinance specifically provided, no structure shall be erected, converted, enlarged, reconstructed or altered, and no structure or land shall be used, for any purpose nor in any manner which is not in conformity with this Ordinance.

402. SEPARABILITY

It is hereby declared to be the intention that several provisions of this Ordinance are separable in accordance with the following:

(1) If any court of competent jurisdiction shall adjudge any provisions of this Ordinance to be invalid, such judgment shall not affect any other provisions of this Ordinance not specifically included in said judgment.

(2) If any court of competent jurisdiction shall adjudge invalid the application of any provision of this Ordinance to a particular property building, or structure, such judgment shall not affect other property, buildings or structures.

403. LOT COVERAGE

Not more than fifteen (15) percent of a lot may be covered by buildings (including covered porches or other roofed structures) and not more than twenty-five (25) percent of lot may be covered by impervious surfaces, including all structures, decks and pavement areas except as provided in Section 608, 609, and 610.

404. LOTS OF RECORD

Lots of record in the office of the County Recorder prior to the effective date of this Ordinance may be allowed as residential building sites provided:

(1) They have frontage on an existing public right-of-way or have frontage on an existing easement or other private roadway existing prior to January 1, 1977.

(2) They have at least 20,000 square feet of area.

Lots smaller than 20,000 square feet may be used as dwelling sites if the owner can prove that adequate sanitary facilities can be provided. Said sanitary facilities must be located on the same lot of record as the dwelling, or on adjacent land which is legally available to the owner. Extraordinary alteration of the lot through land filling or excavation shall not constitute proof of an adequate site for sanitary facilities.

The Board of Adjustment shall decide if lots smaller than 20,000 square feet may be used for dwelling sites in accord with Section 502.2. The expansion of the floor area of nonconforming residential uses on lots smaller than 20,000 square feet shall also be reviewed by the Board of Adjustment. Such expansion may be denied or limited by the Board when there is limited space for sewage treatment and/or no alternative sewage treatment site on the lot. The Board of Adjustment may note in its review that a

nonconforming residential use should be used for seasonal use only, if adequate sanitary facilities for year-round occupancy cannot be provided. Holding tanks need not be considered as adequate sanitary facilities for year-round use. In no case shall the expansion of a nonconforming residential use exceed 50% of the assessed value of the original structure if a holding tank is the only available method for sewage treatment.

In determining if adequate sanitary facilities can be provided, the Board of Adjustment shall require that all standards in Section 716. Sewage Treatment and Disposal Standards be shown to be met. Due to the small lot size, and in areas where community water and sewer systems are not planned to be installed, the Board of Adjustment may require that proposals include a second location for a sewage treatment system. Proposals which can provide for only one site, and require a mound system or other alternative sewage treatment system shall not be considered as adequate sanitary facilities on lots which are predominantly low (less than 6 feet) in elevation above the Ordinary High Water Mark or water table. The total square footage of any proposed residence shall be limited by the Board on any lot where there is no alternative sewage treatment site available.

(3) In a group of two or more contiguous lots under the same ownership, if an individual lot has less than 20,000 square feet of area, no lot nor lots may be considered as a separate parcel of land for the purposes of sale or development unless each separated parcel and the remainder contains at least 20,000 square feet of lot area.

(4) All other requirements of this ordinance are met, including, but not limited to, setback standards and sewage treatment standards.

405. NON-CONFORMING USES

Except as otherwise provided by law, a nonconformity on homestead and nonhomestead residential real estate and seasonal residential real estate occupied for recreational purposes, including the lawful use or occupation of land or premises existing at the time of the adoption of an official control, may be continued, including through repair, replacement, restoration, maintenance, or improvement, but not including expansion, with a land use permit.

The above paragraph shall not apply, and any subsequent use or occupancy of the land or premises must be a conforming use or occupancy if:

(1) The nonconformity or occupancy is discontinued for a period of more than one year;

(2) Any nonconforming use that is destroyed by fire or other peril to the extent of greater than 50 percent of its estimated market value, as indicated in the records of the county assessor at the time of damage, and no building permit has been applied for within 180 days of when the property is damaged. In this case, the Township may impose reasonable conditions upon a zoning or building permit in order to mitigate any newly created impact on adjacent property or water body.

A lawful, non-conforming use may be changed to lessen the non-conformity of use. Once a non-conforming use has been changed, it shall not thereafter be altered to increase the non-conformity.

A feedlot that is non-conforming because of excessive animal unit numbers, existing prior to 1981 on a residential parcel or June 1995 on A/R or AG parcels, may be continued provided that the number of animal units does not increase. Whenever a non-conforming feedlot has reduced its animal unit numbers over a period of more than one year to a lesser number of animal units, such animal unit numbers shall not thereafter be increased.

405.1 Normal Maintenance

Maintenance of a building or other structure containing or used by a non-conforming use will be permitted when it includes necessary, nonstructural repairs and incidental alterations which do not extend or intensify the non-conforming building or use. Nothing in this Ordinance shall prevent the placing of a structure in the safe or more liveable conditions when said structure is declared unsafe by the County Building Inspector.

405.2 Non-Conforming Signs

(1) Signs existing on the effective date of this Ordinance which do not conform to the regulations set forth in this Ordinance shall become a non-conforming use and shall be discontinued within a reasonable period of amortization of the sign; uses of signs which become non-conforming by reason of a subsequent change in this Ordinance shall also be discontinued within a reasonable period of amortization of the sign. The period of amortization for signs shall be not more than five (5) years from the effective date of this Ordinance for advertising or business signs.

(2) Business signs on the premises of a non-conforming building or use may be continued, but such signs shall not be increased in number, area, height, or illumination. New signs not to exceed thirty-five (35) square feet in aggregate sign area may be erected only upon the complete removal of all other signs existing at the time of the adoption of this Ordinance. Such signs may be illuminated, but no flashing, rotating, or moving signs shall be permitted.

(3) No sign erected before the passage of this Ordinance shall be rebuilt, altered, or moved to a new location without being brought into compliance with the requirements of this Ordinance.

(4) In the event that the use of a non-conforming advertising sign structure is discontinued or its normal operation stopped for a period of six (6) months, said structure shall be removed by the owner or lessor at the request of the Planning Commission.

405.3 Non-Conforming Junk Yards

No junk yard may continue as a non-conforming use for more than five (5) years after the effective date of this Ordinance, except that a junk yard may continue as a non-conforming use in a BUSINESS or INDUSTRIAL DISTRICT if, within that period, it is completely enclosed within a building, fence, screen planting or other device of such height and density as to screen completely the operations of the junk yard. Plans of such a building or device shall be approved by the Planning Commission before it is erected.

405.4 Non-Conforming Individual Mobile Home

(1) (a) Legally existing mobile homes made non-conforming by this or prior county ordinances may remain for an amortization period which will expire on August l, l998. (A twenty year amortization period for mobile homes on lots less than 10 acres in size was established on January l, l973. A similar period was established for parcels 10 or more acres in size on August l, l978.)

(b) Non-conforming mobile homes which still exist on land subject to this ordinance on August l, l998 must be removed from the property upon the occurrence of the first sale, devise, gift, or other transfer of title to the mobile home or the real estate upon which the mobile home is located, when such transfer occurs after August l, l998. A surviving joint tenant or the surviving spouse of an owner of such a mobile home or real estate shall be exempt from this provision until subsequent transfer.

(2) When a non-conforming mobile home is replaced with a new home, the new structure must meet current County standards for a Single Family Dwelling.

(3) If a non-conforming mobile home is destroyed by an unintentional or uncontrollable hazard, such as fire, wind or storm, it may be replaced by another mobile home provided the owner applies for a Temporary Use Permit pursuant to Section 502.4 of this Ordinance.

(4) Manufactured homes which were non-conforming under previous County Ordinances, but which legally exist on a lot of record and meet the standards in Section 740., may remain as a permitted Single Family Dwelling.

(5) Nothing in this section shall be construed so as to prevent the County from ordering the immediate removal of mobile homes which exists without legal permits, nor from enforcing the terms of specific, existing permits or orders in regard to individual mobile homes.

405.5 Non-Conforming Sewage Disposal Systems

Any individual sewage disposal system or pertinent part thereof, irrespective of the date of original installation, which is not located, constructed or installed in accord with the standards within Section 716 of this Ordinance shall be so relocated, reconstructed or reinstalled so as to be in conformance. This requirement was first adopted on January 1, 1973, and a period of five years from that date allowed to bring such systems into compliance. The County may order the owner of any existing non- conforming sewage disposal system to immediately bring the system into compliance with current standards.

406. ZONING COORDINATION

Any zoning district change on land adjacent to or across a public right-of-way from an adjoining community shall be referred to the Planning Commission, and the adjacent community for review and comment prior to action by the Governing Body granting or denying the zoning district classification change. A period of at least two (2) weeks shall be provided for receipt of comments; such comments shall be considered as advisory only.

407. ZONING AND THE POLICIES PLAN

Any change in zoning granted by the governing body shall automatically amend the Policies Plan in accordance with said zoning change.

SECTION 5 ADMINISTRATION

501. ZONING ADMINISTRATOR

501.1 Creation of Office

The office of the Zoning Administrator is hereby established for which the Town Board may appoint such employee or employees of the County or contract with qualified persons or companies as it may deem proper. The term of office of the Zoning Administrator shall be indefinite and shall terminate at the pleasure of the Town Board.

501.2 Duties

The duties of the Zoning Administrator shall include the following:

(1) To interpret, administer and enforce the provisions of this Ordinance and maintain records of such interpretations;

(2) Issue Use Permits and maintain records thereof;

(3) Receive and forward to the Planning Commission all applications for Conditional or Interim Use Permits;

(4) Receive and forward all applications for and petitions for matters to come before the Board of Adjustment;

(5) Receive and forward to the Town Board and the Planning Commission all applications for amendments to this Ordinance and the Township Zoning Map with subsequent forwarding of the Township's recommendation, when required, to the Board of Wright County Commissioners;

(6) Appoints agents to inspect all construction and development to ensure that the standards of this Ordinance are being complied with;

(7) Provide and maintain a public information bureau relative to matters arising out of this Ordinance;

(8) Maintain the Township Zoning Map as required in 602; and,

(9) Notify the Commissioner of Natural Resources or the Commissioner's designated representative of public hearings to consider variances, amendments, interim or conditional uses under local shoreland management controls. These notices must be postmarked at least ten days before the hearings. Notices of hearings to consider proposed subdivisions/plats must include copies of the subdivision/plat. A copy of approved amendments and subdivisions/plats, and final decisions granting variances, interim or conditional uses under local shoreland management controls must be sent to the commissioner or the commissioner's designated representative and postmarked within ten days of final action.

(10) It shall be the duty of the Zoning Administrator to enforce this Ordinance through the proper legal channels.

(11) To establish and administer rules and regulations relating to the administration of this zoning ordinance, including application forms.

(12) It shall be the duty of the County Attorney and the Sheriff of Wright County when called upon by the Zoning Administrator, to perform such duties as may be necessary to enforce the provisions of this Ordinance.

(13) The Zoning Administrator shall not accept, process, or issue any permit or other application for any property on which there is a violation of any Wright County Ordinance, unless the Zoning Administrator determines that the permit or application is necessary to resolve the violation.

(14) To take such other actions as reasonable and necessary for the administration and enforcement of this zoning ordinance.

501.3 Appeals of the Zoning Administrator.

All findings and decisions of the zoning administrator, building official, environmental health supervisor, feedlot administrator or other official involved in the administration or the enforcement of this zoning ordinance shall be final subject to appeal to the Board of Adjustment, except as otherwise provided by this ordinance. Appeals may be initiated by any affected person by filing the appeal with the Zoning Administrator or Town Clerk on a form approved by the Zoning Administrator and by paying the required fee. All appeals shall be filed within ten (10) calendar days of the date of the decision or adoption of this ordinance. All appeals must state the basis for the appeal at the time of filing the appeal. The Zoning Administrator is prohibited from accepting for filing an application of an untimely appeal. Timely filing of an appeal shall stay all proceedings in the action appealed, unless the Zoning Administrator certifies to the Board of Adjustment, with service of a copy to the applicant, that a stay would cause imminent peril to life or property, in
which case the proceedings shall not be stayed.

502. APPEALS AND BOARD OF ADJUSTMENT

502.1 Creation and Membership

BOARD OF ADJUSTMENT MEMBERSHIP

The Board of Adjustment shall consist of members of the Planning Commission.

APPOINTMENTS/TERMS

Terms shall be concurrent with the terms of the Planning Commission.

OFFICERS/DUTIES

Same as for the Planning Commission.

COMPENSATION AND MILEAGE

Same as for the Planning Commission.

MEETINGS/QUORUMS

Regular meetings will be held concurrent with the Planning Commission.

502.2 General Duties and Responsibilities: Variances and Administrative Appeals

The Board of Adjustment shall act upon all requests for variances and upon all questions as they may arise in the administration of this Ordinance, including the interpretation of zoning maps, and it shall hear and decide appeals from and review any order, requirement, decision, or determination made by any administrative official charged with enforcing the Ordinance. Such appeal may be taken by any person, firm, or corporation aggrieved, or by any officer, department, board or bureau of a town, municipality, county, or state. The Board of Adjustment shall be without jurisdiction to hear any untimely appeals.

Hearings by the Board of Adjustment shall be held within such time and upon such notice to interested parties as is provided in its adopted rules of procedure. The Board of Adjustment shall establish criteria necessary in its rules of procedure for filing an application for a Variance or an Appeal. Written notice of hearings held by the Board of Adjustment shall be sent to affected property owners as provided by law. The Board of Adjustment shall make its decision within fifteen (15) days of the hearing, but may continue the hearing to such length of time as it deems necessary to properly consider each case.

The Board of Adjustment may reverse or affirm wholly or partly, or may modify the order, requirement, decision, or determination appealed from and to that end shall have all powers of the officer to whom the appeal was taken and direct the issuance of a permit. The reasons for the Board's decision shall be stated in writing.

502.3 Variance Authority

The Board of Adjustment shall have the exclusive power to order issuance of variances from the terms of any official control including restrictions placed on nonconformities. Variances shall only be permitted when they are in harmony with the general purpose and intent of the official control and when the variances are consistent with the Comprehensive Plan. Variances may be granted when the applicant for the variance establishes the criteria under Section 502.4 are met and there are practical difficulties in complying with the official control. "Practical difficulties," as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by an official control; the plight of the landowner is due to circumstances unique to the property not created by the landowner; and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems. Variances shall be granted for earth sheltered construction as defined by Minn. Stat.§ 216C.06, subdivision 14, when in harmony with the official controls. No variance may be granted that would allow any use that is not allowed in the zoning district in which the subject property is located. The Board of Adjustment may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.

502.4 Findings

(1) The Board of Adjustment must review variance petitions and consider the following factors prior to finding that a practical difficulty has been presented. The applicant must provide a statement of evidence addressing the following elements to the extent they are relevant to the applicant's situation.

(a) The granting of the variance will be in harmony with the County Land Use Plan.
(b) The property owner proposes to use the property in a reasonable manner not permitted by an official control.
(c) The plight of the owner is due to circumstances unique to the property not created by the owner.
(d) The proposal does not alter the essential character of the locality.
(e) The practical difficulty cannot be alleviated by a method other than a variance; and.
(f) The granting of the variance will not adversely affect the environmental quality of the area.

In shoreland areas, the Board of Adjustment must also consider whether the property owner has reasonable use of the land without the variance, whether the property is used seasonally or year-round, whether the variance is being requested solely on the basis of economic considerations, and the characteristics of development on adjacent properties.

The Board of Adjustment may grant a variance if it finds that all of the above factors have been established. The Board of Adjustment must not approve a variance request unless the applicant proves all of the above factors and established that there are practical difficulties in complying with official controls. The burden of proof of these matters rests completely on the applicant.

(2) Bad Faith

In addition to applying the factors above, in all situations where an applicant has applied for any variance "after-the-fact," the Board may factor into its decision any elements of "bad faith".

502.5 Other Duties of the Board of Adjustment

(1) Lots of Record that do not meet the standards of Section 404 or 612.5(6)

The Board of Adjustment must decide if lots of record that do not meet the standards of Section 404 or 612.5(6) may be used as dwelling sites. The Board shall consider the following in making that determination:

(a) Extraordinary alteration of the lot through filling or excavation shall not constitute proof of an adequate site for sanitary facilities;
(b) When there is limited space for sewage treatment or no alternative sewage treatment site, the Board may limit the square footage of any proposed dwelling or expansion and may designate the site for seasonal use only; and,
(c) The existing or proposed sewage treatment system must conform with Section 716 of this Ordinance.

(2) Lot Line Adjustments

The Board of Adjustment may review lots of record in the office of the County Recorder which do not meet standards established by this Ordinance for size, width, elevation, depth, or other provisions. The Board may require that such parcels be joined, combined, modified in size, shape, or other ways to more nearly achieve the standards of this Ordinance if the owner wishes to use such parcels as building sites. The Board may initiate such proceedings or may act upon request of the property owner. If the Board determines that the lot is not acceptable as a building site, the Zoning Administrator shall provide a copy of the Board's findings to the Wright County Assessor.

(3) Allowances for Lots not Acceptable as Building Sites

When practical means of a lot adjustment cannot be made under Section 502.5 (1) above, and in other appropriate circumstances, the Board of Adjustment may declare a lot not acceptable as a building site. When the Board does so, no well, sewage treatment system, nor holding tank may be installed on the lot.

Lots declared not acceptable as building sites may be allowed, as reasonably determined by the Board of Adjustment:

(a) One garage or other accessory building provided no living quarters nor plumbing are installed and all other Ordinance standards are met.
(b) One travel trailer, excluding a park trailer; if it complies with all the conditions of Section 717.

(4) Flood Plain Interpretation

Where interpretation is needed as to the exact location of Flood Plain District boundaries, as for example where there appears to be a conflict between the mapped boundary and actual field conditions, the Board must make the necessary interpretation based on elevations of the regional (100-year) flood profile and other available technical data.

(5) Temporary Use Permits

In instances of particular hardship, the Board of Adjustment may issue a Temporary Use Permit. Such permits must be renewed at a frequency determined by the Board of Adjustment and administered by the Zoning Administrator. Temporary Use Permits are valid for six (6) months or such other time period as the Board of Adjustment may deem appropriate. Written agreement from the applicant concerning the understanding between the applicant and the Board of Adjustment is to be filed with the Zoning Administrator before a Temporary Use Permit is issued.

The Zoning Administrator may grant a Temporary Use Permit for no more than forty-five (45) days in an emergency when the requirement to wait for the Board of Adjustment to meet will cause undue hardship. This permit will only be valid if the applicant petitions for a Temporary Use Permit from the

Board of Adjustment, and will expire when the Board acts on the petition.

502.6 Procedure

(1) The person applying for a hearing before the Board of Adjustment shall fill out and submit to the Zoning Administrator a hearing application form and fee as determined by the Township Board. It shall be the responsibility of the applicant to provide all information necessary for the Board of Adjustment to reach a decision. All applications for variances must be accompanied by the following, unless the Zoning Administrator determines it is not needed for a proper review:

(a) A certificate of survey no more than five (5) years old which shows all existing and proposed structures, well, septic systems, and other pertinent data;
(b) A topographic grading plan showing all grading, surface water flow, and erosion control; and,
(c) A Certificate of Compliance for the septic system. If the system is noncompliant, needs to be enlarged, or a new system is proposed, a full design for the system may be needed.

(2) The Zoning Administrator shall refer the application to the Board of Adjustment for review. Notice shall be provided as required by Minnesota Statutes 394.26.

(3) The Board of Adjustment shall hold a public hearing on the proposal. The petitioner or his representative shall appear before the Board in order to answer questions concerning the proposal.

(4) The Board of Adjustment may approve, approve with modifications or conditions, or deny an application based on the information available and findings of the Board. All decisions by the Board of Adjustment shall be final, except that any aggrieved person or persons, or any department, board or commission of the jurisdiction or of the state shall have the right to appeal within thirty (30) days, after receipt of notice of the decision, to the District Court in the County in which the land is located on questions of law and fact.

(5) A certified copy of any order issued by the Board of Adjustment acting upon an appeal from an order, requirement, or decision or determination by an administrative official, or a request for a variance, shall be filed with the County Recorder. The order issued by the Board of Adjustment shall include the legal description of the property involved. The Zoning Administrator shall be responsible for the document recording requirements of this section. When a variance is approved after the Department of Natural Resources has formally recommended denial in the hearing record, the notification of the approved variance required in Section 612.1 (7) shall also include the board of adjustment's summary of the public record/testimony and the findings of facts and conclusions which supported the issuance of the variance.

(6) Any violation of a condition or ruling made by the Board of Adjustment shall be a violation of this ordinance. Failure to comply with any ruling of the Board of Adjustment shall void any variance or special permit granted by the Board of Adjustment.

(7) A variance granted on or after September 12, 1995 shall be valid for a period of three (3) years, and if not acted upon by the applicant or his assigns within that time, the variance shall be void. This restriction shall not apply to variances granted prior to September 12, 1995.

503. PLANNING COMMISSION

503.1 Creation and Membership

PLANNING COMMISSION PURPOSE

The Planning Commission shall be designated as the board to review all plats, planned unit

developments, zoning map amendments, and amendments to the zoning ordinance text and to make recommendations regarding such to the Town Board which shall have final approval authority. The Planning Commission shall be designated as the board to review and make final decisions regarding conditional use permits and interim use permits.

MEMBERSHIP

A. The Planning Commission shall consist of five (5) members and two (2) alternate members, for a total of seven (7) members. One member of the Planning Commission may be a member of the Town Board. The alternate members may only vote where a regular member is absent or is abstaining from voting.

B. All members of the Planning Commission shall be residents of the township.

APPOINTMENT/TERMS

A. Each year appointment of Planning Commission members shall be made by the Town Board and such appointment shall become effective at the first meeting of the Planning Commission in each calendar year.

B. Up to three (3) members shall be subject to appointment each year. Members shall generally be limited to serving no more than three (3) consecutive terms. In situations where the Town Board is unable to find qualified applicants for Planning Commission membership or otherwise determines it beneficial to the Township, it may continue re-appointing existing members beyond three consecutive 3-year terms upon a unanimous vote of the Town Board.

C. Each member of the Planning Commission shall be appointed for a term of three (3) years.

D. Vacancies shall be filled through appointment by the Town Board for only the duration of the un-expired term.

E. Nonperformance of duty or misconduct in office shall constitute grounds for dismissal by the Town Board. Any member that misses three consecutive planning commission meetings or who fails to attend at least eighty percent (80%)of regularly scheduled Planning Commission meetings in one calendar year may be removed from office by action of the Town Board.

OFFICERS/DUTIES

A. Officers of the Planning Commission shall be a Chairperson, Vice-Chairperson and other officers as needed.

B. Officers shall be elected by the Commission at the first regular meeting held in each calendar year.

C. In the event of a resignation of an Officer, the Planning Commission shall fill the vacancy.

D. The Chairperson shall preside at all meetings. He/She may meet with the Zoning Administrator prior to each meeting to review old and new business.

E. The Vice-Chairperson shall assume the responsibilities of the Chairperson when he/she is unable to serve.

COMPENSATION AND MILEAGE

Planning Commission members may receive per diem as may be allowed by the Town Board.

MEETINGS/QUORUMS

A. Meetings will be held as needed, with a preference for a monthly schedule. The meeting night shall be set by a majority vote of the respective Board. In the event of a conflict with holidays or other events, the Chairperson may change the date with proper notice.

B. Special meetings may be called by the Chairperson or, in the absence of the Chairperson, the Vice-Chairperson.

C. All meetings shall be open to the general public and shall follow any adopted procedural guidelines, unless otherwise specified and/or applicable.

D. A quorum consisting of a majority of duly appointed members shall be present at any meeting in which official action is taken.

E. A motion from the Board must be made, seconded and passed by a majority in order to decide all questions.

F. If a vote is not unanimous, a roll call vote shall be taken.

MINUTES AND RECORDING OF THE VOTING

The Planning Commission shall keep minutes of proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact and shall keep the records of its examinations and other official actions, all of which shall be a public record. Conditional and Interim use permits shall be filed in the Office of the Recorder.

504. ZONING AMENDMENTS

504.1 County Control.

All requests for rezoning within Corinna Township shall be made to Wright County and follow the procedures adopted by Wright County. The final decision to establish a zoning classification within Corinna Township shall belong to the Wright County Board of Commissioners.

504.2 Township Evaluation[3].

Corinna Township shall make a recommendation regarding a rezoning to the County only after consideration of the following criteria:

A. Preservation of natural sensitive areas.

B. Present ownership and development.

C. Soil types and their engineering capabilities.

D. Topographic characteristics.

E. Vegetative cover.

F. Quality of the land for agricultural purposes.

G. In-water physical characteristics.

H. Recreational use of surface water.

I. Road and service center accessibility.

3 Amended 2/15/2011 (Resolution 2011-08)

J. Socio economic development needs of the public.

K. Availability of public sewer and water utilities.

L. The necessity to reserve and restore certain areas having significant historical or ecological value.

M. Conflicts between land uses and impacts of commercial uses or higher densities on adjacent properties.

N. Alternatives available for desired land use.

O. Prevention of spot zoning.

P. Conformance to the Corinna Township Comprehensive Plan.

Q. Conformance to the Corinna Township Future Land Use Map and any other official maps of the Township.

505. CONDITIONAL USE PERMITS

505.1 Criteria for Granting Conditional Use Permits

In granting a conditional use permit, the Corinna Township Planning Commission shall consider the effect of the proposed use upon the health, safety, morals, and general welfare of occupants of surrounding lands. Among other things, the Planning Commission shall make the following findings where applicable.

(1) That the Conditional Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the immediate vicinity;

(2) That the establishment of the Conditional Use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area;

(3) That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided;

(4) That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use;

(5) The use is not in conflict with the Policies Plan of the County; and,

(6) That adequate measures have been taken or will be taken to prevent or control offensive odor, fumes, dust, noise, and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

In shoreland areas, the following additional standards shall be considered when reviewing conditional uses:

(1) A thorough evaluation of the topographic, vegetation, and soils conditions on the site to ensure:

a. Prevention of soil erosion or other possible pollution of public waters, both during and after construction;

b. Limiting visibility of structures and other facilities as viewed from public waters; and

c. Adequacy of the site for water supply and on-site sewage treatment; and

(2) An assessment of the types, uses, and numbers of watercraft that the project will generate in relation to the suitability of public waters to safely accommodate these watercraft.

505.2 Additional Conditions

In permitting a new conditional use or the alteration of an existing conditional use, the Planning Commission may impose, in addition to these standards and requirements expressly specified by this Ordinance, additional conditions which the Planning Commission considers necessary to protect the best interest of the surrounding area or the community as a whole. These conditions may include, but are not limited to the following:

(1) Increasing the required lot size or yard dimension.

(2) Limiting the height, size or location of buildings.

(3) Controlling the location and number of vehicle access points.

(4) Increasing the street width.

(5) Increasing the number of required off-street parking spaces.

(6) Limiting the number, size, location or lighting of signs.

(7) Requiring diking, fencing, screening, landscaping or other facilities to protect adjacent or nearby property.

(8) Designating sites for open space.

(9) Allowing vegetation to be removed or requiring that vegetation be established.

(10) Specifying the location, design, or use of sewage treatment systems, water craft launching or docking facilities, vehicular parking facilities, or other structures.

(11) Specifying the phasing of construction.

(12) Other conditions considered necessary by the Township

Any change involving structural alterations, enlargements, intensification of use, or similar change not specifically permitted by the Conditional Use Permit issued shall require an amended Conditional Use Permit and all procedures shall apply as if a new permit were being issued. The Corinna Township Zoning Administrator shall maintain a record of all conditional use permits issued including information on the use, location, and conditions imposed by the Planning Commission; time limits, review dates, and such other information as may be appropriate.

505.3 Procedure

(1) The person applying for a conditional use permit shall fill out and submit to the Zoning Administrator a Conditional Use application form.

(2) The Zoning Administrator shall refer the application to the Planning Commission for review.

(3) The Planning Commission shall hold a public hearing on the proposal. Notice of the public hearing shall be published in the official newspaper designated by the Township Board at least ten days prior to the hearing. Notice of the hearing shall also be submitted to the governing bodies of all towns and municipalities within two miles of the property under consideration located within the county. In unincorporated areas of the county, property owners of record within one-half mile of the affected property or the ten properties nearest to the affected property, whichever is the greatest number of property owners shall be notified in writing of the public hearing on the request for conditional use

permit.

(4) The petitioner or his representative shall appear before the Planning Commission in order to answer questions concerning the proposed conditional use.

(5) An amended conditional use permit application shall be administered in a matter similar to that required for a new special use permit. Amended special use permit shall include requests for changes in conditions.

(6) No application for a Conditional Use Permit shall be resubmitted for a period of six months from the date of said order of denial. Conditional Use Permits shall be valid for six (6) months unless otherwise specified. All conditions in a Conditional Use Permit shall be commenced within six (6) months and shall be complied with within one (1) year unless otherwise specified.

(7) If a time limit or periodic review is included as a condition by which a Conditional Use Permit is granted, the Conditional Use Permit may be reviewed at a public hearing with notice of said hearing published at least ten (10) days prior to the review.

(8) In the event that the applicant violates any of the conditions set forth in this permit, the Planning Commission shall have the authority to revoke the Conditional Use Permit.

(9) A certified copy of any Conditional Use Permit shall be filed with the County Recorder. The Conditional Use Permit shall include the legal description of the property involved. The Zoning Administrator shall be responsible for the document recording requirements of this section.

505.3 Discontinuance of Conditional Use Permits

(1) Where a conditional use has been established and is discontinued for any reason for a period of one (1) year or longer, or where a conditional use has been changed to a permitted use or to any other conditional use, the conditional use permit shall become null and void.

506. PERMITS AND FEES

506.1 Building Permits

For the purpose of enforcing this Ordinance, a land use and building permit shall be required of all persons intending to erect, alter, wreck or move any building or structure. Buildings (200) square feet and less in total ground coverage shall not require compliance with the building code, however, they shall require a land use permit and meet all required setback distances and lot coverage limits. All additions to residences shall require a permit. Buildings and permits shall conform with all applicable codes and ordinances adopted by Wright County and Corinna Township. Permits shall not be required for the location of mobile homes or manufactured homes in mobile home parks which the County recognizes as legally established mobile home parks.

(1) Persons requesting a building permit shall fill out a building permit form available from the Zoning Administrator and provide all required information unless waived by the Zoning Administrator as being unnecessary.

(2) Where building permit application conforms in all respects to this Ordinance, a building permit shall be issued by the Zoning Administrator within 60 days.

(3) If the proposed development involves a zoning amendment, variance, interim or conditional use permit, the application, together with a building permit, shall be submitted either to the Planning Commission or Board of Adjustment or Appeals for review and appropriate action according to the procedures set forth in Sections 502, 503 and 504. Persons applying for a zoning amendment, variance, interim or

conditional use permit or other application involving a public hearing shall fill out an application form available from the Zoning Administrator and provide all required information unless waived by the Zoning Administrator as being unnecessary. In a case where an applicant is not the legal property owner, the Zoning Administrator may require a signature or other written approval from the legal property owner(s).

(4) For all lots of ten (10) acres or less in size, a Certificate of Survey shall accompany each residential building permit application involving a new dwelling along with evidence that corner irons are established and visible. The certificate of survey shall include the location and size of the proposed residence sewer system, well, existing buildings and significant environmental features.

(5) The Zoning Administrator may require a Certificate of Survey whenever it is deemed necessary in order to ensure compliance with the requirements of this Ordinance.

506.2 Sign Permits

A permit shall be required in all cases where a sign is erected, altered, or relocated within the area of jurisdiction of this Ordinance. Specific requirements, exceptions and application procedures are set forth in 724.

506.3 Sewage and Water Systems: Licenses and Permits

(1) A license shall be required of any person, firm or corporation engaging in the business of installing and constructing sewage disposal systems. Specific requirements and application procedures are set forth in Section 7.

(2) A permit shall be required to install, alter, repair, or extend any individual sewage disposal system. Specific requirements, exceptions and application procedures are set forth in Section 7.

(3) A license shall be required of any person, firm or corporation engaging in the business of servicing and cleaning septic tanks. Specific requirements and application procedures are set forth in Section 7.

506.4 Land Alteration Permits

In all cases where grading and/or filling of any land within the County would result in substantial alteration of existing ground contour, a permit shall be required. In cases where such activities require a conditional or interim use permit, no additional permit shall be required should the conditional or interim use be approved. Specific requirements, exceptions and application procedures are set forth in Section 7.

Substantial alteration in shoreland areas shall be defined as the movement of more than ten (10) cubic yards of material on steep slopes or within shore or bluff impact zones and the movement of more than fifty (50) cubic yards of material outside of steep slopes and bluff impact zones.

Substantial alteration in non-shoreland areas shall be defined as movement of earth or materials in excess of five hundred (500) cubic yards.

Materials excavated or moved for the purpose of constructing a basement or other foundation shall be exempt from these calculations. Any such material not immediately removed from the site shall be counted against the above limit.

506.5 Excavation Permits

The use of land for the removal of topsoil, sand or gravel, or any other material is permitted only by the issuance of an excavation permit. Specific requirements, exceptions and application procedures are set forth in Section 7.

506.6 Mobile Home Park Permits

Before any mobile home park or travel trailer park shall be constructed, altered, or extended in any manner, a permit shall be required. Specific requirements and application procedures are set forth in Section 7.

506.7 Essential Service Utility Permits

Essential services as treated herein shall refer to trunk transmission, sewer and water system, collection or distribution lines, except electrical distribution lines, and excepting lateral or house lines. Specific requirements and procedures are set forth in Section 725.

506.8 Fee Schedule

The following fees shall apply for applications within Corinna Township, except that when any such fees, or other fees related to building permits or land use permits or after-the-fact fees related to the same are adopted by Wright County, those fees shall be considered automatically adopted by Corinna Township unless specifically noted otherwise by Township Board resolution or other official action:

SEE MOST CURRENT FEE SCHEDULE AT CORINNA TOWN HALL

~~BUILDING PERMITS~~

~~COMMERCIAL CONSTRUCTION~~

~~Building Permit~~	~~Fee Schedule extracted from 1997 UBC and MN Rules 1300~~
~~Plan Review Fee~~	~~65% of Building Permit~~

~~RESIDENTIAL CONSTRUCTION~~

~~Building Permit~~	~~Fee Schedule extracted from 1997 UBC and MN Rules 1300~~
~~Plan Review Fee~~	~~65% of Building Permit~~

~~FIXED PERMIT FEES~~

~~Temporary Mobile Home~~	~~$400.00~~
~~Fire Repair~~	~~$400.00~~
~~Mechanical (new or replacement)~~	~~$70.00~~
~~Fireplace (new or replacement)~~	~~$70.00~~
~~New Plumbing in Existing Building~~	~~$70.00~~
~~Basement Finish on Existing Home~~	~~$100.00~~
~~Building Remodel~~	~~$100.00~~
~~Re-roof~~	~~$99.00~~
~~Re-siding~~	~~$99.00~~
~~Window/Door Replacement~~	~~$70.00~~
~~Foundation Repair~~	~~$70.00~~

ACCESSORY STRUCTURES

Building Permit	Fee Schedule extracted from 1997 UBC and MN Rules 1300
Plan Review Fee	65% of Building Permit

FIXED FEES

Retaining Walls requiring permit (over 4 ft.)	$50.00
Fences requiring permit (over 7 ft.)	$50.00
Pools requiring permit (over 5,000 gal.)	$100.00
Non-Commercial sign	$50
Non-Commercial Solar/Cell Towers/Windmills	$100

STATE SURCHARGE

Fixed Fees	$1.00

All Other Residential/Commercial Building Permit Fees per state Building Code Sect. 326.148

911 ADDRESSING (contact Wright County for addressing)

AFTER-THE-FACT/CONTINUATION FEES

1. Building values shall be based on current building valuation data from the Department of Labor and Industry.
2. All fees listed above may incur an additional charge when construction has begun before a permit has been issued, but limited to double the standard fee.
3. A continuation fee of $50.00 may be required when the complex nature of any matter or lack of adequate preparation by an application requires a continuation.
4. Hearing fees before either Board will be doubled when application is made after action requiring a hearing has already begun.
5. A continuation fee of $50 may be required when the complex nature of any matter or lack of adequate preparation by an applicant requires a continuation.
6. When an application includes both Rezoning and a Conditional Use Permit for Subdivision Approval, the total fee will be reduced by $50.

SEPTIC SYSTEMS

Holding Tanks	$200.00

Standard Systems	$400.00
Performance System	$600.00
System Repair	$300.00

NOTE: Other than holding tanks, septic system fees shall be reduced by $200 if a variance hearing was required solely for the installation of the septic and a variance was granted.

LAND USE PERMITS

Agricultural Buildings:	Fee
-Grain Bins	$25.00
-All Other AG Buildings	$100.00

AFTER-THE FACT/CONTINUATION FEES

1. Fees for agricultural buildings may incur an additional charge when construction has begun before a permit has been issued, but limited to double the standard fee.
2. A continuation fee of $50.00 may be required when the complex nature of any matter or lack of adequate preparation by an application requires a continuation.

Planning Commission:	
-Rezoning or Text Amendment	No charge (Wright County fees will apply) $500.00 (if Amendment does not require Wright County approval)
Unplatted Subdivision	$600.00
-Simple Plats (up to 3 lots and do not include a road)	$600.00
-PUD and Standard Plats	$900.00
-1 per 40 Cluster	$450.00
-Other, Misc.	$350.00
-Solar Farm (not generally permitted)	$900.00
-All Other Conditional Use Permits	$450.00
-Existing CUP Amendment/Renewal	$350.00

Interim Use Permits:

~~- Gravel Pits/Mineral Extraction/Mining~~	~~$900.00 for the first application/$350 for renewals~~
~~- Homestead Business~~	~~$450.00~~
~~- Home Occupation~~	~~$350.00~~
~~- Non-Commercial Contractor's Yard~~	~~$450.00~~
~~- Farm Accessory Mobile~~	~~$400.00~~
~~- All Other Planning Commission Hearings or Other Miscellaneous Hearings~~	~~$450.00~~
~~Move-in Structure~~	~~$450.00~~
~~Existing IUP Renewal~~	~~$350.00~~

~~Land Alteration:~~

~~- Shoreland – 10-50 cubic yards (Administrative)~~	~~$300.00~~
~~- Shoreland – 50-500 cubic yards (Hearing Required)~~	~~$500.00~~
~~- Over 500 cubic yards (Hearing required)~~	~~$500.00~~

~~Final Plat~~	~~$400.00 + $75.00/lot~~

~~Board of Adjustment:~~

~~- Lot Line Adjustment~~	~~$300.00~~
~~- Temporary Mobile Home~~	~~$250.00~~
~~- Variance~~	~~$500.00~~
~~- Appeal/Interpretation~~	~~$750.00~~

~~Other Fees and Services:~~

~~- Land Use Only Permit~~	~~$100.00~~
~~- Deed Restriction/Administrative Orders~~	~~$100.00~~
~~- Miscellaneous Site Inspections~~	~~$50.00~~
~~- Miscellaneous Permits~~	~~$100.00~~
~~- Miscellaneous Services/Research~~	~~$50.00/hr, 1 hr minimum~~
~~- Hard copy of Land Use Plan or Zoning Ordinance~~	~~$30.00~~
~~- Special Meetings (outside of normal scheduled meetings)~~	~~$400.00~~

~~Copies, Audio, Maps & Data~~	~~Per State, County or Township Policies as may apply~~
~~EAW/EIS Review~~	~~$500.00 + $50.00/hr over 10 hours~~

Fees for items not listed above that are covered by the Wright County Planning & Zoning Fee Schedule shall be as per the Wright County Fee Schedule. When costs to the Township involved in processing and reviewing an application exceeds the original application fees, the applicant shall reimburse the Township for any additional costs. Such expenses may include, but are not limited to, payroll, mailing costs, consultant fees and other professional services the Township may need to retain in reviewing permits.

FEE REFUNDS

1. Fees for land use permits, sewage treatment system permits and hearing fees may be collected at the time of application. No application shall be considered complete until all required fees have been paid in full. Acceptance by the Township of any application does not imply approval of the application, whether fees are paid in advance or not.
2. If a request for refund is made prior to Township staff, or the Township's designated contractors/building official, beginning any substantial work on the application (plan reviews, site inspections, notice preparation, etc.), the Township will keep a $25 application processing fee and refund the remainder. In most cases, such a request for refund would have to be made within five days of the application.
3. Once an internal review has begun (plan review, site inspections, etc.) but before a permit is issued and any on-site inspection has occurred: a refund of 70% of the amount collected will be granted, with a minimum retainer of $25 by the Township.
4. If an application involving a public hearing is withdrawn before the hearing date, but after public notices have been submitted, the fee shall be refunded minus any costs incurred by the Township in noticing the meeting.
5. No refunds will be granted after a first public hearing has been held by the Planning Commission or Board of Adjustment. No refunds will be granted after any on-site inspections have been conducted pursuant to an issued permit for construction of any structure, building, sewer system, or land alteration.

507. INTERIM USE PERMITS

507.1 Authority and Purpose

(1) Authority – No person shall allow the existing of the following uses on lands that are partially or entirely owned, leased, or occupied by them within an Interim Use Permit (IUP), as listed in the Corinna Township Land Use Ordinance, issued by the Corinna Township Planning Commission. Interim Uses must be consistent with the terms of the Interim Use Permit and any applicable local, state, or federal law, rule or other statutory provision.

(2) The purpose of an interim use permit is to allow a temporary use that is not otherwise prohibited, but is acceptable for a limited period of time subject to conditions set forth in this section. An interim use is granted to a particular individual or other applicant and does not accrue to the subject property.

(3) An interim use is intended to allow a use that is presently acceptable but that, with anticipated development, will not be acceptable in the future, or will be replaced in the future by a permitted or conditional use allowed within the respective zoning district. Buildings and other improvements allowed by interim use shall be of a size and nature such that they can be easily removed from the property or will conform to zoning regulations for permitted or conditional uses should the interim use permit expire.

507.2 Criteria for Granting Interim Use Permits and Additional Conditions

In granting an interim use permit, the Township Board shall consider the advice and recommendations of the Planning Commission and the effect of the proposed use upon the health, safety and general welfare of occupants or surrounding lands. The criteria used for reviewing conditional use permit shall also be used when considering interim use permits, along with the following additional considerations:

(1) The use will conform to the applicable zoning regulations, including any dimensional restrictions the regulations may impose on buildings or uses; and

(2) The use will terminate upon a date or event that can be identified with certainty and/or clarity; and

(3) The use will not impose additional costs on the public if it is necessary for the public to take the property in the future; and

(4) The use will be subjected to, by agreement with the property owner, any conditions that the Town Board deems appropriate in allowing the proposed interim use, including a condition that the owner will provide an appropriate surety to cover costs that would be necessary to eliminate the interim use from the property, including removal of buildings, equipment, restoration of the landscape to a suitable condition or other appropriate and necessary costs.

In permitting a new interim use or alteration of an existing interim use, the Planning Commission may impose, in addition to these standards and requirements expressly specified by this chapter, additional conditions which the Planning Commission considers necessary to protect the best interest of the surrounding area and community as a whole. These conditions may include, but are not limited to, the following:

(1) Increasing the required lot size or yard dimensions;

(2) Limiting the height, size or location of any buildings or uses;

(3) Controlling the location and number of vehicle access points;

(4) Limiting the number, size, location, lighting or signs;

(5) Requiring diking, fencing, screening, landscaping or other facilities to protect adjacent or nearby property.

Any change involving structural alterations, enlargements, intensification of use, expansion, or similar change not specifically permitted by the interim use permit issued shall require a new interim use permit. The Zoning Administrator shall maintain a record of all interim use permits issued, including information on use, location, conditions imposed by the Planning Commission, time limits, review dates, and other such information as may be appropriate. Any interim use permit granted under this provision shall terminate any previously approved interim use permit.

507.4 Termination of an Interim Use Permit

An interim use permit, except those relating to approved solar energy farms or solar energy systems, shall terminate upon the occurrence of any of the following events, whichever comes first:

(1) Five (5) years from the initial approval of an interim use, unless a shorter time period is specified in the initial approval. After the initial approval period and if a renewal is approved by the Township, the interim use permit shall terminate upon the date or event stated in the permit approval; or

(2) When the use has been discontinued for one year or more or where an interim use has been changed to a permitted use or to any other interim use; or

(3) Any Interim Use Permit (IUP) issued under this Ordinance is granted solely to the applicant and the business entity named in the application, and for the premises named in the IUP application. No IUP of any sort granted pursuant to this Ordinance is transferable to any other person or premises. If a change of ownership, control, or location of any licensed premises occurs, whether pursuant to a move, sale, transfer, assignment, or otherwise; the owner or proposed new owner must complete a new application subject to approval pursuant to this Ordinance. A change of ownership or control includes, but is not limited to:

(a). The sale of all or substantially all of the company assets

(b). Sale or acquisition of forty (40) percent or more of the controlling interest (voting) stock if the company stock is publicly traded

(c). Sale of fifty-one (51) percent of the voting stock if a non-publicly traded stock or closely held corporation

(d). Execution of a management agreement, or

(e). The change of any officer or majority stockholder if the company is a closely-held corporation.

(4) Any interim use permit may be terminated by a change in zoning regulations.

507.5 Renewal or Amendment of Interim Use Permit

(1) Renewal: An application to extend an interim use permit may be renewed within 24 months prior to the date or event upon which it is to expire. The application shall be processed and administered as if it were a new application. Should such application to renew be denied, the applicant shall be allowed to continue the use until the expiration of the interim use permit provided all conditions of the original approval are being met. If the application to renew is approved, the Township shall specifiy a new date or event on which the renewed permit will expire. There shall not be a limit on the number of times an interim use permit may be extended. Application fees for renewal of an interim use permit shall be as established in the Township fee schedule.

(2) Amendment: Any change in an approved interim use permit involving more than minor structural alterations, enlargement, intensification of use, or similar changes not specifically permitted by an interim use permit, as determined by the Zoning Administrator, shall require an amended interim use permit to be reviewed as if it were a new interim use permit.

507.6 Procedure

(1) An application for an interim use permit shall follow the same procedures applicable to a conditional use permit, as outlined in this Ordinance including the required notification distance shall be the same as those that apply to a conditional use permit.

(2) The township hereby reserves the right, upon approval of an interim use, to inspect the premises in which an interim use is being conducted to ensure compliance with the provisions of this section or any additional conditions imposed.

SECTION 6 ZONING DISTRICTS AND DISTRICT PROVISIONS

601. ZONING DISTRICTS

The zoning districts shall apply as designated on the Zoning Map and defined within this Ordinance and applicable state or federal regulations. Two types of zoning districts are utilized. All lands under 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.

Section	Primary Districts	Symbol
603.	Agricultural/Residential	(A/R)
604.	General Agriculture	(AG)
605.	Urban/Rural Transition	(R-l)
606.	Suburban Residential	(R-2)
606.A	Suburban Residential (a)	(R-2a)
607.	Multi-Family Urban	(R-3)
608.	Highway Business	(B-l)
609.	General Business	(B-2)
610.	General Industry	(I-l)
612.7	Commercial Recreation Shorelands	(S-3)
613.	Wild and Scenic River	(W)

Section	Overlay Districts	Symbol
611.	Flood Plain	(FP)
612.5	Special Protection Shorelands	(S-l)
612.6	Residential Recreation Shorelands	(S-2)
614.	Planned Unit Development	(PUD)*
615.	Adult Uses Overlay District	(AU)

The Planned Unit Development zone is a floating district. The standards of this district may be applied to any residential, commercial or industrial district at the request of the landowner and the discretion of County. In such districts, where PUD standards differ from the original district standards, the PUD standards apply.

602. ZONING MAP

The location and boundaries of the districts established by this Ordinance is set forth on the Zoning Map which is hereby incorporated as part of this Ordinance. It shall be the responsibility of the Zoning Administrator to maintain and update this map and the amendments to such map shall be recorded on such map within 30 days after official adoption of zoning amendments.

Whether or not they are so designated on the zoning map, residential plats which were approved prior to August 2, 1978 shall be zoned in accord with the following schedule. The zoning administrator shall be responsible to record the following changes on the zoning maps in a timely manner.

Zoning for residential plats approved prior to August 2, 1978:

Average Lot Size	Zoning District
Less than 2 acres	R-1
Between 2 and 4 acres	R-2
Between 4 and 10 acres	R-2(a)
Over 10 acres	no change

In addition, within shoreland areas, existing metes and bounds subdivisions comprised of 5 or more adjacent lots less than one acre in size shall be zoned R-1.

The purpose of these changes is to bring existing residential areas, many of which are zoned AG, General Agriculture, into a more proper and reasonable zoning district. Many of the performance standards in the AG district cannot be reasonably applied in residential areas with small lots, and have caused hardships for the property owners affected. This change is intended to place the properties concerned into that zoning district which is specifically suited to the lot sizes in each area.

603. AGRICULTURAL/RESIDENTIAL A/R

603.1 Purpose

This district is created to serve as a buffer between commercial agricultural areas and more intensely developed residential areas, to provide for very low density residential development in areas especially unsuited to long term agricultural uses, and to allow limited residential development which will not be provided with an urban level of services.

603.2 Permitted Uses

Agricultural Uses subject to County feedlot regulations
One single-family dwelling per lot of record
Forestry and nurseries (not to include retail)
Family operated seasonal produce stands
Public recreation and historic sites
Horticultural Uses
Solar energy systems as regulated under Section 762.4.
Private/vacation home rental (meeting occupancy standards)

603.3 Accessory Uses

Non-commercial uses, structures or buildings customarily incidental to permitted uses
Livestock subject to County feedlot regulations and all other standards in this ordinance
Non-commercial wind chargers

603.4 Conditional Uses

Township halls
Subdivisions, minimum lot size of ten (10) acres
Essential Services in accord with Section 725
Churches and Cemeteries

603.405 Interim Uses

Kennels
Riding Stables
Home Occupations
Home Extended Business subject to provisions of Section 741
Bed and Breakfast units in Single-family dwellings
Rural Planned Unit Development in accord with Section 614
Retreat Center subject to the standards of Section 742
Large Animal Veterinary Clinics serving Agricultural Uses and Livestock
Commercial outdoor recreation
Commercial agricultural tourism
Solar energy systems as regulated under Section 762.4.
Private/vacation home rental (exceeding overnight guest occupancy)

603.41 Prohibited Uses

All other uses not listed as permitted, accessory, interim or conditional shall be prohibited.

603.5 Performance Standards

(Parcels in the Agricultural/Residential District shall be limited to ½ animal unit per acre and less than 10

animal units total, except as allowed under Section 405.2 of this Ordinance.

(1) Height Regulations

(a) The maximum height of all building shall not exceed two and one-half (2 l/2) stories or thirty-five (35) feet.

(b) This height limitation shall not apply to grain elevator legs, silos, cooling towers, water towers, chimneys and smokestacks, church spires, electric transmission lines or private radio or television towers.

(2) Front Yard Regulations:

(a)

Required Setback Distance From Road Centerline	**Road Class**
130	Federal[4]/State Highway
130	County Road and State Aid Highway
65	Local Road
25	From right-of-way of cul-de-sac or approved "T"

(b) Where a lot is located at the intersection of two or more roads or highways, there shall be a front yard setback on each road or highway side of each corner lot. No accessory buildings shall project beyond the front yard of either road.

(3) Side Yard Regulations

There shall be a minimum side yard of thirty (30) feet for principal uses (including attached decks or garages) and fifteen (15) feet for accessory uses, unless the building is housing livestock, then the setback is 100 feet.

(4) Rear Yard Regulations

There shall be a rear yard having a depth of not less than fifty (50) feet for non-livestock buildings and a setback of 100 feet for livestock buildings.

(5) Lot Area Regulations

The minimum lot size shall be ten (l0) acres, except in P.U.D. projects approved pursuant to Section 6l4.

(6) Lot Width and Depth Regulations:

The minimum lot width shall be three hundred (300) feet and the minimum lot depth shall be three hundred (300) feet, except in P.U.D. projects approved pursuant to Section 6l4.

(7) General Regulations:

Additional requirements for parking, signs, sewage systems, and other regulations set forth in Section 7.

4 Amended 12/18/2018 (Resolution 2018-09)

604. GENERAL AGRICULTURE AG

604.1 Purpose

General Agricultural areas are established for the purpose of preserving, promoting, maintaining and enhancing the use of land for commercial agricultural purposes, to prevent scattered and leap-frog non-farm growth, to protect and preserve natural resource areas and to stabilize increases in public expenditures for such public services as roads and road maintenance, police and fire protection, and schools.

604.2 Permitted Uses

Agricultural Land Uses
Livestock feedlots less than 500 animal units subject to all County and State regulations
One single-family dwelling per lot of record
Forestry and Nurseries (not to include retail)
Small scale family operated seasonal produce stands
Public Recreation
Historic Sites and Areas
Horticultural Use
One division, per eligible quarter-quarter section or eligible lot of record, as defined and regulated in Section 604.6
Subdivisions and lot line alterations which are purely for agricultural purposes, and do not increase the density or number of residential building sites, provided that all lots created contain at least 40 acres and at least one complete quarter-quarter section, with public road frontage
Solar energy systems as regulated under Section 762.4
Private/vacation home rental (meeting occupancy standards)

604.3 Accessory Uses

Any incidental machinery, structure, or building customarily incidental to and necessary to the conduct of agricultural operations or other permitted uses.

604.4 Conditional Uses

Land Reclamation and Alteration
Livestock Feedlots in excess of 500 animal units
Cemeteries
Churches, not to include a school, but may include a residence
Township Halls
Sewage Treatment Plants
Essential Services in accord with Section 725

604.405Interim Uses

Kennels
Riding Academies
Home Occupations
Wholesale Nursery, Landscape and Garden Sales with seasonal retail sales (not to include retail - stores)

Bed and Breakfast units in Single-family dwellings
One farm accessory mobile home or structure per farm operation as a temporary use and subject to annual local township review
Commercial outdoor recreation
Mining and extraction in accordance with Section 727 of this ordinance
Non-commercial Contractors Yards

Private Airstrip - subject to the following conditions:

(1) All applicable regulations of the State and Federal Government are properly satisfied.

(2) There are no existing residential subdivisions, and no areas designated for future residential growth within the Land Use Plan of the Wright County or Corinna Township Comprehensive Plans, within a radius of 1.5 miles of the proposed airport.

(3) The airport shall be limited to use exclusively by the property owner.

Home Extended Business subject to provisions of Section 741 Retreat Center subject to the standards of Section 742

Retreat center in accordance with Section 742 of this ordinance
Large Animal Veterinary Clinics serving Agricultural Uses and Livestock
Commercial agricultural tourism
Public Schools in accordance with this chapter[5]
Seasonal Storage[6]Farm Equipment Sales
Private/vacation home rental (exceeding overnight guest occupancy)

604.41 Prohibited Uses

All other uses not listed as permitted, accessory, interim or conditional shall be prohibited.

604.5 Performance Standards

Parcels in the Agricultural District which are less than ten acres in size shall be subject to residential standards for animals and lot standards that correspond with the zoning district which is closest in lot size to the parcel. R-1 standards apply for lots less than 2.5 acres, R-2 for lots 2.5 acres to 4.99 acres and R-2a for lots from 5 to 9.99 acres. For all parcels 10 acres and over in size, the following standards shall apply. [5]

(1) Height Regulations

(a) The maximum height of all building shall not exceed two and one-half (2 1/2) stories or thirty-five (35) feet.

(b) This height limitation shall not apply to grain elevators, silos, windmills, elevator legs, cooling towers, water towers, chimneys and smokestacks, church spires, electric transmission lines or radio or television towers.

(2) Front Yard Regulation:

(a)

Required Setback Distance From Road Centerline	**Road Class**
130	Federal[5]/State Highway
130	County Road and State Aid Highway
65	Local Road
25	From right-of-way of cul-de-sac or approved "T"

(b) Where a lot is located at the intersection of two or more roads or highways, there shall be a front yard setback on each road or highway side of each corner lot. No accessory buildings shall project beyond the front yard of either road.

(3) Side Yard Regulations:

5 Amended 12/18/2018 (Resolution 2018-09)
6 Amended 12/18/2018 (Resolution 2018-09)

There shall be side yard width of not less than one hundred (100) feet for buildings which will house livestock or any farm animals, and thirty (30) feet for all other buildings.

(4) Rear Yard Regulations:

The rear yard setback depth shall be fifty (50) feet for all non-livestock buildings and no less than 100 feet for buildings that will house livestock.

(5) General Regulations

Additional requirements for parking, signs, sewage systems, and other regulations are set forth in Section 7.

604.6 Requirements and Standards for Dwellings and Permitted Divisions

(1) Limiting Definitions

(a) A quarter-quarter section is a parcel of land consisting of approximately forty (40) acres and constituting the northeast, northwest, southwest or southeast quarter of a quarter section of land in the United States Government survey grid system of land survey. For the purposes of this section of the zoning ordinance, a government lot shall be considered a quarter-quarter section provided it contains at least thirty (30) acres of land above Ordinary High Water.

(b) An "eligible quarter-quarter section" shall be any quarter-quarter section which meets all of the following:

- it is complete and under common ownership;

- it has frontage on a public road; and

- it does not include any existing dwelling, commercial use or other non-agricultural development.

(c) An "eligible lot of record" shall be a lot of record pursuant to Section 404 which does not include any existing dwelling, commercial use or other nonagricultural use or structure other than accessory uses such as garages, storage sheds, etc., and which is greater than 10 acres in size but does not qualify as an eligible quarter-quarter section.

(d) An eligible lot of record or quarter-quarter section may be permitted one single family dwelling on the parcel as a whole, or one division as regulated in section 604.6(4) for the purpose of developing the division. This right shall be referenced as the parcel's "entitlement".

(2) Existing Residences

(a) legally existing single-family dwelling on a quarter-quarter section or lot of record over (10) ten acres in size may be subdivided out onto a smaller parcel provided:

- the requirements for a division in section 604.6(4) are met; and

- the remainder of the property has frontage on a public road.

(3) Determining Entitlements on Large Parcels

(a) On a farm or adjoining parcels, including all contiguous land under common ownership, extra entitlements shall be available to the entire parcel provided the following conditions are met:

(1) the lands involved comprise more than sixty (60) acres;

AND

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(2) if the parcel is the result of a division since August 1, 1978, then the number of entitlements shall be determined by using[7] the calculations in (b) to all contiguous lands under common ownership as they existed on August 1, 1978. These entitlements shall be allocated to the new parcels by the Zoning Administrator based on acreage and the standards contained herein, and appeals shall be heard by the Board of Adjustment provided that no extra entitlements may be created.

(b) Entitlements for such parcels shall be determined by the zoning administrator as follows:

(1) The total acreage of the parcel shall be calculated using the best information available (the administrator or Board of Adjustment may require the applicant to provide a survey of the property in case of dispute over size).

(2) Forty acres shall be subtracted from this total for each existing house on the parcel, and for each entitlement division which has occurred since August 1, 1978.

(3) The result from (1) and (2) shall be divided by 40 acres, and that result rounded to the nearest whole number, which shall be the number of entitlements the entire parcel is allocated. The use of these entitlements shall be subject to all regulations in this ordinance, including public road frontage requirements.

(c) The purpose of this provision is to provide relief to potentially inequitable situations where large landholdings may be unduly restricted due to the location of substantial acreage without road frontage. The intent is not to increase residential density in the AG zone above an average of one house per forty acres. If a large parcel is subdivided into agricultural parcels, the entitlements shall be allocated at the time of sale in accord with the standards contained within, (provided that no new entitlements may be created) unless otherwise specified and appropriately recorded through deed restrictions or action by the Board of Adjustment or Planning Commission.

(4) Entitlement Divisions

If a landowner chooses to use an entitlement on an eligible lot of record or quarter-quarter section as a division, the division and remainder of the eligible parcel shall be subject to the following requirements.

(a) Deed Restriction - The owner(s) (including, in all cases, the fee owner) of the eligible parcel must sign and record a deed restriction to apply to the remainder of the parcel. The restriction shall limit any further residences, divisions or nonagricultural development of the remainder in accord with the terms of this section, unless it is rezoned. The restriction shall be on a form

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provided by the zoning administrator.

(b) Landlocked parcels prohibited - The remainder must have frontage on a public road, or must be held in common ownership with contiguous lands which have road frontage. No lot nor parcel may be created which does not have road frontage in accord with the requirements herein.

(c) Lot Standards

(1) The minimum lot size shall be one (1) acre. Minimum road frontage, lot width, depth, setback and other standards shall be the same as for the residential zoning district closest to the lot's size.

(2) A private access strip with at least 33 feet and not exceeding 66 feet[8] in width, which abuts a public road, may be approved by the zoning administrator in lieu of the standard road frontage requirement, if the intent is to provide access to a wooded site, or to otherwise preserve active agricultural land or practices. The strip shall not be an easement, but owned in fee with the division. Maintenance shall be the complete responsibility of the property owner. In no case may such a strip be used to serve more than one residence, unless accepted as a public road by the township. Refusal by the zoning administrator to approve such a strip may be appealed to the Board of Adjustment.

(3) Maximum lot size shall be:

- Five (5) acres for divisions from eligible lots of record

- Two and one-half (2.5) acres for divisions from eligible quarter-quarter sections if the building site is undeveloped cropland classified as prime farmland

- Ten (10) acres in all other instances

(d) Lot Status - The division shall remain zoned AG, General Agriculture, but for the application of rules pertaining to livestock, outdoor storage and other general standards, a division ten (10) acres or less in size shall be considered a residential lot.

(5) Entitlement Transfers

Standards for Entitlement Transfers. The purpose of allowing transfers is to preserve productive farmlands, and to minimize the effects of the residences on the environment, the surrounding neighborhood and nearby farm operations. In no case shall the use of entitlement transfers be used to increase the potential residential density in the Agricultural or Agricultural/Residential Zones. If a new road is proposed or required to serve a group of lots, a plat will be required and the road must be accepted by the Township Board. These standards are in addition to those contained in Section 505 (Conditional Use Permits).

(a) Contiguous Common Ownership - Entitlements may be transferred to contiguous property under common ownership provided the proposed divisions comply with 604.6(4). Said transfers may be approved by the Zoning Administrator if all other regulations are met. Transfers shall require the issuance of a Conditional Use Permit by the Planning Commission if the transfers result in the grouping of three or more homes at one location.

(b) Non-Contiguous Common Ownership - Transfers from property under common ownership, but not contiguous, require the issuance of a Conditional Use Permit. Such transfers must be within

8 Amended 12/18/2018 (Resolution 2018-09)

the boundaries of the Township where the entitlement currently exists and common ownership of the parcels must be established and recorded for a minimum of three years before the transfer can take place.

(6) Certain Conditional Uses

An entitlement may be used for a division to allow a conditional use provided a deed restriction is placed on the remainder pursuant to 604.6(4)a and the division size is set by the Planning Commission as part of the Conditional Use Permit process. The requirement for a deed restriction may be waived by the Planning Commission if the division is less than one (1) acre in size and for the sole purpose of utility or public service structures needed to promote public health, safety or welfare. The Planning Commission shall waive the requirement for a deed restriction if the division is solely for the creation of a site for a Township Hall.

(7) Alteration of Existing Lots

Existing legal lots of record may be altered in size in compliance with these regulations provided an order approving such alteration is signed by the zoning administrator and filed with the County Recorder. Said Order shall prohibit the creation of any new residential building sites except in accord with this Ordinance.

(8) General

The intent of these standards shall be to preserve an average density of one dwelling per forty (40) acres in the AG district, except where legal lots of record are involved. This intent shall be considered when questions regarding interpretation of these regulations may arise.

605. URBAN/RURAL TRANSITIONAL R-1

605.1 Purpose

This District is established in areas within the County for the purpose of allowing limited urban growth. The major purpose of this District is to provide areas within the county where urban development can take place and where urban services can be readily extended and provided. This District may be allowed adjacent to cities where sanitary sewer and other services are available and for riparian shoreline lots on suitable lakes.

605.2 Permitted Uses

Single family detached residences.
Any agricultural land use already existing.
Community center.
Forestry.
Nurseries, excluding greenhouses.
Public Recreation.
Livestock, poultry and animals subject to provision of Sections 714 and 783 of this ordinance
Solar energy systems as regulated under Section 762.4
Private/vacation home rental (meeting occupancy standards)

605.3 Accessory Uses

Fences.
Gardening and other horticultural uses where no sale of products is conducted on the site.
Decorative landscape features such as statues, rocks, reflecting ponds and benches.
Public Recreation equipment.
Garages and Non-Commercial pole structures subject to the following size restrictions:

(a) Lot area under 20,000 square feet - maximum 800 square feet structure with maximum side wall height of 12 feet.

(b) Lot area over 20,000 square feet but less than 80,000 square feet - maximum 1400 square feet structure with maximum side wall height of 14 feet.

(c) Lot area over 80,000 square feet - maximum 2000 square feet structure with maximum side wall height of 14 feet.

605.4 Conditional Uses

Essential Services -Telephone, telegraph, and power distribution poles and lines and necessary appurtenant equipment and structures such as transformers, unit substations, and equipment houses.
Fire Station.
Police Station.
Cemeteries.
Other Essential Services -water supply buildings, reservoirs, wells, regional pipelines.
Residential Subdivisions.
Township halls
Churches.

605.405Interim Uses

All home occupations.
Any change in agricultural practice that marks an intensification of present agricultural use.
Commercial Outdoor Recreation.

Seasonal produce stands.
One mobile home per farmstead (necessary to farm operations and at least 800 square feet in area).
Medical and Dental clinics.
Golf courses.
Schools within one-half mile of incorporated cities.
Commercial Day Care Center
Private/vacation home rental (exceeding overnight guest capacity)
Solar energy systems as regulated under Section 762.4.

605.41 Prohibited Uses

All other uses not listed as permitted, accessory, interim or conditional shall be prohibited.

605.5 Performance Standards

(Parcels in the R-1 District shall be limited to 1/2 animal unit per acre and less than 10 animal units total, except as allowed under Section 405.2 of this Ordinance.)

(1) Height Regulations:

No building hereafter erected shall exceed two and one-half (2 1/2) stories or thirty five (35) feet in height.

(2) Front Yard Regulations:

(a)

Required Setback Distance From Road Centerline	**Road Class**
130	Federal[9]/State Highway
130	County Road and State Aid Highway
65	Local Road
25	From right-of-way of cul-de-sac or approved "T"

(b) Where a lot is located at the intersection of two (2) or more roads or highways, there shall be a front yard setback on each road or highway side of each corner lot. No accessory buildings shall project beyond the front yard of either road.

(c) Within existing developed areas, the above front yard setback requirements may be adjusted to coincide with average setback occurring on either side of the proposed building within three hundred (300) feet except that no building shall be located less than twenty (20) feet from the right-of-way line. The calculation of the average setback shall not count lots without a permanent building on the lot. All measurements shall be to the building location even where such buildings exceed the required setback.

(3) Side Yard Regulations:

There shall be a minimum side yard of fifteen (15) feet for principal uses (including attached decks or garages) and ten (10) feet for accessory uses unless the building is housing livestock, then the setback is 100 feet for livestock buildings.

(4) Rear Yard Regulations:

For all non-livestock buildings there shall be a rear yard having a depth of not less than fifteen (15) feet

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with the setback at one hundred (100) feet for a livestock building.

(5) Lot Area Regulations:

(a) For dwelling units with private on-site sewage treatment systems water wells - one (1) acre.

(b) For dwelling units with public sewage treatment systems - twenty thousand (20,000) square feet (2 acres when in shoreland classified as Natural Environment).

(6) Lot Width and Depth Regulations:

(a) For dwelling units with private sewage treatment systems:

Lot Width - 150 feet (200 feet in shoreland classified as Natural Environment).
Lot Depth - 150 feet.

(b) For dwelling units with public sewage treatment systems:

Lot Width - 100 feet (200 feet in shoreland classified as Natural Environment).
Lot Depth - 100 feet.

(7) Structures may be so located on each lot such that subdivision is possible when central sewer and water facilities become available.

(8) General Regulations:

Additional requirements for parking, signs, sewage systems, and other regulations set forth in Section 7.

606. SUBURBAN RESIDENTIAL R-2

606.1 Purpose

The major purpose of this District is to allow for a "rural life-style" by permitting low-density residential development in areas that are marginal or non-feasible for agriculture.

606.2 Permitted Uses

Single family detached residences
Any agricultural land use already existing at the time of subdivision
Forestry
Nurseries, excluding greenhouses
Public Recreation
Solar energy systems as regulated under Section 762.4
Private/vacation home rental (meeting occupancy standards)

606.3 Accessory Uses

Garages.
Fences.
Gardening and other horticultural uses where no sale of products is conducted on the site.
Decorative landscape features such as statues, rocks, reflecting ponds and benches.
Recreation Equipment.
Livestock, poultry, and animals subject to provisions of 714.2.
Pole sheds.
Non-Commercial wind chargers.

606.4 Conditional Uses

Essential Services -Telephone, telegraph, sewer, water, gas, and power distribution poles and lines and necessary appurtenant equipment and structures such as transformers, unit substations, and equipment houses
Fire Station
Police Station
Cemeteries
Subdivisions -a 2 1/2 acre minimum lot subdivision in areas designated as such in the land use plan
Township Halls
Churches

606.405Interim Uses

All home occupations.
Any change in agricultural practice that marks an intensification of present agricultural use
Commercial Outdoor Recreation.
Seasonal produce stands
One mobile home per farmstead (necessary to the operation of the farm operation at a minimum floor area of 800 square feet).
Community Centers
Solar energy systems as regulated under Section 762.4
Non-commercial contractor yards.
Private/vacation home rental (exceeding overnight guest capacity)

606.41 Prohibited Uses

All other uses not listed as permitted, accessory, interim or conditional shall be prohibited.

606.5 Performance Standards

(Parcels in the R-2 District shall be limited to ½ animal unit per acre and less than 10 animal units total, except as allowed under Section 405.2 of this Ordinance.)

(1) Height Regulations:

No building hereafter erected shall exceed two and one-half (2 1/2) stories or thirty-five (35) feet in height.

Shall not apply to wind chargers which are at least fifty (50) feet from any property line.

(2) Front Yard Regulations:

(a)

Required Setback Distance From Road Centerline	**Road Class**
130	Federal[10]/State Highway
130	County Road and State Aid Highway
65	Local Road
25	From right-of-way of cul-de-sac or approved "T"

(b) Where a lot is located at the intersection of two (2) or more roads or highways, there shall be a front yard setback on each road or highway side of each corner lot. No accessory buildings shall project beyond the front yard of either road.

(c) Within existing developed areas, the above front yard setback requirements may be adjusted to coincide with average setback occurring on either side of the proposed building within three hundred (300) feet except that no building shall be located less than twenty (20) feet from right-of-way line. The calculation of the average setback shall not count lots without a permanent building on the lot. All measurements shall be to the building location even where such buildings exceed the required setback.

(3) Side Yard Regulations:

There shall be a minimum side yard of thirty (30) feet for principal uses (including attached decks or garages) and ten (10) feet for accessory uses unless the building is housing livestock, then the setback is 100 feet for livestock buildings.

(4) Rear Yard Regulations:

There shall be a rear yard having a depth of not less than thirty (30)[10] feet for non-livestock buildings and a setback of 100 feet for livestock buildings..

(5) Lot Area Regulations:

The minimum lot size shall be two and one-half (2 1/2) acres.

(6) Lot Width and Depth Regulations:

The minimum lot width shall be two hundred (200) feet and the minimum lot depth shall be three hundred (300) feet.

10 Amended 12/18/2018 (Resolution 2018-09)

(7) General Regulations:
Additional requirements for parking, signs, sewage systems, and other regulations set forth in Section 7.

606.A SUBURBAN RESIDENTIAL R-2(A)

606.a1 Purpose

The major purpose of this District is to allow for a "rural life-style" by permitting low-density residential development in areas that are marginal or non-feasible for agriculture.

606.a2 Permitted Uses

Single family detached residences
Any agricultural land use already existing at the time of subdivision
Forestry
Nurseries, excluding greenhouses
Public Recreation
Solar energy systems as regulated under Section 762.4
Private/vacation home rental (meeting occupancy standards)

606.a3 Accessory Uses

Garages.
Fences.
Gardening and other horticultural uses where no sale of products is conducted on the site.
Decorative landscape features such as statues, rocks, reflecting ponds and benches.
Recreation Equipment.
Livestock, poultry and animals subject to the provisions of 714.2.
Pole Barns.
Non-Commercial wind chargers.

606.a4 Conditional Uses

Essential Services -Telephone, telegraph, sewer, water, gas, and power distribution poles and lines and necessary appurtenant equipment and structures such as transformers, unit substations, and equipment houses.
Fire Station.
Police Station.
Cemeteries.
Subdivisions - 5 acre minimum lot subdivision in areas designated as such in the land use plan.
Township halls
Churches.

606.a405 Interim Uses

All home occupations.
Bed and Breakfast Units in Single Family Dwellings
Any change in agricultural practice that marks an intensification of present agricultural use.
Commercial Outdoor Recreation.
Seasonal produce stands.
One mobile home per farmstead (necessary to the operation of the farm operation at a minimum floor area of 800 square feet).
Community Centers.
Solar energy systems as regulated under Section 762.4

Private/vacation home rental (exceeding overnight guest capacity)

606.a41 Prohibited Uses

All other uses not listed as permitted, accessory, interim or conditional shall be prohibited.

606.a5 Performance Standards

(Parcels in the R-2(a) District shall be limited to ½ animal unit per acre and less than 10 animal units total, except as allowed under Section 405.2 of this Ordinance.)

(1) Height Regulations:

No buildings hereafter erected shall exceed two and one-half (2 1/2) stories or thirty-five (35) feet in height.

Shall not apply to windchargers which are at least fifty (50) feet from any property line.

(2) Front Yard Regulations:

(a)

Required Setback Distance From Road Centerline	**Road Class**
130	Federal[11]/State Highway
130	County Road and State Aid Highway
65	Local Road
25	From right-of-way of cul-de-sac or approved "T"

(b) Where a lot is located at the intersection of two (2) or more roads or highways, there shall be a front yard setback on each road or highway side of each corner lot. No accessory buildings shall project beyond the front yard of either road.

(c) Within existing developed areas, the above front yard setback requirements may be adjusted to coincide with average setback occurring on either side of the proposed building within three hundred (300) feet except that no building shall be located less than twenty (20) feet from right-of-way line. The calculation of the average setback shall not count lots without a permanent building on the lot. All measurements shall be to the building location even where such buildings exceed the required setback.

(3) Side Yard Regulations

There shall be a minimum side yard of thirty (30) feet for principal uses (including attached decks or garages) and ten (10) feet for accessory uses unless the building is housing livestock, then the setback is 100 feet.

(4) Rear Yard Regulations

There shall be a rear yard having a depth of not less than thirty (30)[11] feet for non-livestock buildings and a setback of 100 feet for livestock buildings.

(5) Lot Area Regulations:

The minimum lot size shall be five (5) acres.

11 Amended 12/18/2018 (Resolution 2018-09)

(6) Lot Width and Depth Regulations:

The minimum lot width shall be three hundred (300) feet and the minimum lot depth shall be three hundred (300) feet.

(7) General Regulations:

Additional requirements for parking, signs, sewage systems, and other regulations set forth in Section 7.

607. RESERVED

608. HIGHWAY BUSINESS DISTRICT B-1

608.1 Purpose

A B-1 District is established to accommodate those types of businesses that require an accessibility to highways to successfully function.To minimize unmanageable strip development, B-1 should only allow the type of businesses that absolutely require highway accessibility.

608.2 Conditional Uses

Essential Services - Utility lines and other necessary appurtenant structures.
Subdivisions - minimum size of one acre.
Churches

608.3 Interim Uses

Drive-In Movie Theater.
Drive-In Restaurant.
Recreation Equipment Sales.
Motels.
Auto Service Stations.
Seasonal Produce Stand.
Auto Sales Lot.
Cafes and Restaurants.
Parking Lots.
Any other incidental repair, processing and storage necessary to conduct a permitted principal use provided that said accessory use does not exceed thirty (30) percent of the floor space of the principal building.
Other highway-oriented business activities of the same general character as listed.
Commercial Recreation.
Commercial Day Care Centers
Convenience-type retail outlets with high customer turnover rate.
Solar energy systems as regulated under Section 762.4
Electric Vehicle Supply Equipment (EVSE) Ports
Cannabis related businesses, as regulated under Section 782

608.4 Performance Standards

B-1 Districts shall be located only adjacent to thoroughfares. Service roads shall be encouraged in the B-1 Districts. The service roads shall have access to thoroughfares only. No service roads shall have access to local residential streets nor shall highway business oriented traffic be routed on or directed to local residential streets.

(1) Service Road Standards:

(a) Each service road shall have a minimum of thirty (30) feet of right-of-way exclusive of adjoining thoroughfare right-of-way.

(b) Each service road shall be at least twenty-four (24) feet wide and must be surfaces and have curbs.

(c) Two way traffic shall be allowed on service roads.

(d) No parking shall be allowed on service roads.

(e) Access from service roads shall be no more frequent than one access for each five hundred (500) feet of thoroughfare frontage.

(2) Height Regulations:

No building shall hereafter be erected or structurally altered to exceed two and one half (2 1/2) stories or thirty-five (35) feet in height.

(3) Front Yard Regulations:

(a)

Required Setback Distance From Road Centerline	**Road Class**
160	Federal[12]/State Highway
160	County Road and State Aid Highway
95	Local Road

(b) Where a lot is located at the intersection of two (2) or more roads or highways which bound two or more sides of the lot, no building shall project beyond the front yard line of either road.

(4) Side Yard Regulations:

(a) There shall be a side yard having a width of not less than twenty (20) feet on each side of a building.

(b) No building shall be located within fifty (50) feet of any side lot line abutting a lot in any Residential or Agricultural District.

(5) Rear Yard Regulations:

(a) There shall be a minimum rear yard of thirty-five (35) feet.

(b) No building shall be located within fifty (50) feet of any side lot line abutting a lot in any Residence or Agricultural District.

(6) Lot Width and Depth Regulations

There shall be a minimum lot width and depth of one hundred fifty (150) feet.

(7) Water and Sewer System:

The developer shall be required to indicate the proposed water and sewage disposal system to serve the development.

(8) Screening and Fencing

12 Amended 12/18/2018 (Resolution 2018-09)

The County may require the screening and fencing of commercial uses especially on side and rear yards facing Residential and Agricultural Districts.

(9) No more than fifty (50) percent of the lot ground area shall be covered by buildings.

(10) General Regulations:

Requirements for signs, parking, shopping centers, and other regulations are set forth in Section 7.

608.5 Multiple Use Buildings

In general, only one principal use may be permitted per lot. Where buildings are proposed which will contain more than one use, each use or change of use shall require a separate Conditional Use Permit.

609. GENERAL BUSINESS DISTRICT B-2

609.1 Purpose

The General Business District is intended to provide a district that will allow general retail and commercial uses to serve existing population.

609.2 Conditional Uses

Subdivisions - minimum lot size of one acre.
Essential Services -Telephone, telegraph and power distribution poles and lines and necessary appurtenant equipment and structures.
Churches
4

609.3 Interim Uses

Commercial Recreation.
Hospitals.
Hotel and Motel.
Offices and Medical Centers.
Retail Trade.
Government Buildings.
Wholesale Business.
Indoor Recreation, such as Movie Theater.
Restaurants, Cafes and Supper Clubs.
Passenger Transportation Terminal.
Drive-In Business.
Clubs, Lodges.
Automobile Service Stations.
Landscaping.
Parking Facilities.
Fences.
Any incidental repair, processing and storage necessary to conduct a principal use but not exceeding thirty percent (30) of the floor space of the principal building.
On-Off Sale Liquor Establishment.
Freight Transportation Terminals.
Industry, such as a printing company, that requires direct contact with the public for sales.
Single dwelling units.
Commercial Day Care Centers.
Solar energy systems as regulated under Section 762.
Electric Vehicle Supply Equipment (EVSE) Ports
Cannabis related businesses, as regulated under Section 782

609.4 Performance Standards

(1) Height Regulations:

No building shall hereafter be erected or structurally altered to exceed two and one half (2 1/2) stories or thirty-five (35) feet in height.

(2) Front Yard Regulations:

(a)

Required Setback Distance From Road Centerline	**Road Class**

130	Federal[13]/State Highway
130	County Road and State Aid Highway
65	Local Road

13 Amended 12/18/2018 (Resolution 2018-09)

(b) Where a lot is located at the intersection of two (2) or more roads or highway side of each corner lot. No building shall project beyond the front yard line of either road.

(3) Side Yard Regulations:

(a) Minimum side yard shall be twenty (20) feet.

(b) No building shall be located within fifty (50) feet of any side lot line abutting a lot in any Residential or Agricultural District.

(4) Rear Yard Regulations:

(a) There shall be a minimum rear yard of thirty-five (35) feet.

(b) No building shall be located within fifty (50) feet of any rear lot line abutting a lot in any Residential or Agricultural District.

(5) Lot Width and Depth Regulations

There shall be a minimum lot width and depth of one hundred fifty (150) feet.

(6) Sewage Disposal and Water System

The developer shall be required to indicate the proposed water and sewage disposal systems to serve the development.

(7) Screening and Fencing

The County may require the screening and fencing of commercial uses especially on side and rear yards facing Residential and Agricultural uses.

(8) General Regulations

Requirements for signs, parking, shopping centers, and other regulations are set forth in Section 7.

(9) No more than fifty (50) percent of the lot ground area shall be covered by buildings.

609.5 Multiple Use Buildings

In general, only one principal use may be permitted per lot. Where buildings are proposed which will contain more than one use, each use or change of use shall require a separate Conditional Use Permit.

610. GENERAL INDUSTRY DISTRICT I-1

610.1 Purpose

The intent of the I-1 General Industry District is to provide a district that will: (1) allow general industrial development related to the existing development in the urban communities of the County, (2) encourage development that is compatible with surrounding or abutting districts, and (3) provide developmental standards that will not impair the traffic-carrying capabilities of abutting roads and highways.

610.2 Conditional Uses

Subdivisions - minimum lot size of one acre.
Public service structures, including power substations, gas regulator stations, sewage disposal plant, telephone exchange, police or fire station, elevated tanks, water works and other essential utilities.
Railroad rights-of-way and railroad yards.

610.3 Interim Uses

Bottling establishments.
Building material sales and storage and lumber yards.
Camera and photographic supplies manufacturing.
Cartage and express facilities.
Cartography and Bookbinding.
Commercial radio and television transmitting stations and towers.
Contractor's offices, shops and yards for plumbing, heating, glazing, painting, paper hanging, roofing, ventilating, air conditioning, masonry, electrical and refrigeration.
Dry cleaning plants.
Electric light or power-generating stations.
Electrical and electronic products manufacturers.
Electrical service shops.
Engraving, printing and publishing.
Extraction, processing or storage of sand, gravel, stone or other minerals, bituminous plants and concrete mixing plants.
Farm implement dealerships.
Feed and fertilizer manufacturing.
Freight terminal.
Garage for storage, repair and servicing of motor vehicles.
Highway maintenance shops and yards.
Ice sales and storage.
Jewelry manufacturer.
Junk yards, salvage yards, sanitary landfills.
Laundries.
Medical, Dental and Optical laboratories.
Monument works.
Slaughter houses.
Storage or warehousing.
Wholesale business and office establishments.
Any use permitted in the B-2 General Business District.
Any manufacturing, fabrication, production, processing, cleaning, storage, servicing, repair and testing of materials, goods or products which conform with the performance standards set forth for this District.
Solar energy systems as regulated under Section 762.4
Electric Vehicle Supply Equipment (EVSE) Ports
Cannabis related businesses, as regulated under Section 782

610.4 Conditions

(1) Storm drainage facilities shall be provided.

(2) Municipal sanitary sewer and water shall be provided or a substitute acceptable to the County Sanitarian.

(3) Corinna Township Planning Commission shall set additional conditions on any Conditional or Interim Use Permit to carry out the intent of the Comprehensive Plan and Section 610 of this Ordinance.

610.5 Accessory Uses

Accessory uses customarily incidental to the uses permitted in 610.2 and shall be Permitted Accessory Uses within a I-1 General Industry District.

610.6 Height, Yard and Lot Width and Building Coverage Regulations:

(1) Height Regulations:

No building shall hereafter be erected or structurally altered to exceed four (4) stories or forty-five (45) feet in height.

(2) Front Yard Regulations:

(a) There shall be a front yard setback of not less than one hundred thirty (130) feet from the centerline of U.S. Highways and State Highways and one hundred thirty (130) feet from the centerline of all County State Aid Highways and County Highways.

(b) There shall be a front yard setback of not less than sixty-five (65) feet from the centerline of all other public rights-of-way.

(c) Where a lot is located at the intersection of two or more roads or highways, there shall be a front yard setback on each road or highway side of each corner lot. No accessory buildings shall project beyond the front yard line of either road.

(3) Side Yard Regulations:

A minimum side yard of twenty-five (25) feet shall be required, except that no building shall be located within fifty (50) feet of any side lot line abutting any residence district.

(4) Rear Yard Regulations:

There shall be a rear yard having a depth of not less than thirty-five (35) feet, except that no building shall be located within fifty (50) feet of any rear lot line abutting a lot zoned for a Residential or Agricultural use.[14]

(5) Lot Width and Depth Regulations

There shall be a minimum lot width and depth of one-hundred fifty (150) feet.

(6) Lot Coverage Regulations:

Not more than fifty (50) percent of the total area of a lot shall be covered by buildings.

610.7 General Regulations

Additional requirements for signs, parking and other regulations in the I-1 General Industry District are set forth

14 Amended 12/18/2018 (Resolution 2018-09)

in Section 7.

611. FLOOD PLAIN OVERLAY DISTRICT - FP

611.1 STATUTORY AUTHORIATION AND PURPOSE

(1) Statutory Authorization. This floodplain ordinance is adopted pursuant to the authorization and policies contained in Minnesota Statutes, Chapter 103F; Minnesota Rules, parts 6120.5000 – 6120.6200; the rules and regulations of the National Flood Insurance Program (NFIP) in 44 CFR § 59 to 78; and the planning and zoning enabling legislation in Minnesota Statutes, Chapter 394.

(2) Purpose

(a) This ordinance regulates development in the flood hazard areas of Corinna Township. These flood hazard areas are subject to periodic inundation, which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base. It is the purpose of this ordinance to promote the public health, safety, and general welfare by minimizing these losses and disruptions.

(b) This ordinance is adopted in the public interest to promote sound land use practices, and floodplains are a land resource to be developed in a manner which will result in minimum loss of life and threat to health, and reduction of private and public economic loss caused by flooding.

(c) This ordinance is adopted to maintain eligibility in the National Flood Insurance Program.

(d) This ordinance is also intended to preserve the natural characteristics and functions of watercourses and floodplains in order to moderate flood and stormwater impacts, improve water quality, reduce soil erosion, protect aquatic and riparian habitat, provide recreational opportunities, provide aesthetic benefits and enhance community and economic development.

(3) Abrogation and Greater Restrictions. It is not intended by this ordinance to repeal, abrogate, or impair any existing easements, covenants, or other private agreements. The standards in this ordinance take precedence over any less restrictive, conflicting local laws, ordinances, or codes. All other ordinances inconsistent with this ordinance are hereby repealed to the extent of the inconsistency only.

(4) Warning and Disclaimer of Liability. This ordinance does not imply that areas outside the floodplain districts or land uses permitted within such districts will be free from flooding or flood damages. Not all flood risk is mapped. Larger floods do occur, and the flood height may be increased by man-made or natural causes, such as ice jams or bridge openings restricted by debris. This ordinance does not create liability on the part of Corinna Township or its officers or employees for any flood damages that result from reliance on this ordinance, or any administrative decision lawfully made hereunder.

(5) Severability. If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of law, the remainder of this ordinance shall not be affected and shall remain in full force.

611.2 JURISDICTION AND DISTRICTS

(1) Lands to Which Ordinance Applies. This ordinance applies to all lands within the jurisdiction of Corinna Township within the boundaries of the Floodway, Flood Fringe and General Floodplain Districts (if any).

(a) The Floodway, Flood Fringe or General Floodplain Districts are overlay districts. The standards imposed in the overlay districts are in addition to any other requirements. In case of a conflict, the more restrictive standards will apply.

(b) Where a conflict exists between the floodplain limits illustrated on the official floodplain maps and actual field conditions, the Base Flood Elevation (BFE) shall be the governing factor in locating the outer boundaries of the one-percent annual chance floodplain.

(c) Persons contesting the location of the district boundaries will be given a reasonable opportunity to present their case to the Board of Adjustment and to submit technical evidence.

(2) Incorporation of Maps by Reference – The following maps together with all attached material are hereby

adopted by reference and declared to be a part of the official zoning map and this ordinance. The attached material includes the Flood Insurance Study for Wright County, Minnesota, and Incorporated Areas, and Flood Insurance Rate Map Index panels 27171C0085D, 27171C0095D, 27171C0105D, 27171C0115D, 27171C0275D, 27171C0285D, 27171C0300D and 27171CIND1A, all dated June 20, 2024, and as revised by the Letter of Map Revision, Case No. 25-05-2133P, with an effective date of April 20, 2026 including all attached maps, tables and flood profiles. All materials prepared by the Federal Emergency Management Agency, which are on file at Corinna Town Hall.

(3) Districts

(a) Floodway District. Those areas within Zones AE delineated within floodway areas as shown on the Flood Insurance Rate Maps referenced in Section 611.2(2).

(b) Flood Fringe District. Those areas within Zones AE located outside of the delineated floodway, as shown on the Flood Insurance Rate Maps referenced in Section 611.2(2).

(c) General Floodplain District. Those areas within Zones A and AE that do not have a floodway delineated as shown on the Flood Insurance Rate Maps referenced in Section 611.2(2). *[There is not currently any General Floodplain District within Corinna Township]*

(4) Municipal Boundary Adjustments & Township Authority. If at any point any lands come under the jurisdiction of another local government, the following shall apply:

(a) City adjustments of corporate boundaries, including but not limited to annexations and detachments, shall shift floodplain administrative authority of all affected lands immediately upon the date of the boundary adjustment occurring. Cities retain jurisdiction for all incorporated lands, and Corinna Township retains jurisdiction under this ordinance on all unincorporated lands, except as provided under Item 3.42 below or as laid out in some form of administrative agreement.

(b) In the event that the township surrenders zoning authority, the county shall resume authority under this ordinance.

611.2a REQUIREMENTS FOR ALL FLOODPLAIN DISTRICTS

(1) Permit Required. A permit must be obtained from the Zoning Administrator to verify compliance with all applicable standards outlined in this ordinance prior to the following uses or activities:

(a) The erection, addition, modification, rehabilitation, repair, or alteration of any building, structure, or portion thereof. Normal maintenance requires a permit to determine if such work, either separately or in conjunction with other planned work, constitutes a substantial improvement, as specified in Section 611.10(1)(c).

(b) The construction of a fence, pool, deck, or placement of anything that may cause a potential obstruction. Farm fences, as defined in Section 2 (Rules and Definitions) of this ordinance, are not considered to be an obstruction, and as such, do not require a permit.

(c) The change or expansion of a nonconforming use.

(d) The repair of a structure that has been damaged by flood, fire, tornado, or any other source.

(e) The placement of fill, excavation, utilities, on-site sewage treatment systems, or other service facilities.

(f) The storage of materials or equipment, in conformance with Section 611.2a(3)(b).

(g) Relocation or alteration of a watercourse (including stabilization projects or the construction of new or replacement dams, culverts and bridges). A local permit is not required if a public waters work permit has been obtained from the Department of Natural Resources, unless a substantial alteration above the ordinary high-water level is also occurring.

(h) Any other type of "development," as defined in Section 2 (Rules and Definitions) of this ordinance.

(2) No Permit Required. Subject to the opinion of the Zoning Administrator, certain uses or activities may be exempt from obtaining a permit, such as planting a garden, farming, or other obviously insignificant

activities such as putting up a mailbox or flagpole. The continuation of existing uses, when the associated activities do not encroach further on the regulatory floodplain or trigger associated standards in this ordinance, do not require a permit.

(3) Minimum Development Standards

(a) All development must:

(1) Be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;

(2) Be constructed with materials and equipment resistant to flood damage;

(3) Be constructed by methods and practices that minimize flood damage;

(4) Be constructed with heating, ventilation, duct work, and air conditioning equipment and other service facilities elevated at least up to the Regulatory Flood Protection Elevation (RFPE). Water, sewage, electrical, and other utility lines below the RFPE shall be constructed so as to prevent water from entering or accumulating within them during conditions of flooding;

(5) Be reasonably safe from flooding and consistent with the need to minimize flood damage;

(6) Be assured to provide adequate drainage to reduce exposure to flood hazards;

(7) Not be detrimental to uses in adjoining areas; and

(8) Not adversely affect the efficiency or restrict the flood carrying capacity of the channel and adjoining floodplain of any tributary watercourse or drainage system.

(9) Ensure that any fill or other materials are protected from erosion, discharge, and sediment entering surface waters by the ese of vegetative cover or other methods as soon as possible.

(b) Materials that, in time of flooding, are buoyant, flammable, explosive, or could be injurious to human, animal, or plant life shall be stored at or above the Regulatory Flood Protection Elevation (RFPE), floodproofed, or protected by other measures as approved by the Zoning Administrator. Storage of materials likely to cause pollution of the waters, such as sewage; sand; rock; wrecked and discarded equipment; dredged spoil; municipal, agricultural or industrial waste; and other wastes as further defined in Minnesota Statutes, Section 115.01, are prohibited unless adequate safeguards approved by the Minnesota Pollution Control Agency are provided. For projects not requiring approvals by the Minnesota Pollution Control Agency, adequate safeguards must be approved by the Zoning Administrator prior to issuance of a permit.

(c) Critical facilities shall be located so that the lowest floor is not less than two feet above the Base Flood Elevation (BFE), or the 0.2% annual chance flood elevation, whichever is higher.

Table 1. Summary of Permitting Requirements for Structures

Structure Type	Floodway	Flood Fringe	Standards*
Accessory Structures – on fill	Only specific uses and types allowed – with CUP	Allowed with Permit	611.4(2)(c)(4)(b)
Accessory Structures – Alt. Elevation Methods	Only specific uses and types allowed – with CUP	Allowed with Permit	611.4 (2)(c)(4)(c)
Accessory Structures – Wet Floodproofing	Only specific uses and types allowed – with CUP	Allowed with Permit	611.4 (2)(c)(4)(a)
Accessory Structures – Dry (watertight) Floodproofing	Only specific uses and types allowed – with CUP	Allowed with Permit	611.4 (2)(c)(4)(d)
Residential – on fill	Not allowed	Allowed with Permit	611.4 (2)(a)(1)
Residential – Alt. Elevation Methods	Not allowed	Allowed with CUP	611.4 (4)(a)

Residential – Dry (watertight) Floodproofing and/or Basement Construction below RFPE	Not allowed	Not allowed	N/A
Non-Residential – on fill	Not allowed	Allowed with Permit	611.4 (2)(b)(1)
Non-Residential – Alt. Elevation Methods	Not allowed	Allowed with Permit	611.4 (2)(b)(2)
Non-Residential – Dry (watertight) Floodproofing and/or Basement Construction below RFPE	Not allowed	Allowed with Permit	611.4 (2)(b)(3)

*Note - many of these standards are cross-referenced

611.3 FLOODWAY DISTRICT

(1) Permitted Uses in Floodway. Development allowed in the floodway district is limited to that which has low flood damage potential and will not obstruct flood flows, increase velocities, or increase the water surface elevations of the one-percent annual chance flood. The following uses and activities may be allowed with a permit, subject to the standards in Section 611.3 (2):

(a) Agricultural uses, recreational uses, parking lots, loading areas, airport landing strips, water control structures, navigational facilities, as well as public open space uses.

(b) Roads, driveways, railroads, trails, bridges, and culverts.

(c) Public utility facilities and water-oriented industries which must be in or adjacent to watercourses.

(d) Grading, filling, land alterations, and shoreline stabilization projects.

(e) No structures, as defined in Section 2 (Rules and Definitions), are allowed in the Floodway District, except structures accessory to the uses detailed in Sections 611.3(1)(a) and 611.3(3)(a), which require a CUP under Section 611.3(3)(b).

(f) Levees or dikes intended to protect agricultural crops, provided the top of the dike does not exceed the 10-percent annual chance flood event.

(2) Standards for Permitted Uses in Floodway. In addition to the applicable standards detailed in Section 611.2a:

(a) The applicant must demonstrate that the development will not result in any of the following during the one-percent annual chance flood: cause a stage increase of 0.00 feet or greater, obstruct flood flows, or increase velocities. This shall be demonstrated through hydrologic and hydraulic analysis performed by a professional engineer, or using other standard engineering practices (e.g. projects that restore the site to the previous cross-sectional area). This is commonly documented through a "no-rise certification."

(b) Any development that would result in a stage increases greater than 0.00 feet may only be allowed with a permit if the applicant has applied for and received approval for a Conditional Letter of Map Revision (CLOMR) in accordance with 44 CFR § 65.12. Map revisions must follow the procedures in Sections 611.9(1)(e) and 611.10.

(c) Any development resulting in decreases to the water surface elevation of the base flood identified in the Flood Insurance Study requires a Letter of Map Revision (LOMR) following the procedures in Sections 611.9(1)(e) and 611.10.

(d) Any development in the beds of public waters that will change the course, current or cross section is required to obtain a public waters work permit in accordance with Minnesota Statutes, section 103G.245 or a utility crossing license in accordance with Minnesota Statutes, section 84.415, from the Department of Natural Resources, or demonstrate that no permit is required, before applying for a local permit.

(e) Any facility used by employees or the general public must be designed with a flood warning system acceptable to the Zoning Administrator that provides adequate time for evacuation, or be designed to

ensure that within the area inundated during the base flood event, the depth (in feet) multiplied by the velocity (in feet per second) is less than four.

(f) Fill and other land alteration activities must offer minimal obstruction to the flow of flood waters and be protected from erosion and sediment entering surface waters by the use of vegetative cover, riprap or other methods as soon as possible.

(3) Conditional and Interim Uses in Floodway. The following uses and activities may be permitted as conditional and interim uses, if authorized in the zoning district, subject to the standards detailed in Section 611.3(5):

(a) Commercial extractive uses, and storage and stockpiling yards may be permitted as an interim use.

(b) Structures accessory to uses detailed in Sections 611.3(1)(a) and 611.(3)(a) may be permitted as a conditional use.

(4) Standards for Conditional and Interim Uses in Floodway. In addition to the applicable standards of Section 611:

(a) Extractive uses and storage of materials require the completion of a site development and restoration plan, to be approved by Corinna Township.

(b) Accessory Structures. Structures accessory to the uses detailed in Sections 611.3(1)(a) and 611.3(3)(a) must be constructed and placed so as to offer a minimal obstruction to the flow of flood waters, and are subject to the standards in Section 611.4(2)(c) of this ordinance.

611.4 FLOOD FRINGE DISTRICT

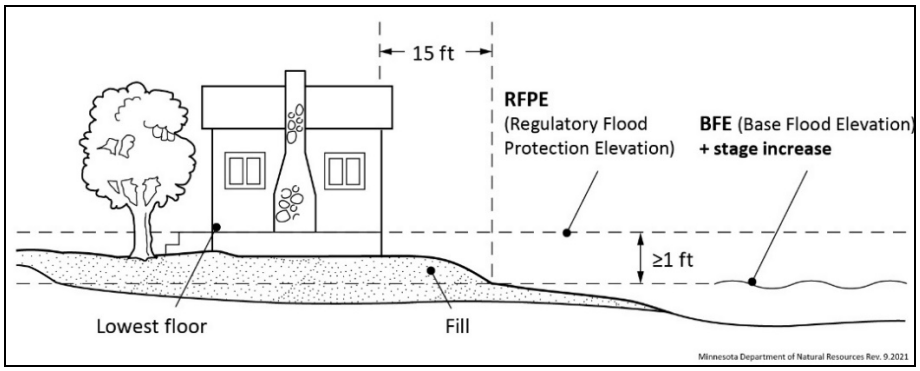
(1) Permitted Uses in Flood Fringe. Any uses or activities allowed in any applicable underlying zoning districts may be allowed with a permit, subject to the standards set forth in Sections 611.4(2).

(2) Standards for Permitted Uses in Flood Fringe. In addition to the applicable standards detailed in Section 611.2a:

(a) Residential Structures.

(1) Elevation on Fill. Structures erected, constructed, reconstructed, altered, or moved on fill within the Flood Fringe District shall be placed so that the lowest floor, as defined in Section 2 (Rules and Definitions) of this ordinance, is elevated at or above the Regulatory Flood Protection Elevation (RFPE). The finished fill elevation shall be at or above the elevation associated with the base flood plus any stage increases that result from designation of a floodway. Fill must extend at the same elevation at least 15 feet beyond the outside limits of the structure. Elevations must be certified by a registered professional engineer, land surveyor or other qualified person designated by the Zoning Administrator. Elevation methods alternative to these fill standards are subject to a Conditional Use Permit, as provided in Section 611.4(3)(a) of this ordinance (Figure 1). Construction of this type shall only be permitted in locations where the natural ground is no lower than three feet below the base flood elevation.

Figure 1: Overview of fill standards for residential structures.



(b) Nonresidential Principal Structures. Nonresidential principal structures must meet one of the following construction methods:

(1) Elevation on Fill. Structures may be elevated on fill, meeting the standards in Section 611.4(2)(a)(1) of this ordinance. Fill for nonresidential structures is not required to be extended 15 feet beyond the outside limits of the structure.

(2) Alternative Elevation Methods. Structures may be elevated using methods alternative to the fill standards in Section 611.4(2)(a)(1) of this ordinance. Such methods include the use of blocks, pilings (Figure 2), filled stem walls (Figure 3), or internally-flooded enclosed areas (Figure 4) such as crawl spaces, attached garages, or tuck under garages.

Figure 2: Blocks or pilings.

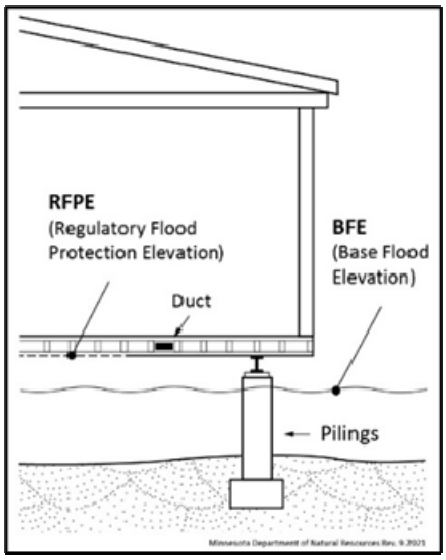


Figure 3: Filled stem walls. enclosed

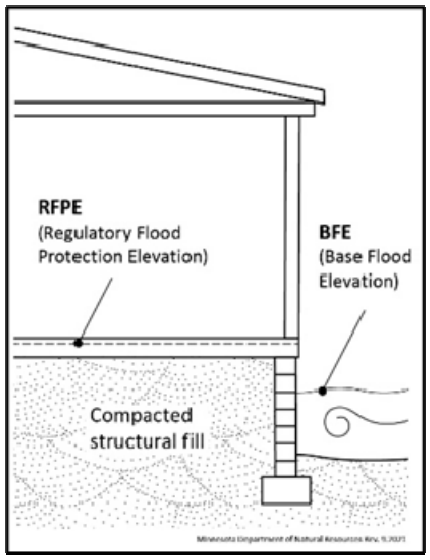
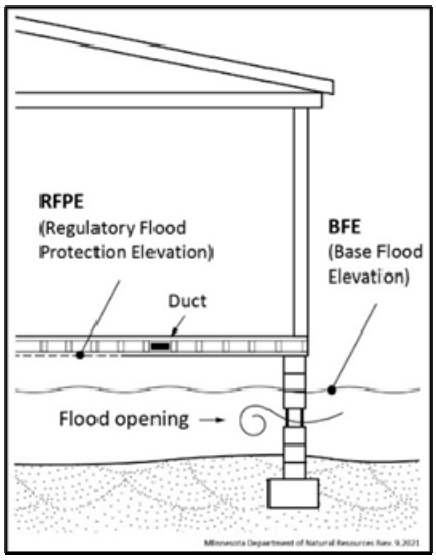


Figure 4: Internally flooded area.



Designs accommodating for internally flooded enclosed areas must be certified by a registered professional engineer or architect, or meet or exceed the standards detailed in *FEMA Technical Bulletin 1*, as amended, as well as the following standards:

(a) The lowest floor, as defined in Section 2 (Rules and Definitions) of this ordinance, shall be elevated at or above the Regulatory Flood Protection Elevation (RFPE).

(b) The floor of the enclosed area must be at or above the exterior grade on at least one side of the structure.

(c) To allow for the equalization of hydrostatic pressure, there shall be a minimum of two openings below the base flood elevation on at least two sides of the structure. The bottom of all openings shall be no higher than one foot above grade. The openings shall have a minimum net area of not less than one square inch for every square foot of enclosed area subject to flooding, have a net area of not less than one square inch for every square foot of enclosed area subject to flooding, and shall allow automatic entry and exit of floodwaters without human intervention.

(d) Internally flooded enclosed areas shall only be used for the parking of vehicles, building access, or storage. Bathrooms and toilet rooms shall not be allowed. Such areas shall be subject to a deed-restricted non-conversion agreement as well as periodic inspections with the issuance of any permit.

(3) Dry Floodproofing. Structures having watertight enclosed basements or spaces below the Regulatory Flood Protection Elevation (RFPE) must meet the following standards:

(a) Walls must be substantially impermeable to the passage of water, with structural components having the capacity of resisting hydrostatic and hydrodynamic loads and effects of buoyancy, at least up to the Regulatory Flood Protection Elevation (RFPE);

(b) Must meet the standards of FEMA Technical Bulletin 3, as amended; and

(c) A registered professional engineer or architect shall be required to certify that the design and methods of construction meet the standards detailed in this Section.

(c) Accessory Structures. All accessory structures must meet the following standards:

(1) Structures shall not be designed or used for human habitation.

(2) Structures will have a low flood damage potential.

(3) Structures with fewer than two rigid walls, such as carports, gazebos, and picnic pavilions, may be located at an elevation below the Regulatory Flood Protection Elevation.

(4) Structures with two or more rigid walls, must meet one of the following construction methods:

(a) Wet Floodproofing. Structures may be floodproofed in a way to accommodate internal flooding. Such structures shall constitute a minimal investment not to exceed 576 square feet in size, one-story in height, and shall only be used for parking and storage. To allow for the equalization of hydrostatic pressure, there shall be a minimum of two openings on at least two sides of the structure and the bottom of all openings shall be no higher than one foot above grade. The openings shall have a minimum net area of not less than one square inch for every square foot of enclosed area subject to flooding and shall allow automatic entry and exit of floodwaters without human intervention.

(b) Elevation on Fill. Structures may be elevated on fill, meeting the standards in Section 611.4(2)(a)(1) of this ordinance. Fill is not required to be extended 15 feet beyond the outside limits of the structure.

(c) Alternative Elevation Methods. Structures may have their lowest floor elevated above the Regulatory Flood Protection Elevation (RFPE) through methods alternative to the fill standards in Section 611.4(2)(c)(4)(b), and must meet the standards in Section 611.4(2)(b)(2) of this ordinance.

(d) Dry Floodproofing. Structures may be dry-floodproofed, or watertight, meeting the standards

in Section 611.4(2)(b)(3) of this ordinance.

(d) All new principal structures must provide vehicular access no lower than one foot below the Base Flood Elevation (BFE), unless a flood warning/emergency evacuation plan has been approved by Corinna Township.

(e) Any facilities used by employees or the general public must be designed with a flood warning system acceptable to Corinna Township that provides adequate time for evacuation, or be designed to ensure that within the area inundated during the base flood event, the depth (in feet) multiplied by the velocity (in feet per second) is less than four.

(f) Manufactured homes and recreational vehicles must meet the standards of Section 611.8 of this ordinance.

(3) Conditional and Interim Uses in Flood Fringe. The following uses and activities may be permitted as conditional or interim uses, subject to the standards in Sections 611.4(4):

(a) Alternative Elevation Methods – Residential Structures. Residential structures with their lowest floor elevated above the Regulatory Flood Protection Elevation (RFPE) using methods alternative to the fill requirements in Section 611.4(2)(a) shall require a conditional use permit.

(b) Those uses or structures listed as conditional or interim uses in the underlying zoning district.

(4) Standards for Conditional and Interim Uses in Flood Fringe. In addition to the applicable standards detailed in Sections 611:

(a) All residential structures with lowest floors elevated through alternative elevation methods must meet the standards in Section 611.4(2)(b)(2) of this ordinance.

611.5 GENERAL FLOODPLAIN DISTRICT

(1) Permitted Uses in General Floodplain District

(a) Until the floodway is delineated, allowable uses will be restricted to those listed in the Floodway District, Section 611.3.

(b) All other uses are subject to a floodway/flood fringe determination as provided in Section611.5(4), in addition to the standards provided in Sections 611.5(2) and 611.5(3). Permitted uses shall be determined as follows:

(1) If the development is determined to be in the Floodway District, Section 611.3 applies.

(2) If the development is determined to be in the Flood Fringe District, Section 611.4 applies.

(2) Determining Flood Elevations

(a) All development requires a determination of the Base Flood Elevation (BFE). Exceptions to this requirement include projects that restore the site to the previous cross-sectional area, such as shore stabilization or culvert replacement projects. Base Flood Elevations (BFE) may be found using best available data from any Federal, State, or other source (including MNDNR's Lake & Flood Elevations Online (LFEO) Viewer).

(b) The Regulatory Flood Protection Elevation (RFPE) can be determined by assuming a one-half (0.5) foot stage increase to accommodate for future cumulative impacts. A stage increase does not need to be assumed along lakes, wetlands, and other basins that are not affected by velocities.

(3) Encroachment Analysis

(a) Encroachments due to development may not allow stage increases more than one-half (0.5) foot at any point, unless through a map revision following the procedures in Sections 611.9(1)(e) and 611.10. This evaluation must include the cumulative effects of previous encroachments and must be documented with hydrologic and hydraulic analysis performed by a professional engineer, or using other standard engineering practices. A lesser water surface elevation increase than one-half (0.5) foot is required if, due to the water surface level increase, increased flood damages would potentially result.

(b) Alterations or changes that result in stage decreases are allowed and encouraged.

(4) Standards for the Analysis of Floodway Boundaries

(a) Requirements for Detailed Studies. Any development, as requested by the Zoning Administrator, shall be subject to a detailed study to determine the Regulatory Flood Protection Elevation (RFPE) and the limits of the Floodway District. This determination must be consistent with the minimum standards for hydrologic and hydraulic mapping standards and techniques, as detailed in Minnesota Rules, part 6120.5600, Subp. 4 and *FEMA Guidelines and Standards for Flood Risk Analysis and Mapping*, as revised. Additionally:

(1) A regulatory floodway necessary to carry the discharge of the one-percent annual chance flood must be selected without increasing the water surface elevation more than one-half (0.5) foot at any point. This determination should include the cumulative effects of previous encroachments. A lesser water surface elevation increase than one-half (0.5) foot is required if, due to the water surface level increase, increased flood damages would potentially result; and

(2) An equal degree of encroachment on both sides of the stream within the reach must be assumed in computing floodway boundaries, unless topography, existing development patterns, and comprehensive land use plans justify a modified approach, as approved by the Department of Natural Resources.

(b) Other Acceptable Methods. For areas where a detailed study is not available or required:

(1) Development prohibited in floodways (e.g. most buildings) requires a floodway/flood fringe determination to verify the development is within the flood fringe. This determination must be done by a professional engineer or utilize other accepted engineering practices. The Department of Natural Resources may also provide technical assistance and must approve any alternative methods used to determine floodway boundaries.

(2) For areas where the floodway has not been determined in and along lakes, wetlands, and other basins, the following methodology may be used as an alternative to Item (1) above, provided these areas are not affected by velocities and the lot is able to accommodate a building site above the Regulatory Flood Protection Elevation (RFPE):

(a) All areas that are at or below the ordinary high-water level, as defined in Minnesota Statutes, section 103G.005, Subd. 14, will be considered floodway, and all areas below the Base Flood Elevation (BFE) but above the ordinary high-water level will be considered flood fringe, provided that within 25 feet of the ordinary high-water level, or within the Shore Impact Zone as identified in the community's Shoreland ordinance, whichever distance is greater, land alterations shall be restricted to:

(1) The minimum required to accommodate beach areas, access areas, and accessory structures as permitted, not to exceed a volume greater than 10 cubic yards; projects involving volumes exceeding 10 cubic yards require floodway/flood fringe determination in accordance with the procedures in Section 611.5(4)(b), item (1); and

(2) The minimum required to accommodate shoreline stabilization projects to correct an identified erosion problem as verified by a qualified resource agency or the Zoning Administrator.

611.6 SUBDIVISION STANDARDS

(1) Subdivisions. All subdivided land must meet the following requirements. Manufactured home parks and recreational vehicle parks or campgrounds are considered subdivisions under this ordinance.

(a) All lots within floodplain districts must be suitable for a building site outside of the Floodway District.

(b) Subdivision of lands within the floodplain districts may not be approved if the cost of providing governmental services would impose an unreasonable economic burden on Corinna Township.

(c) All subdivisions must have vehicular access both to the subdivision and to the individual building sites no lower than two feet below the Regulatory Flood Protection Elevation (RFPE), unless a flood

warning/emergency evacuation plan has been approved by Corinna Township.

(d) The Floodway and Flood Fringe District boundaries, the Regulatory Flood Protection Elevation (RFPE) and the required elevation of all access roads must be clearly identified on all required subdivision drawings and platting documents.

611.7 PUBLIC AND PRIVATE UTILITIES, SERVICE FACILITES, ROADS, BRIDGES, AND RAILROADS

(1) Public Transportation Facilities. Railroad tracks, roads, and bridges must be elevated to the Regulatory Flood Protection Elevation (RFPE) where such facilities are essential to the orderly functioning of the area, or where failure or interruption would result in danger to public health or safety. Minor or auxiliary roads or railroads may be constructed at a lower elevation where failure or interruption of transportation services would not endanger the public health or safety. All public transportation facilities should be designed to minimize increases in flood elevations.

(2) Public Utilities. All utilities such as gas, electrical, sewer, and water supply systems to be located in the floodplain must be elevated and/or floodproofed to the Regulatory Flood Protection Elevation (RFPE), be located and constructed to minimize or eliminate flood damage, and be designed to eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters. All public utilities should be designed to minimize increases in flood elevations. New solid waste management facilities, as defined in Minnesota Rules, part 7035.0300, are prohibited in the one-percent annual chance floodplain. Water supply systems are subject to the provisions in Minnesota Rules, part 4725.4350.

(3) Private On-Site Water Supply, Individual Sewage Treatment Systems, and other Service Facilities. Private facilities shall be subject to applicable provisions detailed in Section 611.7(2). In addition, new or replacement on-site sewage treatment systems are to be located to avoid impairment to them or contamination from them during times of flooding, shall not be located in a designated floodway, and are subject to the provisions in Minnesota Rules, parts 7080.2270.

611.8 MANUFACTURED HOMES AND RECREATIONAL VEHICLES

(1) Manufactured Homes. Manufactured homes and manufactured home parks are subject to applicable standards for each floodplain district. In addition:.

(a) New and replacement manufactured homes must be placed and elevated in compliance with Section 611.4 of this ordinance and must be securely anchored to a system that resists flotation, collapse and lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors.

(b) New manufactured home parks and expansions to existing manufactured home parks must meet the appropriate standards for subdivisions in Section 611.6 of this ordinance.

(2) Recreational Vehicles. New recreational vehicle parks or campgrounds and expansions to existing recreational vehicle parks or campgrounds are prohibited in any floodplain district. Recreational vehicles placed in existing recreational vehicle parks, campgrounds or lots of record in the floodplain must either:

(a) Meet the requirements for manufactured homes in Section 611.8(1), or

(b) Be travel ready, meeting the following criteria:

(1) The vehicle must be fully licensed.

(2) The vehicle must be ready for highway use, meaning on wheels or the internal jacking system, attached to the site only by quick disconnect type utilities.

(3) No permanent structural type additions may be attached to the vehicle.

(4) Accessory structures may be permitted in the Flood Fringe District, provided they do not hinder the removal of the vehicle should flooding occur, and meet the standards outlined in Sections 611.2a and 611.4(2)(c).

611.9 ADMINISTRATION

(1) Duties. A Zoning Administrator or other official must administer and enforce this ordinance.

(a) Permit Application Requirements. Permit applications must be submitted to the Zoning Administrator. The permit application must include the following, as applicable:

(1) A site plan showing all existing or proposed buildings, structures, service facilities, potential obstructions, and pertinent design features having an influence on the permit.

(2) Location and detail of grading, fill, or storage of materials.

(3) Copies of any required local, state or federal permits or approvals.

(4) Other relevant information requested by the Zoning Administrator as necessary to properly evaluate the permit application.

(b) Recordkeeping. The Zoning Administrator must maintain applicable records in perpetuity documenting:

(1) All certifications for dry floodproofing and alternative elevation methods, where applicable.

(2) Analysis of no-rise in the Floodway District, as detailed in Section 611.3(2)(a), and encroachment analysis ensuring no more than one-half foot of rise in the General Floodplain District, as detailed in Sections 611.5(2)(b) and 611.5(3)(a).

(3) Final elevations, as applicable, detailing the elevation to which structures and improvements to structures are constructed or floodproofed. Elevations shall be determined by an engineer, architect, surveyor or other qualified individual, as approved by the Zoning Administrator.

(4) Substantial damage and substantial improvement determinations, as detailed in Section 611.10(1)(c), including the cost of improvements, repairs, and market value.

(5) All variance actions, including justification for their issuance, and must report such variances as requested by the Federal Emergency Management Agency.

(c) Certificate of Zoning Compliance for a New, Altered, or Nonconforming Use. No building, land or structure may be occupied or used in any manner until a certificate of zoning compliance has been issued by the Zoning Administrator stating that the finished fill and building floor elevations or other flood protection measures are in compliance with the requirements of this ordinance.

(d) Notifications for Watercourse Alterations. Before authorizing any alteration or relocation of a river or stream, the Zoning Administrator must notify adjacent communities. If the applicant has applied for a permit to work in public waters in accordance with Minnesota Statutes, Section 103G.245, this will suffice as adequate notice. A copy of the notification must also be submitted to FEMA.

(e) Notification to FEMA. When Physical Changes Increase or Decrease Base Flood Elevations. Where physical changes affecting flooding conditions may increase or decrease the water surface elevation of the base flood, Corinna Township must notify FEMA of the changes in order to obtain a Letter of Map Revision (LOMR), by submitting a copy of the relevant technical or scientific data as soon as practicable, but no later than six months after the date such supporting information becomes available. Within the General Floodplain District, a map revision is only required if development results in stage increases greater than 0.5 feet.

(2) Conditional Uses, Interim Uses and Variances

(a) Process.

(1) An application for a conditional or interim use permit within the floodplain will be processed and reviewed in accordance with the provisions of this ordinance.

(2) An application for a variance to the provisions of this ordinance will be processed and reviewed in accordance with Minnesota Statutes, Section 394.27, Subd. 7 and this ordinance.

(b) Additional Variance Criteria. The following additional variance criteria must be satisfied:

(1) Variances must not be issued within any designated regulatory floodway if any increase in flood levels during the base flood discharge would result.

(2) Variances from the provisions of this ordinance may only be issued by a community upon:

(a) A showing of good and sufficient cause;

(b) A determination that failure to grant the variance would result in exceptional hardship to the applicant; and

(c) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

(3) Variances from the provisions in this ordinance may only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

(4) Variances must be consistent with the general purpose of these standards and the intent of applicable provisions in state and federal law.

(5) Variances may be used to modify permissible methods of flood protection, but no variance shall permit a lesser degree of flood protection than the Regulatory Flood Protection Elevation (RFPE).

(6) The Zoning Administrator must notify the applicant for a variance in writing that:

(a) The issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as $25 for $100 of insurance coverage; and

(b) Such construction below the base flood level increases risks to life and property. Notification must be maintained with a record of all variance actions.

(c) Considerations for Approval. Corinna Township must consider all relevant factors specified in other sections of this ordinance in granting variances, conditional, and interim use permits, including the following:

(1) The potential danger to life and property due to increased flood heights or velocities caused by encroachments.

(2) The danger that materials may be swept onto other lands or downstream to the injury of others.

(3) The safety of access to the property in times of flood for ordinary and emergency vehicles.

(d) Conditions of Approval. Corinna Township may attach such conditions to the granting of variances, conditional, and interim use permits as it deems necessary to fulfill the purposes of this ordinance. Such conditions may include, but are not limited to, the following:

(1) Limitations on period of use, occupancy, and operation.

(2) Imposition of operational controls, sureties, and deed restrictions.

(3) The prevention of soil erosion or other possible pollution of public waters, both during and after construction.

(4) Other conditions as deemed appropriate by the Zoning Administrator, Planning Commission, and Board of Adjustment.

(3) Notifications to the Department of Natural Resources

(a) All notices of public hearings to consider variances or conditional uses under this section must be sent to the Commissioner of the Department of Natural Resources or the respective area hydrologist at least ten (10) days before the hearings. Notices of hearings to consider subdivisions/plats must include copies of the subdivision/plat.

(b) A copy of all decisions granting variances and conditional uses under this ordinance must be sent to the Commissioner of the Department of Natural Resources or respective area hydrologist within ten (10) days of final action.

611.10 NONCONFORMITIES

(1) Continuance of Nonconformities. A use, structure, or occupancy of land which was lawful before the passage or amendment of this ordinance, but which is not in conformity with the provisions of this ordinance,

may be continued subject to the following conditions:

(a) Within the floodway and general floodplain districts (when a site has been determined to be located in the floodway following the procedures in Section 611.5(3), or when the floodway has not been delineated), any expansion or enlargement of uses or structures is prohibited.

(b) Within all districts, any addition, modification, rehabilitation, repair, or alteration shall be in conformance with the provisions of this ordinance, shall not increase the flood damage potential or increase the degree of obstruction to flood flows, and where applicable, must be protected to the Regulatory Flood Protection Elevation (RFPE).

(c) If any nonconforming structure is determined to be substantially damaged or substantially improved based on the procedures in Section 611.10(2), it may not be reconstructed except in conformity with the provisions of this ordinance. Any structures located outside the one-percent annual chance floodplain are exempt from this provision.

(d) If any nonconforming use, or any use of a nonconforming structure, is discontinued for more than one year, any future use of the premises must conform to this ordinance.

(e) If any nonconforming structure has utilities, electrical, or mechanical equipment damaged due to flooding, it must be rebuilt in conformance with the elevation requirements in Section 611.2a(3)(a)(4) to the greatest extent practicable. This requirement shall apply regardless of the determinations made in Section 611.10(2).

(2) Substantial Improvement and Substantial Damage Determinations. Prior to issuing any permits for additions, modifications, rehabilitations, repairs, alterations, or maintenance to nonconforming structures, the Zoning Administrator is required to determine if such work constitutes substantial improvement or repair of a substantially damaged structure. A determination must be made in accordance with the following procedures:

(a) Estimate the market value of the structure. In the case of repairs, the market value of the structure shall be the market value before the damage occurred and before any restoration or repairs are made.

(b) Estimate the cost of the project. The property owner shall accommodate for inspection, and furnish other documentation needed by the zoning administrator to evaluate costs.

(1) Improvement costs shall be comprised of the market rate of all materials and labor, as well as the costs of all ordinary maintenance and upkeep carried out over the past one year.

(2) Costs to repair damages shall be comprised of the market rate of all materials and labor required to restore a building to its pre-damaged condition regardless of the work proposed, as well as associated improvement costs if structure is being restored beyond its pre-damaged condition.

(c) Compare the cost of the improvement, repairs, or combination thereof to the estimated market value of the structure and determine whether the proposed work constitutes substantial improvement or repair of a substantially damaged structure, as defined in Section 2 (Rules and Definitions) of this ordinance.

(1) For the purposes of determining whether the proposed work would constitute substantial improvement, the evaluation shall also include all rehabilitations, additions, or other improvements completed since the community has adopted floodplain standards impacting this structure.

(2) If any nonconforming structure experiences a repetitive loss, as defined in Section 2 (Rules and Definitions) of this ordinance, it shall be considered substantially damaged and must not be reconstructed except in conformity with the provisions of this ordinance.

(d) Based on this determination, the zoning administrator shall prepare a determination letter and notify the property owner accordingly. Structures determined to be substantially damaged or substantially improved may not be reconstructed except in conformity with the provisions of this ordinance.

611.11 VIOLATIONS AND PENALTIES

(1) Uses in Violation of the Ordinance. Every structure, fill, deposit, or other use placed or maintained in the floodplain in violation of this ordinance shall be considered a public nuisance.

(2) Civil Remedies. The creation of a public nuisance may be enjoined and the maintenance of a public nuisance under this ordinance may be abated by an action brought by Corinna Township or the Department of Natural Resources.

(3) Enforcement. Violations of the provisions of this ordinance constitutes a misdemeanor and is punishable as defined by law. The Zoning Administrator may utilize the full array of enforcement actions available to it including but not limited to prosecution and fines, injunctions, after-the-fact permits, orders for corrective measures or a request to the National Flood Insurance Program for denial of flood insurance. Corinna Township must act in good faith to enforce these official controls and to correct ordinance violations to the extent possible so as not to jeopardize its eligibility in the National Flood Insurance Program.

611.12 AMENDMENTS

(1) Ordinance Amendments. Any revisions to the floodplain maps by the Federal Emergency Management Agency or annexations of new map panels require an ordinance amendment to update the map references in Section 611.2(2) of this ordinance.

(2) Required Approval. All amendments to this ordinance must be submitted to the Department of Natural Resources for review and approval prior to adoption, for compliance with state and federal rules and requirements. The floodplain ordinance shall not be considered valid until approved.

612. SHORELAND ZONING REGULATIONS

612.1 Administration

(1) Statutory Authorization and Purpose

This shoreland ordinance is adopted pursuant to the authorization and policies contained in Minnesota Statutes, Chapter 103F, Minnesota Regulations, Parts 6120.2500 - 6120.3900, and the planning and zoning enabling legislation in Minnesota Statutes, Chapters 394 and 462.

The uncontrolled use of shorelands of Corinna Township, Wright County, Minnesota affects the public health, safety and general welfare not only by contributing to pollution of public waters, but also by impairing the local tax base. Therefore, it is in the best interests of the public health, safety and welfare to provide for the wise subdivision, use and development of shorelands of public waters. The Legislature of Minnesota has delegated responsibility to local governments of the state to regulate the subdivision, use and development of the shorelands of public waters and thus preserve and enhance the quality of surface waters, conserve the economic and natural environmental values of shorelands, and provide for the wise use of waters and related land resources. This responsibility is hereby recognized by Corinna Township.

(2) Jurisdiction

The provisions of this ordinance shall apply to the shorelands of the public water bodies as classified in Section 4.0 of this ordinance. Pursuant to Minnesota Regulations, Parts 6120.2500 - 6120.3900, no lake, pond, or flowage less than 10 acres in size in municipalities or 25 acres in size in unincorporated areas need be regulated in a local government's shoreland regulations. A body of water created by a private user where there was no previous shoreland may, at the discretion of the governing body, be exempt from this ordinance.

(3) Compliance

The use of any shoreland of public waters; the size and shape of lots; the use, size, type and location of structures on lots; the installation and maintenance of water supply and waste treatment systems, the grading and filling of any shoreland area; the cutting of shoreland vegetation; and the subdivision of land shall be in full compliance with the terms of this ordinance and other applicable regulations.

(4) Enforcement

The Corinna Township Board of Supervisors, or their designee, is responsible for the administration and enforcement of this ordinance. Any violation of the provisions of this ordinance or failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with grants of variances or conditional uses) shall constitute a misdemeanor and shall be punishable as defined by law. Violations of this ordinance can occur regardless of whether or not a permit is required for a regulated activity pursuant to Section 3.1 of this ordinance.

(5) Permits

Permit requirements and application/approval procedures shall be as outlined in Section 506 of this Ordinance.

(6) Variances

Variances to the requirements of Section 612 shall be reviewed in accordance with the requirements of Section 502 of this Ordinance and Minnesota Statutes 394.27.

(7) Notifications to the Department of Natural Resources and Wright County

Copies of all notices of any public hearings to consider variances, amendments, or conditional uses under local shoreland management controls must be sent to the commissioner or the commissioner's designated representative and to the Wright County zoning official and postmarked at least ten days before the hearings. Notices of hearings to consider proposed subdivisions/plats must include copies of the subdivision/plat.

A copy of approved amendments and subdivisions/plats, and final decisions granting variances or conditional uses under local shoreland management controls must be sent to the commissioner or the commissioner's designated representative and to the Wright County zoning official and postmarked within ten days of final action.

612.2 Classification System

Water bodies in Corinna Township have been divided into Lake and River Classifications in accord with the MN DNR Shoreland Management Standards. The three categories of lakes are Natural Environment, Recreational Development, and General Development. General Development and Recreational Development Lakes are larger in size and potentially more suitable for development and recreation purposes and can thus support a higher density of residential development on the shoreland. Natural Environment Lakes are smaller, often marshy in character, and require stricter shoreland standards to protect the quality of the lake resource. The three categories of rivers used in the County are Transition, Agriculture, and Tributary. Transition River areas have a mixture of land uses and development densities. Agriculture Rivers are located in intensively cultivated areas and have potential for additional development however, water quality constraints and competing land uses, particularly agriculture, will inhibit expansions. Tributary Rivers also have a wide variety of existing land uses. There is potential for additional development and recreational use, particularly those located near roads and cities. For a more thorough review of the classification system, reference is made to the MN DNR Statewide Standards.

612.3 Lakes Classifications

The Shorelands Zoning Regulations of Corinna Township will apply to all lakes classified as either Natural Environment (NE), Recreational Development (RD), or General Development (GD) by the Department of Natural Resources (DNR).

The following Lakes as mapped on the Protected Waters and Wetlands Map, 1984 by the Department of Natural Resources, incorporated herein by reference, are included under the Shoreland Zoning District:

PROTECTED WATERS					
LAKE ID #	LAKE NAME	SEC	TWP	RNG	CLASSIFICATION
86-153	Unnamed	19,30	121	26	NE (Wetland)
86-208	Swartout (Swart Watts) Lake	3,4,9	120	27	NE
86-222	Unnamed	5,32	121	27	NE
86-223	Indian Lake	1,12	121	27	RD
86-224	Sandy Lake	3,10	121	27	NE
86-225	Unnamed	13	121	27	NE (Wetland)
86-227	Cedar Lake	15,21,22,27,34	121	27	GD
86-229	Mink Lake	23,24	121	27	RD
86-230	Somers Lake	24,25	121	27	RD
86-233	Sugar Lake	1,2,10,11;35,36	121, 122	27	GD
86-234	Bass Lake	4,5;32,33	121, 122	27	GD
86-243	Grass Lake	32	122	27	NE
86-244	Unnamed	32,33	122	27	NE

86-245	Unnamed	33	122	27	NE (Wetland)
86-246	Long Lake	3;34	121, 122	27	NE
86-251	Pleasant Lake	19,20;24	121	27, 28	GD
86-252	Clearwater Lake	various	121, 122	27, 28	GD
86-370	Unnamed	3,4,9	121	27	NE
86-500	Unnamed	36	121	27	NE

612.4 River and Stream Classifications

PROTECTED RIVERS AND STREAMS TRIBUTARY STREAMS						
	From			To		
Name	SEC	TWP	RNG	SEC	TWP	RNG
Unnamed to Clearwater	21 (Basin 227 – Cedar Lake)	121	27	21 (Basin 252 – Clearwater Lake)	121	27
Unnamed to Unnamed	32 (Basin 222 - Unnamed)	121	27	21	121	27
Unnamed to Clearwater	20 (Basin 251 – Pleasant Lake)	121	27	17 (Basin 252 – Clearwater Lake)	121	27

612.5 Shoreland Performance Standards

(1) General Performance Standard for Lakes

Performance standards in shoreland areas are additional to standards of the primary zoning district. In case of a conflict, the stricter standard shall apply as well as any additional requirements if flood plain elevations have been established.

The minimum lot size of the underlying zoning district applies only where soil percolation tests indicate the lot is sufficiently large to provide for the drainfield and septic tank setbacks required by this Ordinance.

(a) General Development Minimum Standards:

Structure setback from OWHL	75 ft.
Structure setback from Bluff	30 ft.
Structure setback from unplatted cemetery	50 ft.
Lot Size	As per underlying zoning district
Lot Width	As per underlying zoning district
Height	2 1/2 stories (35 ft.)
Elevation of lowest floor above highest known water level (livable structures only)	4 ft.
Water Oriented Accessory Structure setback from OWHL	10 ft.

The lot width may be reduced to 100 feet if public sewage treatment facilities are provided.

(b) Recreational Development Standards:

Structure setback from OWHL	100 ft.
Structure setback from Bluff	30 ft.
Structure setback from unplatted cemetery	50 ft.

Lot Size	As per underlying zoning district
Lot Width	As per underlying zoning district
Height	2 1/2 stories (35 ft.)
Elevation of lowest floor above highest known water level (livable structures only)	4 ft.
Water Oriented Accessory Structure Setback from OWHL	10 ft.

The lot width may be reduced to 100 feet if public sewage treatment facilities are provided.

(c) Natural Environment Standards:

Structure setback from OWHL	200 ft.
Structure setback from Bluff	30 ft.
Structure setback from unplatted cemetery	50 ft.
Lot Size	2 acres
Lot Width	200 ft.
Lot Depth	200 ft.
Side Yard Setback	20 ft.
Height	2 1/2 stories (35 ft.)
Elevation of lowest floor above highest known water level (livable structures only)	4 ft.

**Water Oriented Accessory Structures are not permitted on Natural Environment Lakes.

(2) General Performance Standards for Rivers

Performance standards in shoreland areas are additional to standards of the primary zoning district. In case of a conflict, the stricter standard shall apply as well as any additional requirements if flood plain elevations have been established.

(livable structures only)	4 ft.

(a) Tributary Standards:

Structure setback from OWHL	100 ft.
Structure setback from Bluff	30 ft.
Lot Width	150 ft.
Height	2 1/2 stories (35 ft.)
Elevation of lowest floor above highest known water level (livable structures only)	4 ft.
Water Oriented Accessory Structures setback from OWHL	10 ft.

(3) Design Criteria for Certain Structures

(a) Bluff Impact Zones

Structures and accessory facilities, except stairways and landings, must not be placed within bluff impact zones.

(b) Stairways, Lifts, and Landings.

Stairways and lifts are the preferred alternative to major topographic alterations for achieving access up and down bluffs and steep slopes to shore areas. Stairways and lifts must meet the following design requirements.

(1) Stairways and lifts must not exceed four feet in width on residential lots. Wider stairways may be used for commercial properties, public open-space recreational properties, and planned unit developments;

(2) Landings for stairways and lifts on residential lots must not exceed 32 square feet in area. Landings larger than 32 square feet may be used for commercial properties, public open-space recreational properties, and planned unit developments;

(3) Canopies or roofs are not allowed on stairways, lifts, or landings;

(4) Stairways, lifts, and landings may be either constructed above the ground on posts or pilings, or placed into the ground, provided they are designed and built in a manner that ensures control of soil erosion;

(5) Stairways, lifts, and landings must be located in the most visually inconspicuous portions of lots, as viewed from the surface of the public water assuming summer, leaf-on conditions, whenever practical; and

(6) Facilities such as ramps, lifts, or mobility paths for physically handicapped persons are also allowed for achieving access to shore areas, provided that the dimensional and performance standards of subitems (1) to (5) are complied with..

(c) Decks must meet the structure setback standards. Decks that do not meet the structure setback requirements from public waters may be allowed without a variance to be added to structures existing on the date the shoreland structure setbacks were established by ordinance, if all of the following criteria and standards are met:

(1) a thorough evaluation of the property and structure reveals no reasonable location for a deck meeting or exceeding the existing ordinary high water level setback of the structure;

(2) the deck encroachment toward the ordinary high water level does not exceed 15 percent of the existing shoreline setback of the structure from the ordinary high water level or does not encroach closer than 30 feet or does not encroach closer than the existing legally placed structures on adjacent property, whichever is more restrictive; and

(3) the deck is constructed primarily of wood and is not roofed or screened.

(d) Water-oriented Accessory Structures and facilities. All accessory structures and facilities, except those that are water-oriented, must meet or exceed structure setback standards. If allowed by water classification, each residential lot may have <u>one</u> water-oriented accessory structure or facility located closer to public waters than the structure setback if all of the following standards are met:

(1) the structure or facility must not exceed ten feet in height, exclusive of safety rails, and cannot occupy an area greater than 250 square feet. Detached decks must not exceed eight feet above grade at any point;

(2) the setback of the structure or facility from the ordinary high water level must be at least ten feet;

(3) the structure or facility must be treated to reduce visibility as viewed from public waters and adjacent shorelands by vegetation, topography, increased setbacks or color, or other means assuming summer, leaf-on conditions;

(4) the roof may be used as a deck with safety rails, but must not be enclosed or used as a storage area;

(5) the structure or facility must not be designed or used for human habitation and must not contain water supply or sewage treatment facilities; and

(6) for general development water bodies, water-oriented accessory structures used solely for watercraft storage, and including storage of related boating and water-oriented sporting equipment, may occupy an area up to 400 square feet provided the maximum width of the structure is 20 feet as measured parallel to the configuration of the shoreline.

(4) Agriculture Use Standards

(a) The shore impact zone for parcels with permitted agricultural land uses is equal to a line parallel to and 50 feet from the ordinary high water level.

(b) General cultivation farming, grazing, nurseries, horticulture, truck farming, sod farming, and wild crop harvesting are allowed if permitted uses, if steep slopes and shore and bluff impact zones are maintained in permanent vegetation or operated under an approved conservation plan (Resource Management Systems) consistent with the field office technical guides of the local soil and water conservation districts or the United States Soil Conservation Service, as provided by a qualified individual or agency.

(c) Animal feedlots as defined by the Minnesota Pollution Control Agency, where allowed by zoning district designations, must be reviewed as conditional uses and must meet the following standards, in addition to those of the Wright County Feedlot Ordinance:

(1) New feedlots must not be located in the shoreland of watercourses or in bluff impact zones and must meet a minimum setback of 300 feet from the ordinary high water level of all public waters basins; and

(2) Modifications or expansions to existing feedlots that are located within 300 feet of the ordinary high water level or within a bluff impact zone are allowed if they do not further encroach into the existing ordinary high water level setback or encroach on bluff impact zones.

(3) A certificate of compliance, interim permit, or animal feedlot permit, when required by MN P.C.A. Rules 7020.0100-7020.1900 or the Wright County Feedlot Ordinance must be obtained by the owner or operator from the applicable authority.

(d) Use of fertilizer, pesticides, or animal wastes within shorelands must be done in such a way as to minimize impact on the shore impact zone or public water by proper application or use of earth or vegetation.

(5) Land Suitability

Each lot created through subdivision must be suitable for development in its natural state for the proposed use with minimal alteration. Suitability analysis shall consider susceptibility to flooding, existence of wetlands, soil and rock formations with severe limitations for development, severe erosion potential, steep topography, inadequate water supply or sewage treatment capabilities, near-shore aquatic conditions unsuitable for water-based recreation, important fish and wildlife habitat, presence of significant historic sites, or any other feature of the natural land likely to be harmful to the health safety, or welfare of future residents of the proposed divisions or of the community.

(6) Shoreland Alterations

Alterations of vegetation and topography will be regulated to prevent erosion into public waters, fix nutrients, preserve shoreland aesthetics, preserve historic values, prevent bank slumping, and protect fish and wildlife habitat.

Vegetation Alterations.

(a) Vegetation alteration necessary for the construction of structures and sewage treatment systems and the construction of roads and parking areas regulated by this ordinance are exempt from the vegetation alteration standards that follow.

(b) Removal or alteration of vegetation, except for agricultural and forest management uses as regulated in this ordinance, is allowed subject to the following standards:

a. Intensive vegetation clearing within the shore and bluff impact zones and on steep slopes is not allowed. Intensive vegetation clearing for forest land conversion to another use outside of these areas is allowable as a conditional use if an erosion control and sedimentation plan is developed and approved by the soil and water conservation district in which the property is located.

b. In shore and bluff impact zones and on steep slopes, limited clearing of trees and shrubs and cutting, pruning, and trimming of trees is allowed to provide a view to the water from the principal dwelling site and to accommodate the placement of stairways and landings, picnic areas, access paths, livestock watering areas, beach and watercraft access areas, and permitted water-oriented accessory structures or facilities, provided that:

i. the screening of structures, vehicles, or other facilities as viewed from the water, assuming summer, leaf-on conditions, is not substantially reduced;

ii. along rivers, existing shading of water surfaces is preserved; and

i. the above provisions are not applicable to the removal of trees, limbs, or branches that are dead, diseased, or pose safety hazards.

Topographic Alterations/Grading and Filling.

(a) Grading and filling and excavations necessary for the construction of structures, sewage treatment systems, and driveways under validly issued construction permits for these facilities do not require the issuance of a separate grading and filling permit. However, the grading and filling standards in this Section must be incorporated into the issuance of permits for construction of structures, sewage treatment systems, and driveways.

(b) Public roads and parking areas are regulated by Section 721.6 of this ordinance.

(c) All other topographic alterations are subject to the requirements of Section 728 of this Ordinance. In particular, a land alteration permit will be required for:

a. The movement of more than ten (10) cubic yards of material on steep slopes or within shore or bluff impact zones; and

b. The movement of more than fifty (50) cubic yards of material outside of steep slopes and shore and bluff impact zones.

(7) Stormwater Management

The following general and specific standards shall apply:

(a) General Standards:

a. When possible, existing natural drainageways, wetlands, and vegetated soil surfaces must be used to convey, store, filter and retain stormwater runoff before discharge to public waters.

b. Development must be planned and conducted in a manner that will minimize the extent of disturbed areas, runoff velocities, erosion potential, and reduce and delay runoff volumes. Disturbed areas must be stabilized and protected as soon as possible and facilities or methods used to retain sediment on the site.

c. When development density, topographic features, and soil and vegetation conditions are not sufficient to adequately handle stormwater runoff using natural features and vegetation, various types of constructed facilities such as diversions, settling basins, skimming devices, dikes, waterways, and ponds may be used. Preference must be given to designs using surface drainage, vegetation, and infiltration rather than buried pipes and man-made materials and facilities.

(b) Specific standards:

a. Impervious surface coverage of lots must not exceed 25 percent of the lot area.

b. When constructed facilities are used for stormwater management, documentation must be provided by a qualified individual that they are designed and installed consistent with the field office technical guide of the local soil and water conservation districts.

c. New constructed stormwater outfalls to public waters must provide for filtering or settling of suspended solids and skimming of surface debris before discharge.

(8) Water Supply and Sewage Treatment

(a) Water Supply: Any public or private supply of water for domestic purposes must meet or exceed standards for water quality of the Minnesota Department of Health and the Minnesota Pollution Control Agency.

(b) Sewage Treatment: Any premises used for human occupancy must be provided with an adequate method of sewage treatment, as follows:

a. Publicly-owned sewer systems must be used where available.

b. All private sewage treatment systems must meet or exceed the requirements of Section 716 of this Ordinance and those of the Minnesota Pollution Control Agency.

c. On-site sewage treatment systems must be set back from the ordinary high water level in accordance with the setbacks contained in this ordinance.

d. All proposed sites for individual sewage treatment systems shall be evaluated in accordance with the criteria in subitems (1)-(4). If the determination of a site's suitability cannot be made with publicly available, existing information, it shall then be the responsibility of the applicant to provide sufficient soil borings and percolation tests from on-site field investigations.

Evaluation criteria:

i. depth to the highest known or calculated ground water table or bedrock;
ii. soil conditions, properties, and permeability;
iii. slope;
iv. the existence of lowlands, local surface depressions, and rock outcrops;

e. Nonconforming sewage treatment systems shall be regulated and upgraded in accordance with section 716 of this ordinance.

(9) Subdivision/Platting Provisions

(b) Land suitability. Each lot created through subdivision, including planned unit developments authorized under this ordinance, must be suitable in its natural state for the proposed use with minimal alteration. Suitability analysis by the local unit of government shall consider susceptibility to flooding, existence of wetlands, soil and rock formations with severe limitations for development, severe erosion potential, steep topography, inadequate water supply or sewage treatment capabilities, near-shore aquatic conditions unsuitable for water-based recreation, important fish and wildlife habitat, presence of significant historic sites, or any other feature of the natural land likely to be harmful to the health, safety, or welfare of future residents of the proposed subdivision or of the community.

(c) Consistency with other controls. Subdivisions must conform to all official controls of Corinna Township. A subdivision will not be approved where a later variance from one or more standards in official controls would be needed to use the lots for their intended purpose. In areas not served by publicly owned sewer and water systems, a subdivision will not be approved unless domestic water supply is available and a sewage treatment system consistent with the requirements of this ordinance can be provided for every lot intended and approved for residential or commercial use. Each lot shall meet the minimum lot size and dimensional requirements of this ordinance, including at least a minimum contiguous lawn area, that is free of limiting factors sufficient for the construction of two standard soil treatment systems. Lots that would require use of holding tanks must not be approved.

(d) Information requirements. Sufficient information must be submitted by the applicant for the Township to make a determination of land suitability. The information shall include at least the following:

a. topographic contours at ten-foot intervals or less from United States Geological Survey maps or more accurate sources, showing limiting site characteristics;

b. the surface water features required in Minnesota Statutes, section 505.02, subdivision 1, to be shown on plats, obtained from United States Geological Survey quadrangle topographic maps or more accurate sources;

c. adequate soils information to determine suitability for building and on-site sewage treatment capabilities for every lot from the most current existing sources or from field investigations such as soil borings, percolation tests, or other methods;

d. information regarding adequacy of domestic water supply; extent of anticipated vegetation and topographic alterations; near-shore aquatic conditions, including depths, types of bottom sediments, and aquatic vegetation; and proposed methods for controlling stormwater runoff and erosion, both during and after construction activities;

e. location of 100-year flood plain areas and floodway districts from existing adopted maps or data; and

f. a line or contour representing the ordinary high water level, the "toe" and the "top" of bluffs, and the minimum building setback distances from the top of the bluff and the lake or stream.

(e) Dedications. When a land or easement dedication is a condition of subdivision approval, the approval must provide easements over natural drainage or ponding areas for management of stormwater and significant wetlands.

(f) Platting. All subdivisions that create five or more lots or parcels that are 2-1/2 acres or less in size shall be processed as a plat in accordance with Minnesota Statutes, Chapter 505. No permit for construction of buildings or sewage treatment systems shall be issued for lots created after these official controls were enacted unless the lot was approved as part of a formal subdivision.

(g) Controlled Access or Recreational Lots. Lots intended as controlled accesses to public waters or for recreational use areas for use by nonriparian lots within a subdivision must be approved by conditional use permit and must meet or exceed the following criteria:

a. they must meet the width and size requirements for residential lots, and be suitable for the intended uses of controlled access lots.

b. If docking, mooring, or over-water storage of more than six (6) watercraft is to be allowed at a controlled access lot, then the width of the lot (keeping the same lot depth) must be increased by the percent of the requirements for residential lots for each watercraft beyond six, consistent with the following table:

Controlled Access Lot Frontage Requirements	
Ratio of lake size to shore length (acres/miles)	Required increase in frontage (percent)
Less than 100	25
100-200	20
201-300	15
301-400	10
Greater than 400	5

c. they must be jointly owned by all purchasers of lots in the subdivision or by all purchasers of nonriparian lots in the subdivision who are provided riparian access rights on the access lot; and

d. covenants or other equally effective legal instruments must be developed that specify which lot owners have authority to use the access lot and what activities are allowed. The activities may include watercraft launching, loading, storage, beaching, mooring, or docking. They must also include other outdoor recreational activities that do not significantly conflict with general public use of the public water or the enjoyment of normal property rights by adjacent property owners.

e. Examples of the nonsignificant conflict activities include swimming, sunbathing, or picnicking. The covenants must limit the total number of vehicles allowed to be parked and the total number of watercraft allowed to be continuously moored, docked, or stored over water, and must require centralization of all common facilities and activities in the most suitable locations on the lot to minimize topographic and vegetation alterations. They must also require all parking areas, storage buildings, and other facilities to be screened by vegetation or topography as much as practical from view from the public water, assuming summer, leaf-on conditions.

612.6 Special Protection Shorelands District S-1

(1) Purpose

The intent of the S-1 Special Protection Shoreland District is to guide the wise development and utilization of shorelands of public waters for the preservation of water quality and natural characteristics of all public waters in the Township and to manage areas unsuitable for development due to wet soils, steep slopes, or larger areas of exposed bedrock; and to manage areas of unique natural and biological characteristics in accordance with compatible uses.

The S-1 Special Protection Shoreland District shall be an overlay district. Standards in the S-1 district shall apply in addition to those in the underlying district. In the case of a conflict, the stricter standard shall apply. Only the AG zoning district will be allowed as underlying district with the S-1 district.

There are no areas within Corinna Township currently designated as S-1. Should the Township or Wright County determine the need to identify areas within the Township as appropriate for S-1 designation, this section shall apply.

(2) Permitted Uses

Permitted uses shall be those listed as permitted in the underlying zoning district, except that no wetlands shall be drained to facilitate cultivation of shoreland areas within specified distances of lakes or streams depending upon topography.

(3) Accessory Uses

Accessory uses customarily incident to the permitted uses.

(4) Conditional and Interim Uses

Conditional and Interim Uses in the underlying zoning district shall <u>not</u> be allowed in the S-1 district. Only those conditional or interim uses listed below may be allowed.

Conditional Uses

(a) All approved aerial or underground utility line crossings such as electrical, telephone, telegraph, or gas lines which cannot be reasonably located in other than a special protection district.

(b) Non-residential structures used solely in conjunction with raising wild animals or fish provided the structures are of a design approved by the Planning Commission as being compatible with other general allowable uses of the district.

(c) New agricultural feedlots

(d) Development of parks and historic sites

Interim Uses

(a) Mining, Sand, and Gravel Extraction

(b) Other uses of the same general character as permitted uses provided they comply with the Statewide Standards for Management of Shoreland Areas.

(5) General Regulations

Requirements for signs, parking, sewage disposal, etc. are set forth in Sec. 7.

612.7 Residential-Recreational Shorelands District S-2

(1) Purpose

The intent of the S-2 Residential-Recreational Shorelands District is to preserve areas which have natural characteristics suitable for both passive and active recreational usage and to manage areas suitable for residential development of varying types including permanent and seasonal housing. The S-2 Residential-Recreational Shorelands District shall be an overlay district. Standards in the S-2 district shall apply in addition to those in the underlying district. In the case of a conflict, the stricter standard shall apply. Only the AG, A/R, R-1, R-2, and R-2(a) districts may be allowed as underlying districts with the S-2 district.

(2) Permitted Uses

Permitted uses shall be those listed as permitted in the underlying zoning district.

(3) Accessory Uses

(a) Private garages.

(b) One water Oriented Accessory Structure per lot.

(c) Park structures including shelter, toilets, storage buildings, garages, observation towers, and caretakers living quarters.

(d) Signs, as regulated in Section 724.

(4) Interim Uses

In addition to the interim uses listed below, those conditional and interim uses listed in the underlying zoning district may be considered in the S-2 district. However, the Planning Commission shall give special consideration to conditional and interim use permits in shoreland areas, in addition to the review specified in Section 505. The Planning Commission may deny a conditional or interim use permit in the shoreland district if the Commission finds that the use could have a detrimental effect on the lake or stream or that the proposed use is not suited to a shoreland area.

(a) Golf clubhouses, country club, public swimming pool, private swimming pools serving more than one family.

(b) Riding academies, stables.

(c) Organized group camps.

(d) Home occupations.

(5) General Regulations

Requirements for signs, parking, sewage disposal, etc. shall be set forth in Section 7.

612.8 Commercial-Recreational Shoreland District S-3

(1) Purpose

The intent of the S-3 Commercial-Recreational Shorelands District is to provide suitable locations for, and to encourage the development of, commercial recreation facilities in those areas of the County which benefit the recreational needs of both residents and tourists and restrict incompatible commercial and industrial uses. S-3 Commercial-Recreational Shoreland District shall not be an overlay district, but shall be an exclusive district when used. It shall be the only district where commercial uses are allowed in the shoreland areas. Such uses shall be limited to those listed below. Performance standards shall be those listed in Section 612.5 (1)-(3) and as otherwise applicable in this ordinance. If any standards contained with Minnesota Rules, parts 6120.2500 or 6120.3800 are more restrictive than this Ordinance the stricter standards shall apply.

(2) Permitted Uses: -

None

(3) Interim Uses

(a) Resort facilities to include lodges, guest houses, and cabins.

(b) Taverns where the main function is servicing a resort or recreational development.

(c) Restaurants where the main function is servicing a resort or recreational development.

(d) Golf courses and clubhouses.

(e) Indoor theaters.

(f) Sporting goods, establishments, outfitters and suppliers, bait shops, and rental goods establishments.

(g) Ski areas and lodges.

(h) Single family detached dwellings for personnel directly connected with the operating of resort or recreation facilities only, as regulated in S-2 Residential-Recreational Shorelands District.

(i) Motels and auto courts.

(j) Yacht slips, service and storage marinas, harbor and docking facilities subject also to all approved regulations and ordinances of governmental agencies for the same.

(k) Recreational trailer parks and commercial camping facilities for short duration uses, subject to all requirements of this Subsection.

(l) Nature trails, snowmobile trails, ski trails and similar facilities.

(m) Other commercial and industrial uses included in the B-1, B-2, or I-1 districts, only if the use is to utilize an existing building located in the shoreland area which is not suited to being used as an otherwise permitted or conditional use. The Planning Commission must determine that the proposed use will not have an adverse impact on the lake or stream involved.

(n) Solar energy systems over ten kilowatts up to 100 kilowatts

(4) Accessory Uses to Allowed Interim Uses

(a) Swimming pools, saunas, outdoor recreational equipment and structures.

(b) Boathouses, docks, and piers.

(c) Storage garages.

(5) Interim Uses

(5) Front Yard Regulations:

(a)

Required Setback Distance From Road Centerline	Road Class
130	Federal[15]/State Highway
130	County Road
65	Local Street (TWP Road)

(b) Where a lot is located at the intersection of two (2) or more roads or highway side of each corner lot. No building shall project beyond the front yard line of either road.

(6) Side Yard Regulations:

(a) Minimum side yard shall be ten (10) feet, except that on Natural Environment Lakes the setback shall be increased to twenty (20) feet.

(b) No building shall be located within fifty (50) feet of any side lot line abutting a lot in any Residential or Agricultural District.

(7) Rear Yard Regulations:

(a) There shall be a minimum rear yard of fifty (50) feet.

(8) Lot Width and Depth Regulations

There shall be a minimum lot width and depth of one hundred fifty (150) feet. Lot width may be reduced to one-hundred (100) feet if public sewer and water facilities are provided.

(9) Special District Provisions

(a) Any principal structure hereafter erected, constructed, altered, moved or substantially renovated in any manner which includes in its function the providing of services, entertainment or lodging for residents or tourists shall be equipped with indoor toilet and running water (hot and cold) facilities, and adequate heating system based on floor area and occupancy criteria, and the facilities for maintaining access routes where operated on a year-round basis. It shall be the responsibility of the Zoning Administrator to evaluate or have evaluated the adequacy of utilities using standards established by the Board of County Commissioners and the State Department of Public Health.

(b) Standards for Commercial, Industrial, Public, and Semipublic Uses.

(1) Surface water-oriented commercial uses and industrial, public, or semipublic uses with similar needs to have access to and use of public waters may be located on parcels or lots with frontage on public waters. Those uses with water-oriented needs must meet the following standards:

-in addition to meeting impervious coverage limits, setbacks, and other zoning standards in this ordinance, the uses must be designed to incorporate topographic and vegetative screening of parking areas and structures;

-uses that require short-term watercraft mooring for patrons must centralize these

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facilities and design them to avoid obstructions of navigation and to be the minimum size necessary to meet the need; and

-uses that depend on patrons arriving by watercraft may use signs and lighting to convey needed information to the public, subject to the following general standards:

(a) no advertising signs or supporting facilities for signs may be placed in or upon public waters. Signs conveying information or safety messages may be placed in or on public waters by a public authority or under a permit issued by the county sheriff;

(b) signs may be placed, when necessary, within the shore impact zone if they are designed and sized to be the minimum necessary to convey needed information. They must only convey the location and name of the establishment and the general types of goods or services available. The signs must not contain other detailed information such as product brands and prices, must not be located higher than ten feet above the ground, and must not exceed 32 square feet in size. If illuminated by artificial lights, the lights must be shielded or directed to prevent illumination out across public waters; and

(c) other outside lighting may be located within the shore impact zone or over public waters if it is used primarily to illuminate potential safety hazards and is shielded or otherwise directed to prevent direct illumination out across public waters. This does not preclude use of navigational lights.

(2) Uses without water-oriented needs must be located on lots or parcels without public waters frontage, or, if located on lots or parcels with public waters frontage, must either be set back double the normal ordinary high water level setback or be substantially screened from view from the water by vegetation or topography, assuming summer, leaf-on conditions.

(10) Recreational Campground Provisions

Recreational Campgrounds may be allowed only under Section 614 of this Ordinance as a Standard Planned Unit Development upon rezoning to the Planned Unit Overlay District. Where approved, they must also meet the following requirements as well as any requirements set forth in Minnesota Rules 6120.3800 which may be more restrictive.

(a) Definition - A Recreational Camp shall constitute any area used on a daily, nightly or weekly basis for the accommodation of three or more occupied tents or travel trailers whether privately or publicly owned; and whether use of such accommodation is granted free of charge or for compensation.

(b) Licensing - Every person, organization or municipality establishing or having control of a Recreational Camping Area shall obtain all necessary licenses and permits required by the State of Minnesota and the State Health Department.

(c) Caretaker - A responsible attendant or caretaker shall be in charge of every recreational camping area at all times and the duties of said attendant or caretaker shall be to maintain records of the park, keep the facilities and the equipment in a clean, orderly and sanitary condition. The caretaker or attendant shall be the owner or operator of the camping area, or his appointed representative.

(d) Recreational Camping Area Location - No recreational camping area shall be located that the drainage from the park or camp area will endanger any water supply. No waste water from recreational camping vehicles shall be deposited on the surface of the ground.

(e) Recreational Camping Area Spacing - A site size appropriate to meet all spacing requirements shall be provided for each recreational camping vehicle or tent in camping areas. The Planning Commission shall determine the location, density, and spacing of recreational camping vehicles, tents, primary, and accessory structures whether permanent or temporary based upon any requirements of the Minnesota Department of Health, water supply and waste disposal facilities, topography, drainage, and other locational and natural characteristics of the site. Any accessory structure such as attached awnings, car ports or individual storage facilities shall, for the purposes of the setbacks and separation requirements, be considered to be part of the recreational camping vehicle, tent or other structure.

(f) Density – At least 50% of the total project area must be preserved as open space as defined in the state standards for shoreland management areas.[16] The maximum number of dwelling sites allowed shall be calculated by dividing the total acreage of the site by the minimum lot size identified in Section 612.5 (1)-(3) and multiplying the result by 1.5 (150%). Where requirements of the Minnesota Department of Health or Department of Natural Resources are more restrictive, the more restrictive standard shall apply.

(g) Water Supply - Facilities for water supply and waste disposal must meet the minimum requirements of the State Health Department and any other State laws or regulations and the County standards for sewage treatment.

(h) Garbage and Refuse Disposal - All garbage and refuse shall be stored and disposed of in a manner that will not create or tend to create a nuisance, or provide a breeding place for flies. Garbage and refuse containers shall be constructed of non-absorbent materials with tight fitting lids. All containers shall be washed at least once each week and sprayed with effective insecticides. Garbage or refuse containers shall be supplied for each four camp sites, and shall be not more than two hundred feet from the farthest site. Containers shall be emptied twice weekly or more often if required.

(i) Picnic Areas - Picnic areas shall be provided with suitable toilets, or privies and refuse containers consistent with the usage demands. Such facilities shall be constructed in accordance with standards of the State Health Department.

(j) Swimming Areas - Natural swimming areas shall be located only on lakes and streams which are relatively free from human, animal and industrial pollution, and where swimming will not endanger the quality of a domestic water supply. Swimming areas shall be located at least seventy-five (75) feet (preferably 150 feet) from boat docks or boat landing slips and shall be roped off by floats and cables to designate the safe limits of the swimming areas. Artificial swimming and wading pools shall be constructed in accordance with standards of the State Health Department.

(k) Submission of Plans

(1) No recreational vehicle camp shall be constructed nor shall any system of plumbing, sewage system, water supply or swimming pool for the vehicle camp be installed or altered until four (4) plans drawn to scale have been submitted to and approved by the Planning Commission and the State Health Department.

(2) An applicant for a Recreational Vehicle Camping Area Interim Use Permit shall submit a development plan for the proposed park including the following:

The proposed site and existing development.
Proposed size, location and arrangement of buildings.
Parking areas and stall arrangements.

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Entrance and exit drives.
Proposed sewer and water system.
Recreation areas.

(11) General Regulations

Requirements for signs, parking, sewage disposal, etc. are set forth in Section 7.

613. RESERVED

614. PLANNED UNIT DEVELOPMENT (PUD)

614.1 Purpose

The purpose of the Planned Unit Development District is to encourage flexibility in the design and development of land in order to promote its appropriate use; to facilitate the adequate and economical provisions of streets and utilities; and to preserve natural and scenic qualities. The PUD district shall be an overlay district, however, it shall apply only to specific projects which have been approved through the procedures outlined herein. If any standards contained with Minnesota Rules, parts 6120.2500 or 6120.3800 are more restrictive than this Ordinance the stricter standards shall apply.

614.2 General Standards

(1) Three types of P.U.D. projects may be approved, dependent upon the primary zoning district and the standards outlined below. The uses allowed within each type o P.U.D. shall be governed by any applicable primary and overlay district(s).

(a) A standard P.U.D. may include lands within any one, or more than one, primary zoning district

(b) A Rural P.U.D. shall include lands only within the Agricultural/Residential (A/R) district

(c) A Resort Conversion P.U.D. shall include only lands which exist as a resort and lie within the Commercial Recreation Shorelands (S-3) district

(2) Except in the case of a resort conversion, every P.U.D. district must contain a minimum of twenty acres of contiguous land to be treated as a unified project.

(3) In addition to the general standards for zoning amendments in Section 504, the Planning Commission may recommend the establishment of a P.U.D. district only if it finds that the proposal satisfies the following criteria:

(a) The planned unit development is consistent with the Comprehensive Plan of the County.

(b) The planned unit development is an effective and unified treatment of the development possibilities on the project site and the development plan provides for the preservation of unique natural amenities such as streams, stream banks, wooded cover, rough terrain, and similar areas.

(c) The planned unit development can be planned and developed to harmonize with any existing or proposed development in the areas surrounding the project site.

614.3 Number of Units

(1) Standard Planned Unit Development

In the planned unit development, the number of dwelling units proposed for the entire site shall not exceed the total number permitted under the density control provisions of the zoning district(s) in which the land is located. If the planned unit development is in more than one zoning district, the number of allowable dwelling units must be separately calculated for each portion of the planned unit development that is in a separate zone, including shoreland overlay district(s), and must then be combined to determine the number of dwelling units allowable in the entire planned unit development.

The Planning Commission shall determine The number of dwelling units which may be constructed within the planned unit development by dividing the net acreage of the project area by the required lot area per dwelling unit which is required in the district which the planned unit development is located. The net acreage shall be defined as the project area less the land area dedicated for public streets. Fractional

results shall be rounded to the nearest whole number.

In shoreland areas, the number of units allowed shall be calculated through the process outlined below:

1. Divide the total acreage of the project by the single residential lot size standard required by Section 612.5 (1) for the primary zoning district in which the planned unit development is located. This shall represent the maximum number of dwelling units allowed within the entire planned unit development.
2. Divide the shoreland area of the planned unit development into tiers, consistent with the requirements of MN Rules 6120.3800, Subpart 4.
3. Divide the area within each tier by the single residential lot size standard required by Section 612.5 (1). This shall represent the maximum number of dwelling units allowed within each tier of the planned unit development. Where units otherwise allowed in Step 1 would be excluded by the calculation for each tier, the Township may allow the remaining unit(s) to be placed in any tier provided that it would not result in a higher number of dwelling units in the tier than would be allowed in the base density calculation outlined in MN Rules 6120.3800, Subpart 5. Where topographic, environmental or other restraints are present, the Township may prohibit the placing of the excess dwelling units in or near those locations.
4. Allowable densities may be transferred from any tier to any other tier further from the shoreland water body or watercourse, but must not be transferred to any other tier closer.

(2) Rural Planned Unit Development

For a Rural Planned Unit Development, The number of dwelling units shall be determined by multiplying the gross acreage of the project area by fifteen percent (15%). Fractional results shall be rounded to the nearest whole number. Multi-family structures shall not be permitted in a Rural P.U.D.

In shoreland areas, the number of units allowed shall be calculated through the process outlined below:

1. Multiply the total acreage of the project by fifteen percent (15%). This shall represent the maximum number of dwelling units allowed within the entire planned unit development.
2. Divide the shoreland area of the planned unit development into tiers, consistent with the requirements of MN Rules 6120.3800, Subpart 4.
3. Divide the area within each tier by the single residential lot size standard required by Section 612.5 (1). This shall represent the maximum number of dwelling units allowed within each tier of the planned unit development. Where units otherwise allowed in Step 1 would be excluded by the calculation for each tier, the Township may allow the remaining unit(s) to be placed in any tier provided that it would not result in a higher number of dwelling units in the tier than would be allowed in the base density calculation outlined in MN Rules 6120.3800, Subpart 5. Where topographic, environmental or other restraints are present, the Township may prohibit the placing of the excess dwelling units in or near those locations.
4. Allowable densities may be transferred from any tier to any other tier further from the shoreland water body or watercourse, but must not be transferred to any other tier closer.

(3) Resort Conversion Planned Unit Development

For a Resort Conversion Planned Unit Development the number of dwelling units shall not exceed the number of dwellings or rental units (excluding campsites), either at the time of conversion or in the future, which legally exist at the resort prior to the conversion. The conversion must also comply with the following standards:

(a) Proposed conversions must be initially evaluated using the same procedures for residential planned unit developments involving all new construction. Inconsistencies between existing features

of the development and these standards must be identified.

(b) Deficiencies involving water supply and sewage treatment, structure color, impervious coverage, open space, and shore recreation facilities must be corrected as part of the conversion or as specified in the conditional use permit.

(c) Shore and bluff impact zone deficiencies must be evaluated and reasonable improvements made as part of the conversion. These improvements must include, where applicable, the following:

i. removal of extraneous buildings, docks, or other facilities that no longer need to be located in shore or bluff impact zones;

ii. remedial measures to correct erosion sites and improve vegetative cover and screening of buildings and other facilities as viewed from the water; and

iii. if existing dwelling units are located in shore or bluff impact zones, conditions are attached to approvals of conversions that preclude exterior expansions in any dimension or substantial alterations. The conditions must also provide for future relocation of dwelling units, where feasible, to other locations, meeting all setback and elevation requirements when they are rebuilt or replaced.

(d) Efforts must be made during the conversion to limit impacts of high densities by requiring seasonal use, improving vegetative screening, centralizing shore recreation facilities, installing new sewage treatment systems, or other means.

614.4 Coordination with Subdivision Control Ordinance

(1) It is the intent of this Ordinance that subdivision review under the subdivision control ordinance be carried out simultaneously with the review of a planned development under this chapter of the zoning ordinance. All P.U.D. proposals must be platted.

(2) The plans required under this Section must be submitted in a form which will satisfy the requirements of the subdivision control ordinance for the preliminary and final plats required under those regulations.

614.5 Variances

It is the intent of this Section, Planned Unit Development, to provide a means to allow variances from the provisions of this Ordinance including lot sizes, setbacks, height, and similar regulations not including parking requirements, off-street loading, necessary landscaping, and the like. Variances may be granted for the planned unit developments under the following conditions:

(1) Certain regulations contained in this Ordinance may not realistically apply to the proposed development due to its unique nature.

(2) The variances, if granted, would be fully consistent with the general intent and purpose of this Ordinance.

(3) The planned unit development would produce development of equal or superior quality to that which would result from strict adherence to the provision of this Ordinance.

(4) The variances will not constitute a threat to the property values, safety, health, and general welfare of the owners or occupants of adjacent or nearby land, nor be detrimental to the health, safety, morals and general welfare of the people of the County.

(5) It shall be determined that the variances are required for a reasonable and practical physical development according to a comprehensive development plan and are not required solely on the basis of financial considerations.

(6) Except in the case of a Resort Conversion, or when a community water and sewer system will be provided, lot sizes shall meet or exceed the minimum standards set forth for the Urban/Rural Transition (R-l) zone. In either case, the number of units allowed shall continue to be governed by the calculations required in Section 614.3.

614.6 Procedure - Establishment of P.U.D.

(1) General procedures for the establishment of a P.U.D. district shall be the same as for rezoning, as outlined in Section 504. In addition, applications for the establishment of a P.U.D. district shall be accompanied by an outline development plan.

(2) An outline development plan must include both maps and written statements, and must show enough of the area surrounding the proposed planned unit development to demonstrate the relationship of the planned unit development to adjoining uses.

(3) The maps which are part of the outline development plan may be in general schematic form, and must contain the following information:

(a) The general topographic character of the land.

(b) Existing and proposed land uses and the approximate location of buildings, lots, utilities, and unique development features of the site.

(c) The location of existing and proposed roads.

(d) Public uses, including schools, parks, playgrounds, and other open spaces.

(4) The written statement to accompany the outline development plan must contain the following information:

(a) A site plan for the project showing property boundaries, surface water features, existing and proposed structures, sewage treatment systems, topographic contours at two-foot intervals or less, and other facilities

(b) Documents explaining how the project is designed and will function. These include covenants that require membership in a property owners association, various easements, a concept statement describing the project, floor plans for structures, and various other drawings or plans.

(c) An explanation of the character of the planned development and the manner in which it has been planned to take advantage of the planned development regulations.

(d) A statement of the present ownership of all of the land included within the planned development.

(e) A general indication of the expected schedule of development including progressive phasing and time schedules.

(f) A statement of preliminary approval from the Township Board, which indicates that any proposed roads will be accepted as Township roads.

(g) Proposed uses and ownership of undeveloped land and common open space.

(5) Shoreland P.U.D. Criteria: Planned Unit Developments in shoreland areas must meet the following design criteria:

(a) All residential planned unit developments must contain at least five dwelling units or sites.

(b) Residential planned unit developments must contain open space meeting all of the following criteria:

a. At least 50 percent of the total project area must be preserved as open space.

b. Dwelling units or sites, road rights-of-way, or land covered by road surfaces, parking areas, or structures, except water-oriented accessory structures or facilities, are developed areas and should not be included in the computation of minimum open space.

c. Open space must include areas with physical characteristics unsuitable for development in their natural state, and areas containing significant historic sites or unplatted cemeteries.

d. Open space may include outdoor recreational facilities for use by owners of the dwelling units or sites, or the public.

e. The shore impact zone, based on normal structure setbacks, must be included as open space. At least 50 percent of the shore impact zone area of existing developments or at least 70 percent of the shore impact zone area of new developments must be preserved in their natural or existing state.

f. Open space must not include commercial facilities or uses, but may contain water-oriented accessory structures or facilities.

g. The appearance of open space areas, including topography, vegetation, and allowable uses, must be preserved by use of restrictive deed covenants, permanent easements, public dedication and acceptance, or other equally effective and permanent means.

h. Open space may include subsurface sewage treatment systems if the use of the space is restricted to avoid adverse impacts on the systems.

(c) Centralization and design of facilities and structures must be done according to the following standards:

a. Residential planned unit developments must be connected to publicly owned water supply and sewer systems, if available. On-site water supply and sewage treatment systems must be centralized and designed and installed to meet or exceed applicable standards or rules of the Minnesota Department of Health and the Minnesota Pollution Control Agency. On-site sewage treatment systems must be located on the most suitable areas of the development, and sufficient lawn area free of limiting factors must be provided for a replacement soil treatment system for each sewage system.

b. Dwelling units or sites must be clustered into one or more groups and located on suitable areas of the development. They must be designed and located to meet or exceed the following dimensional standards for the relevant shoreland classification: setback from the ordinary high water level, elevation above the surface water features, and maximum height. Setbacks from the ordinary high water level must be increased for developments with density increases. Maximum density increases may only be allowed if structure setbacks from the ordinary high water level are increased to at least 50 percent greater than the minimum setback, or the impact on the waterbody is reduced an equivalent amount through vegetative management, topography, or additional means acceptable to the local unit of government and the setback is at least 25 percent greater than the minimum setback.

c. Shore recreation facilities, including but not limited to swimming areas, docks, and watercraft mooring areas and launching ramps must be centralized and located in areas suitable for them. Evaluation of suitability must include consideration of land slope, water depth, vegetation, soils, depth to groundwater and bedrock, or other relevant factors. The number of spaces provided for continuous beaching, mooring, or docking of watercraft must not exceed one for each allowable dwelling unit or site in the first tier. Launching ramp facilities, including a small dock for loading and unloading equipment, may be provided for use by occupants of dwelling units or sites located in other tiers.

d. Structures, parking areas, and other facilities must be treated to reduce visibility as viewed from public waters and adjacent shorelands by vegetation, topography, increased setbacks, color, or other means acceptable to the local unit of government, assuming summer, leaf-on conditions.

e. Water-oriented accessory structures and facilities may be allowed if they meet or exceed design standards contained in part 6120.3300, subpart 3, item H, and are centralized.

f. Accessory structures and facilities may be allowed if they meet or exceed standards in part 6120.3300, subpart 3, item H, and are centralized.

(d) Erosion control and storm water management for residential planned unit developments must:

a. Be designed, and their construction managed, to minimize the likelihood of serious erosion occurring either during or after construction. This must be accomplished by limiting the amount and length of time of bare ground exposure. Temporary ground covers, sediment entrapment facilities, vegetated buffer strips, or other appropriate techniques must be used to minimize erosion impacts on surface water features. Erosion control plans approved by a soil and water conservation district may be required if project size and site physical characteristics warrant.

b. Be designed and constructed to effectively manage reasonably expected quantities and qualities of storm water runoff.

(6) Shoreland P.U.D. Administration and Maintenance: Before final approval of all residential planned unit developments, Corinna Township must ensure that adequate provisions have been made part of the maintenance and administration of the planned unit development as follows:

(a) Before final approval of a planned unit development, adequate provisions must be developed for preservation and maintenance in perpetuity of open spaces and for the continued existence and functioning of the development.

(b) Open space preservation. Deed restrictions, covenants, permanent easements, public dedication and acceptance, or other equally effective and permanent means must be provided to ensure long-term preservation and maintenance of open space. The instruments must include all of the following protections:

a. commercial uses prohibited (for residential PUD's);

b. vegetation and topographic alterations other than routine maintenance prohibited;

c. construction of additional buildings or storage of vehicles and other materials prohibited; and

d. uncontrolled beaching of watercraft prohibited.

(c) Development organization and functioning. Unless an equally effective alternative community

framework is established, when applicable, all residential planned unit developments must use an owners association with the following features:

a. membership must be mandatory for each dwelling unit or site purchaser and any successive purchasers;

b. each member must pay a pro rata share of the association's expenses, and unpaid assessments can become liens on units or sites;

c. assessments must be adjustable to accommodate changing conditions; and

d. the association must be responsible for insurance, taxes, and maintenance of all commonly owned property and facilities.

(7) After review by the Planning Commission, the Outline Development Plan shall be submitted to the Town Board for its final decision on establishment of the P.U.D. district, subject to approval by the Wright County Board of Commissioners.

614.7 Procedure - Preliminary Development Plan Approval

(1) General procedures for the approval of a preliminary development plan shall be the same as for the approval of a conditional use permit for a preliminary plat, as outlined in the County Subdivision Regulations and Section 505 of this Ordinance. If more than ninety (90) days elapses between the establishment of the P.U.D. district and approval of a preliminary development plan, the Planning Commission may order renotification of nearby property owners before final approval.

(2) The preliminary development plan must include all of the following information, in addition to that required for a preliminary plat:

(a) Proposed uses and location of common open space and restricted lands.

(b) Areas proposed to be conveyed, dedicated, or reserved for parks, parkways, playgrounds, public buildings, and similar public and semi-public uses.

(c) A plot plan for each building site and common open area, showing the approximate location of all buildings, structures, and improvements.

(d) Elevation and perspective drawings for all proposed structures and improvements except single-family residences and their accessory buildings.

(e) A development schedule indicating:

- The approximate date when construction of the project can be expected to begin.

- The stages in which the project will be built and the approximate date when construction of each stage can be expected to begin.

- The approximate dates when the development of each of the stages in the development will be completed.

- The area and location of common open space that will be provided at each stage.

(f) Agreements, provisions, or covenants which govern the use, maintenance, and continued protection of the planned unit development and any of its common open areas or restricted lands.

(g) Any other plans or studies determined necessary by the Planning Commission to protect the

public health, safety or welfare.

(3) In its final approval of a preliminary development plan, the Planning Commission may include conditions which must be met before approval of a final development plan, and also conditions which are permanent. Only the permanent conditions need be recorded.

614.8 Final Development Plan

(1) A final development plan shall be submitted which meets the same requirements as a final plat in the County Subdivision Regulations.

(2) If no final development plan is submitted within six months of approval of the preliminary development plan, the Planning Commission may revoke approval of the preliminary development plan.

(3) The final development plan shall comply in all respects with the approved preliminary development plan. Changes in the approved preliminary development plan shall require an amended Conditional Use Permit.

(4) Roads and other improvements, including improvements to common open spaces, must be completed prior to recording the final development plan, unless adequate financial guarantees are provided the County in accord with Subdivision Regulation requirements.

(5) After recording the final development plan, no alterations of the approved preliminary development plan may be made by the developer unless approved by the Planning Commission. Minor changes in the siting of single-family dwellings and accessory structures may be approved by the Zoning Administrator.

614.9 Common Open Space

(1) Except for the establishment of restricted lands in a rural planned unit development, as provided in Section 6l4.l0, all lands shown on the preliminary development plan as common open space must be conveyed under one of the following options. Under no circumstances may lands used to calculate the Number of Units be transferred or used for any purpose not included in the approved preliminary development plan.

(a) It may be conveyed to a public agency which will agree to maintain the common open space and any buildings, structures, or improvements which have been placed on it.

(b) It may be conveyed to trustees provided in an indenture establishing an association or similar organization for the maintenance of the planned development. The common open space must be conveyed to the trustees subject to covenants to be approved by the Planning Commission which restrict the open space to the uses specified on the preliminary development plan, and which provide for the maintenance of the common open space in a manner which assures its continuing use for its intended purpose.

(2) The following standards shall be used by the Planning Commission to review the provision of common open spaces.

(a) The location, shape, size and character of the common open space must be suitable for the planned development.

(b) Common open space must be used for amenity or recreational purposes. The uses authorized for the common open space must be appropriate to the scale and character of the planned unit development, considering its size, density, expected population, topography, and the number and type of dwellings to be provided.

(c) Common open space must be suitably improved for its intended use, but common space containing natural features worthy of preservation may be left unimproved. The buildings,

structures and improvements which are permitted in the common open space must be appropriate to the uses which are authorized for the common open space and must conserve and enhance the amenities of the common open space having regard to its topography and unimproved condition.

(d) The development schedule which is part of the preliminary development plan must coordinate the improvement of the common open space, the construction of buildings, structures, and improvements in the common open space, and the construction of residential dwellings in the planned unit development.

(e) If the preliminary development plan provides for buildings, structures, or improvements in the common open space, the developer must provide a bond or other adequate assurance that the buildings, structures, and improvements will be completed.

614.10 Restricted Lands

(1) In general, the creation of restricted lands shall be for the purpose of preserving productive agricultural land while providing for the clustering of residential sites on non-productive land. Such use will only be permitted within a rural P.U.D.

(2) Unlike Common Open Space, restricted lands used to calculate the number of units may be transferred and/or used for private purposes unrelated to the P.U.D. However, restricted lands may not be developed for residential or commercial uses, but shall be strictly limited to agricultural or open space uses. Reasonable restrictions upon such lands shall be stated by the Planning Commission at the time of preliminary development plan approval, and said restrictions shall be recorded with the final development plan.

(3) Alteration or removal of the conditions and restrictions on restricted lands may only be enabled through rezoning the property. Because said restrictions are an integral part of the Rural P.U.D. approval, said rezoning may only take place after the Planning Commission and Township Board make the following findings.

(a) The Land Use Plan for the area has been changed in a manner which allows for more intensive development.

(b) The character of the area has substantially changed in a manner which invalidates the reasons for original establishment of the Rural P.U.D.

615. ADULT USES OVERLAY DISTRICT AU

615.1 Purpose

The major purposes of the Adult Uses Overlay District and the Adult Uses Licensing and Performance Standards are (I) to provide space for the location of sexually oriented businesses in appropriately zoned districts within the land use jurisdiction of the county; (ii) to separate sexually oriented businesses from areas in which children and other persons who are particularly vulnerable to crime may be expected to frequent; (iii) to minimize the negative impact of traffic, glare and noise generated by the normal operation of sexually oriented businesses on adjacent properties; and, (iv) to minimize any potential negative impact on the value and marketability of land adjacent to sexually oriented businesses.

615.2 Definitions

For the purposes of this section and WCZO 771, and in addition to the provisions of WCZO 302, the following definitions shall apply:

(1) Adult Uses. Adult uses include adult bookstores, adult motion picture theaters, adult mini-motion picture theaters, adult massage parlors, adult steam room/bathhouse facilities, adult enterprises, businesses or places open to some or all members of the public at or in which there is an emphasis on the presentation, display, depiction or description of "specified sexual activities" or "specified anatomical areas" which are capable of being seen by members of the public.

(2) Adult bookstores. A building or portion of a building used for the barter, rental or sale of items consisting of printed matter, pictures, slides, records, audiotape, videotape, or motion picture film if a substantial or significant portion of such items are distinguished or characterized by an emphasis on the depiction or description of "specified sexual activities" or "specified anatomical areas" or the barter, rental or sale of instruments, devices, or paraphernalia that are designed for use in connection with specified sexual activities, "substantial or significant portion of items," for purposes of this ordinance, shall mean more than fifteen (15) percent of usable floor area.

(3) Adult cabaret. A building or portion of a building used for providing dancing or other live entertainment, if such building or portion of a building excludes minors by virtue of age, or if such dancing or other live entertainment is distinguished or characterized by an emphasis on the presentation, display, depiction or description of "specified sexual activities" or "specified anatomical areas."

(4) Adult conversation/rap parlor. A conversation/rap parlor which excludes minors by reason of age, or which provides the service of engaging in or listening to conversation, talk or discussion, if such service is distinguished or characterized by an emphasis on "specified sexual activities" or "specified anatomical areas."

(5) Adult health/sports club. A health/sports club which excludes minor by reason of age, or if such club is distinguished or characterized by an emphasis on "specified sexual activities" or "specified anatomical areas."

(6) Adult massage parlor. A massage parlor which restricts minors by reason of age, or which provides the service of "massage," if such service is distinguished or characterized by an emphasis on "specified sexual activities" or "specified anatomical areas."

(7) Adult mini-motion picture theater. A building or portion of a building with a capacity for less than fifty (50) persons used for presenting material if such building or portion of a building as a prevailing practice excludes minors by virtue of age, or if such material is distinguished or characterized by an emphasis on the depiction or description of "specified sexual activities" or "specified anatomical areas" for observation by patrons therein.

(8) Adult motion picture theater. A building or portion of a building with a capacity of fifty (50) or more

persons used for presenting material if such building or portion of a building as a prevailing practice excludes minors by virtue of age, or if such material is distinguished or characterized by an emphasis on the depiction or description of "specified sexual activities" or "specified anatomical areas" for observation by patrons therein.

(9) Adult steam room/bathhouse facility. A building or portion of a building used for providing a steam bath or heat bathing room used for the purpose of pleasure, bathing, relaxation, or reducing, utilizing steam or hot air as a cleaning, relaxing or reducing agent, if such building or portion of a building restricts minors by reason of age or if the service provided by the steam room/bathhouse facility is distinguished or characterized by an emphasis on "specified sexual activities" or "specified anatomical areas."

(10) Nude or specified anatomical areas.
(a) Less than completely and opaquely covered:
1. Human genitals;
2. Pubic region;
3. Buttocks; and,
4. Female breast below a point immediately above the top of the areola; and
(b) Human male genitals in a discernibly turgid state, even if complete and opaquely covered.

(11) Specified sexual activities:
(a) Human genitals in a state of sexual stimulation or arousal;
(b) Acts of human masturbation, sexual intercourse or sodomy; and
(c) Fondling or other erotic touching of human genitals, pubic region, buttocks, or female breast.

615.3 Permitted Uses

All the activities defined in Section 615.2, to the extent not otherwise restricted by law.

615.4 The District Area

The Adult Uses Overlay District shall apply to all lands within the jurisdiction of Corinna Township shown on the zoning maps and designated General Industry (I-1), Highway Business (B-1), and General Business (B-2) as of December 31, 2004. Any rezoning for the expansion of the I-1, B-1 or B-2 districts after December 31, 2004, shall not expand the area of the Adult Uses Overlay District, unless that intent is expressly made in the amending ordinance.

615.5 Prohibited Uses

Adult uses shall not be established or maintained as permitted, conditional, interim or accessory uses in any area other than those described and designated in the Adult Uses Overlay District.

615.6 Adult Use Distance Requirements

(1) No adult use shall be located within one thousand (1000) feet of:

(a) Any area zoned R-1, R-2, R-2a or R-3.

(b) Any school, public or private, that meets the definition in Minnesota Statutes 120A.05, Subd. 9, 11, 13 and 17.

(c) Any church, as defined in the Corinna Township Zoning Ordinance above.

(d) Any day care facility that provides for the periodic care of four or more children, while parents or guardians are absent, licensed by Wright County or the State of Minnesota; or, any residential or non-residential program, as defined in Minnesota Statute 245A.02.

(e) Any hotel or motel.

(f) Any public park.

(2) Distances shall be measured from the nearest point of the property line where the adult use establishment is located to the nearest property line of one of the above listed facilities, or to the nearest boundary of the indicated residential district, whichever is greatest.

615.7 Amortization of Nonconforming Uses

Adult uses legally established prior to the enactment of this ordinance provision shall be permitted and regulated as nonconforming uses until December 31, 2007 at which time said uses shall be unlawful.

615.8 Additional Requirements and Restrictions

(1) Additional Requirements. The requirements and standards of this section shall apply to all adult uses in the Adult Overlay Zoning District. These requirements and standards are in addition to those of the underlying I-1, B-1 and B-2 zoning districts. Minimum setbacks from roads, building bulk limitations, as well as minimum lot and building dimensions shall be determined by referring to the specific standards set forth in the underlying zoning district. In the event of a conflict between provisions listed in this section and those listed in other appropriate sections of the Corinna Township Zoning Ordinance, the more restrictive provisions shall apply.

(2) Alcoholic beverages shall not be provided, sold, purchased or consumed at any adult establishment where adult uses exist, as defined in 615.2, nor within 500 feet of the building or structure housing said adult use.

(3) Licensing. The licensing provisions of Section 771 apply to adult uses as specified.

616. OPEN SPACE (O)

616.1 Purpose and Intent:

To provide a zoning classification for preservation of sensitive areas, unique resources and designated non-developable property. Areas such as wetlands, bluffs, threatened and endangered species habitat, historic sites and lands set-aside as part the development process should be zoned as Open Space.

616.2 Lot, Use and Density Requirements.

There is no minimum lot size associated with the Open Space zoning classification. Setbacks established for the adjacent zoning district shall apply.

616.3 Mixed Zone Lots.

For a lot crossing an Open Space zoning boundary into another zoning classification, the minimum buildable lot area shall be the same as the non-open space zoning classification with no area credit given for areas zoned Open Space.

616.4 Permitted Uses

Forestry

Recreational Use

Historic Sites

Horticultural Uses

616.5 Accessory Uses

None

616.6 Conditional Uses

None

616.7 Prohibited Uses

All uses not listed as permitted, accessory or conditional shall be considered prohibited.

SECTION 7. PERFORMANCE STANDARDS

701. PURPOSE

The performance standards established in this Section are designed to encourage a high standard of development by providing assurance that neighboring land uses will be compatible. The performance standards are designed to prevent and eliminate those conditions that cause blight. All future development in all Districts shall be required to meet these standards. The standards shall also apply to existing development where so stated. The Township Board shall be responsible for enforcing the standards.

Before any building permit is approved, the Zoning Administrator shall determine whether the proposed use will conform to the performance standards. The developer or land owners shall supply data necessary to demonstrate such conformance. Such data may include description of equipment to be used, hours of operation, method of refuse disposal and type and location of exterior storage.

702. EXTERIOR STORAGE

In residential districts, all materials and equipment shall be stored within a building or fully screened so as not to be visible from adjoining properties, except for the following: laundry drying and recreational equipment, construction and landscaping materials and equipment currently (within a period of thirty-six (36) hours) 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 passenger automobiles and pick-up trucks. Personal boats and unoccupied trailers, less than twenty (20) feet in length and a licensed recreational vehicle less than 40 feet in length, are permissible if stored in the rear yard more than ten (10) feet from the property line. Existing uses shall comply with this provision within twelve (12) months following enactment of this Ordinance.

In all districts, the Township Board may require an Interim Use Permit for any exterior storage if it is demonstrated that such storage is a hazard to the public health, safety, convenience, morals, or has a depreciating effect upon nearby property values, or impairs scenic views, or constitutes threat to living amenities.

703. REFUSE

In all districts, all waste material, debris, refuse, or garbage shall be kept in an enclosed building or properly contained in a closed container designed for such purposes. The owner of vacant land shall be responsible for keeping such land free of refuse. Existing uses shall comply with this provision within six (6) months following enactment of this Ordinance.

Except as provided below or specifically permitted, outdoor storage of inoperative or unlicensed vehicles, boats, recreational vehicles, farm implements and other machinery or vehicle parts shall be considered refuse. One unlicensed or inoperative passenger vehicle or truck may be parked within setbacks in the rear yard of any residential district or any lot ten acres or less in size for a period not to exceed thirty (30) days; inoperative shall mean incapable of movement under their own power and in need of repairs or junk yard. In the Agricultural District, on lots larger than ten acres in size, exterior storage of not more than two (2) unlicensed or inoperable vehicles or machines shall be permitted provided no repair or dismantling business takes place and the storage area is completely screened and not visible from any other property or public road at all times of the year. All exterior storage not included as a permitted accessory use, a permitted use, or included as part of a conditional or interim use permit, or otherwise permitted by provisions of this Ordinance shall be considered as refuse.

704. SCREENING AND FENCES

Screening shall be required in residential zones where (a) any off-street parking area contains more than four (4) parking spaces and is within thirty (30) feet of an adjoining residential zone, and (b) where the driveway to a parking area of more than six (6) parking spaces is within fifteen (15) feet of an adjoining residential use or zone.

Where any business (structure, parking or storage) is adjacent to property zoned or developed for residential use, that business or industry shall provide screening along the boundary of the residential property. Screening shall

also be provided where a business, parking lot, or industry is across the street from a residential zone, but not on that side of a business or industry considered to be the front (as determined by the Zoning Administrator).

All exterior storage shall be screened. The exceptions are: (1) merchandise being displayed for sale; (2) materials and equipment presently being used for construction on the premises; (3) merchandise located on service station pump islands.

The screening required in this section may consist of a fence, trees, shrubs and berms not less than five (5) feet high but shall not extend within fifteen (15) feet of any street or driveway. The screening shall be placed along property lines or in case of screening along a street, fifteen (15) feet from the street right-of-way with landscaping between the screening and pavement. The screening shall not block direction vision. Planting of a type approved by the Planning Commission may also be required in addition to or in lieu of fencing.

Fences which impede visual sight lines in anyway shall not encroach closer to any shoreline than the principal building setback. Electrified or barbed fences shall be prohibited in residential districts. Electrified fences used as an accessory to permitted agricultural uses are allowed. Swimming pools with a capacity exceeding 5000 gallons shall be surrounded by a fence at least four (4) feet in height with a self-latching gate or a power safety cover complying with ASTM F 1346.

705. LANDSCAPING MAINTENANCE

In all districts, all structures requiring landscaping and fences shall be maintained so as not to be unsightly or present harmful health or safety conditions.

706. GLARE

In all districts, any lighting used to illuminate an off-street parking area, sign, or other structure, shall be arranged as to deflect light away from any adjoining residential zone or from the public streets. Direct or sky-reflected glare, where from floodlights or from high temperature processes such as combustion or welding shall not be directed into any adjoining property. The source of lights shall be hooded or controlled in some manner so as not to light adjacent property. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. Any light or combination of lights which cast light on a public street shall not exceed one (1) foot candle (meter reading) as measured from the centerline of said street. Any light or combination of lights which cast light on residential property shall not exceed 0.4 foot candles (meter reading) as measured from said property.

707. PARKING

707.1 Surfacing and Drainage

Off-street parking areas shall be improved with a durable and dustless surface which may include an aggregate material or similar treatment. Such areas shall be so graded and drained as to dispose of all surface water without damage to adjoining property. These requirements shall also apply to open sales lots. The Planning Commission may require the use of asphalt, concrete or other aggregate material as part of a conditional or interim use permit.

707.2 Location

All accessory off-street parking facilities required herein shall be located as follows:

(1) Spaces accessory to one and two-family dwellings on the same lot as the principal use served.

(2) Spaces accessory to multiple-family dwellings on the same lot as the principle use served or within two hundred (200) feet of the main entrance to the principal building served.

(3) Spaces accessory to uses located in a business, within eight hundred (800) feet of a main entrance to the principal building served.

(4) There shall be no off-street parking space within five (5) feet of any street right-of-way.

(5) No off-street open parking area containing more than four (4) parking spaces shall be located closer than five (5) feet from an adjacent lot zoned or used for residential purposes.

707.3 General Provisions

(1) Access drives may be placed adjacent to property lines except that drives consisting of crushed rock, or other non-finished surfacing shall be no closer than one (1) foot to any side or rear lot line.

(2) Parking spaces. Each parking space shall not be less than nine (9) feet wide and twenty (20) feet in length exclusive of an adequately designed system of access drives.

(3) Control of off-street parking facilities. When required accessory off-street parking facilities are provided elsewhere than on the lot 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 Wright County requiring the owner and his or her heirs and assigns to maintain the required number of off-street spaces during the existence of said principal use.

(4) Use of parking area. Required off-street parking space in any District shall not be utilized for open storage of goods or for the storage of vehicles which are inoperable or for sale or for rent.

707.4 Design and Maintenance of Off-Street Parking Areas

(1) Parking Areas shall be designed so as to provide adequate means of access to a public alley or street. Such driveway access shall not exceed twenty-two (22) feet in width and shall be so located as to cause the least interference with traffic movement.

(2) Signs. No signs shall be located in any parking area except as necessary for orderly operation of traffic movement and such signs shall not be a part of the permitted advertising space.

(3) Curbing and Landscaping. All open off-street parking areas designed to have head-in parking along the property line shall provide a bumper curb not less than three (3) feet from the side property line or a guard of normal bumper height not less than one (1) foot from the side property line. When said area is for six (6) spaces or more, a curb or fence not over five (5) feet in height shall be erected along the front yard set-back line and grass or planting shall occupy the space between the sidewalk and curb or fence.

(4) Parking space for six (6) or more cars. When a required off-street parking space for six (6) cars or more is located adjacent to a Residential District, a fence of adequate design, not over five (5) feet in height nor less than four (4) feet in height shall be erected along the Residential District property line.

(5) Maintenance of off-street parking space. It shall be the joint and several responsibility of the operator and owner of the principal use, uses and/or building to maintain, in a neat and adequate manner, the parking space, access ways, landscaping and required fences.

(6) Determination of areas. A parking space shall not be less than three hundred (300) square feet per vehicle of standing and maneuvering area.

707.5 Other Parking in Residential Areas

Parking in residential areas (off-street and on-street) shall be limited to the use of the residents of those homes.

Except for short-term parking (six (6) hours or less) and guest parking, the number of vehicles parked on or in front of a residential lot shall not exceed double the number of persons residing on the premises and having automobile driver's licenses.

707.6 Off-Street Spaces Required

(One space equals 300 square feet)

(1)	One and Two Family residences	Two (2) spaces per dwelling unit.
(2)	Multiple Dwellings	Two (2) spaces per dwelling unit.
(3)	Churches, Theaters, Auditoriums, and other places of assembly	One (1) space for each three (3) seats or for each five (5) feet of pew length. Based upon maximum design capacity.
(4)	Business and Professional Offices	One (1) space for each 400 square feet of gross floor space.
(5)	Medical and Dental Clinics	Five (5) spaces per doctor or dentist, plus one (1) space for each employee.
(6)	Hotel or Motel	One (1) space per rental unit plus one (1) space per employee.
(7)	Schools	At least one (1) parking space for each four (4) students based on design capacity, plus one (1) additional space for each classroom.
(8)	Hospital	At least one (1) parking space for each three (3) hospital beds, plus one (1) space for each four (4) employees, other than doctors, plus one (1) parking space for each resident and regular staff doctor.
(9)	Drive-In Food	At least one (1) parking space for each fifteen (15) establishment square feet of gross floor space in building allocated to drive-in operation.
(10)	Bowling Alley	At least five (5) parking spaces for each alley, plus additional spaces as may be required herein related uses such as restaurant, plus one (1) additional space for each employee.
(11)	Automobile Service	At least two (2) off-street parking spaces plus four Station (4) off-street parking spaces for each service stall.
(12)	Retail Store	At least one (1) off-street parking space for each one hundred fifty (150) square feet of gross floor area.
(13)	Restaurants, Cafes, Bars, Taverns, Nightclubs	At least one (1) space for each three (3) seats based on capacity designs.
(14)	Uses not specifically noted	As determined by the governing body following review by

the Planning Commission.

708. TRAFFIC CONTROL

The traffic generated by any use shall be channelized and controlled in a manner that will avoid: (a) congestion on the public streets, (b) traffic hazards, and (c) excessive traffic through residential areas, particularly truck traffic. Internal traffic shall be so regulated as to ensure its safe and orderly flow. Traffic into and out of business areas shall in all cases be forward moving with no backing into streets. On corner lots, (including rural areas) no structures shall be placed or allowed to grow in such a manner as materially to impede vision between a height of two and one-half (2 1/2) and ten (10) feet above the centerline grades of the intersecting streets to a distance such that a clear line of vision is possible of the intersecting street from a distance of fifty (50) feet from the intersection of the right-of-way lines.

709. TREE AND WOODLAND PRESERVATION

709.1 Residential Development

The following restrictions shall apply to all residential development occurring in wooded area.

(1) Structures shall be located in such a manner that the maximum number of trees shall be preserved.

(2) Prior to the granting of a building permit, it shall be the duty of the person seeking the permit to demonstrate that there are no feasible or prudent alternatives to the cutting of trees on the site and that if trees are cut, he will restore the density of trees to that which existed before development but in no case shall he be compelled to raise the density above in ten (10) trees per acre.

(3) Forestation, reforestation or landscaping shall utilize a variety of tree species and shall not utilize any species presently under disease epidemic. Species planted shall be hardy under local conditions and compatible with the local landscape.

(4) Development including grading and contouring shall take place in such a manner that the root zone aeration stability of existing trees shall not be affected and shall provide existing trees with a watering equal to one-half the crown area.

709.2 Shoreland Areas

The alteration or removal of natural vegetation in shoreland areas shall be regulated as per Section 612.5 (6) of this Ordinance.

709.3 Forest Management Standards

The harvesting of timber and associated reforestation or conversion of forested use to a non-forested use must be conducted consistent with the following standards:

(1) Timber harvesting and associated reforestation must be conducted consistent with the provisions of the Minnesota Nonpoint Source Pollution Assessment-Forestry and the provisions of Water Quality in Forest Management "Best Management Practices in Minnesota."

(2) When not part of a conditional or interim use permit otherwise required, forest land conversion to another use require issuance of an interim use permit and adherence to the following standards:

(a) shore and bluff impact zones must not be intensively cleared of vegetation; and

(b) an erosion and sediment control plan is developed and approved by the local soil and water conservation district before issuance of a conditional use permit for the conversion.

(3) Use of fertilizer, pesticides, or animal wastes within shorelands must be done in such a way as to

minimize impact on the shore impact zone or public water by proper application or use of earth or vegetation.

710. SOIL EROSION AND SEDIMENT CONTROL

The following standards shall apply to all development and activity that necessitates the grading, stripping, cutting, filling or exposure of soils.

710.1 General Standards

(1) The development shall conform to the natural limitations presented by topography and soil so as to create the least potential for soil erosion.

(2) Erosion and siltation control measures shall be coordinated with the different stages of development. Appropriate control measures shall be installed prior to development when necessary to control erosion.

(3) Land shall be developed in increments of workable size such that adequate 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.

(4) The drainage system shall be constructed and operational as quickly as possible during construction.

(5) Whenever possible, natural vegetation shall be retained and protected.

(6) If it is necessary to remove top soil from a site being graded or excavated, sufficient top soil shall be hauled back upon completion of the activity to cover the area to a depth of 4 inches. The top soils hauled in and spread on the disturbed area shall be of a quality at least equal to the top soil removed from the site.

(7) When soil is exposed, the exposure shall be for the shortest feasible period of time. No exposure shall be planned to exceed 60 days. Said time period shall be extended only if the Planning Department is satisfied that adequate measures have been established and will remain in place.

(8) The natural drainage system shall be used as far as is feasible for the storage and flow of runoff. Storm water drainage shall be discharged to marshlands, swamps, retention basins or other treatment facilities. Diversion of storm water to marshlands or swamps shall be considered for existing or planned surface drainage. Marshlands and swamps used for storm water shall provide for natural or artificial water level control. Temporary storage areas or retention basins scattered throughout developed areas shall be encouraged to reduce peak flows, erosion damage, and construction costs.

710.2 Exposed Slopes

The following control measures shall be taken to control erosion during construction.

(1) No exposed slope should be steeper in grade than five (5) feet horizontal to one (1) foot vertical.

(2) Exposed slopes steeper in grade than ten (10) feet horizontal to one (1) foot vertical should be contour plowed to minimize direct runoff of water.

(3) 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.

(4) 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 said berm cannot be diverted elsewhere and must be directed down the slope, appropriate measures shall be taken to prevent erosion. Such measures should

consist of either an asphalt paved flow apron and drop chute laid down the slope or a flexible slope drain. At the base of the slope drain or flow apron, a gravel energy dissipator should be installed to prevent erosion at the discharge end.

(5) Exposed slopes shall be protected by whatever means will effectively prevent erosion considering the degree of slope, soils material, and expected length of exposure. Slope protection shall consist of mulch, sheets of plastic, burlap or jute netting, sod blankets, fast growing grasses or temporary seedings of annual grasses. Mulch consists of hay, straw, wood chips, corn stalks, bark or other protective material. Mulch should be anchored to slopes with liquid asphalt, stakes, and netting, or should be worked into the soil to provide additional slope stability.

(6) 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.

710.3 Design Standards

When constructed facilities are used for stormwater management, they must be designed and installed consistent with the field office technical guide of the local soil and water conservation districts.

(1) Waterways

(a) The use of the natural above ground drainage system to dispose of runoff should be strongly encouraged. Storm sewers should only be used where it can be demonstrated that the use of the above ground natural drainage system will not adequately dispose of runoff. Above ground runoff disposal waterways may be constructed to augment the natural drainage system. To the extent possible, the natural and constructed waterways should be coordinated with an open space trail system.

(b) The widths of a constructed waterway shall be sufficiently large to adequately channel runoff from a ten (10) inch storm. Adequacy shall be determined by the expected runoff when full development of the drainage area is reached.

(c) No fences or structures shall be constructed across the waterway that will reduce or restrict the flow of water.

(d) The banks of the waterway shall be protected with a permanent turf vegetation.

(e) The banks of the waterway shall not exceed five (5) feet horizontal to one (1) foot vertical in gradient.

(f) The gradient of the waterway bed should not exceed a grade that will result in a velocity that will cause erosion of the banks of the waterway.

(g) The bed to the waterway shall be protected with turf, sod, or concrete. If turf or sod will not function properly, rip rap may be used. Rip rap shall consist of quarried limestone, fieldstone (if random rip rap is used) or construction materials provided said construction materials are limited to asphalt cement and concrete. The rip rap shall be no smaller than two (2) inches square nor no larger than two (2) feet square. Construction materials shall be used only in those areas where the waterway is not used as part of a recreation trail system.

(h) If the flow velocity in the waterway is such that erosion of the turf side-wall will occur and said velocity cannot be decreased via velocity control structures, then other materials may replace turf on the sidewalls. Either gravel or rip rap would be allowed to prevent erosion at these points.

(2) Water Velocity

(a) The flow velocity of runoff in waterways shall be controlled to a velocity that will minimize erosion of the waterway.

(b) Flow velocity should be controlled through the installation of diversions, berms, slope drains, and other similarly effective velocity control structures.

(3) Sediment Control

(a) To prevent sedimentation of waterways, pervious and impervious sediment traps and other sediment control structures shall be incorporated throughout the contributing watershed.

(b) Temporary pervious sediment traps could consist of a construction of bales of hay with a low spillway embankment section of sand and gravel that permits a slow movement of water while filtering sediment. Such structures should serve as temporary sediment control features during the construction stage of a development.

(c) Permanent impervious sediment control structures consist of sediment basins (debris basins, desilting basins, or silt traps) and shall be utilized to remove sediment from runoff prior to its disposal in any permanent body of water.

(d) New constructed stormwater outfalls to public waters must provide for filtering or settling of suspended solids and skimming of surface debris before discharge.

(4) Maintenance of Erosion Control System

(a) The erosion and velocity control structures shall be maintained in a condition that will ensure continuous functioning according to the provisions of this Ordinance.

(b) Sediment basins shall be maintained as the need occurs to ensure continuous desilting action.

(c) The areas utilized for runoff waterways and sediment basins shall not be allowed to exist in an unsightly condition. The banks of the sediment basins and waterways shall be landscaped.

(d) Prior to the approval of any plat for development, the developer shall make provision for continued maintenance on the erosion and sediment control system.

711. EXPLOSIVES

No activities involving the storage, utilization or manufacture of materials or products such as TNT or dynamite which could decompose by detonation shall be permitted except as are specifically licensed by the Township Board.

712. GUEST HOUSES AND COTTAGES

712.1 Non-Shoreland Areas

Guest houses, in non-shoreland areas, shall be an accessory building detached from the principal building where accommodations for sleeping are provided but no kitchen facility provision is made. The use is for persons visiting the occupants of this principal building. Guest houses shall be permitted in all Residential and Agricultural Districts not located in a shoreland overlay zone and shall conform to all setback requirements for the principal building[17]. Guest houses shall be located on lots at least 20,000 square feet in area, and no guest house shall be used as rental property. On lots less than one acre in size, guest houses shall not be constructed as the second story of a detached accessory structure.

Only one guest house shall be permitted per parcel of land, providing that adequate sanitary facilities can be provided and that no guest house shall exceed 750 square feet in total floor area. The Board of Adjustment shall review requests for guest houses on lots with no principal dwelling.

712.2 Shoreland Areas

In shoreland areas, one guest cottage may be allowed on lots meeting the minimum size requirements identified below and subject to the other requirements of this section.

	General Development	Recreational Development	Natural Environment	Tributary River/Stream
Riparian Lots				
Min. Lot Size	40,000 sq ft	80,000 sq ft	120,000 sq ft	20,000 sq ft
Min. Lot Width	180 ft	225 ft	300 ft	150 ft
Non-Riparian Lots				
Min. Lot Size	80,000 sq ft	80,000 sq ft	160,000 sq ft	20,000 sq ft
Min. Lot Width	265 ft	265 ft	400 ft	150 ft

(1) for lots exceeding the minimum lot dimensions of duplex lots, the guest cottage must be located within the smallest duplex-sized lot that could be created including the principal dwelling unit;

(2) a guest cottage must not cover more than 700 square feet of land surface and must not exceed 15 feet in height; and

(3) a guest cottage must be located or designed to reduce its visibility as viewed from public waters and adjacent shorelands by vegetation, topography, increased setbacks or color, assuming summer leaf-on conditions.

713. DRIVE-IN BUSINESS DEVELOPMENT STANDARDS

The following standards shall apply to drive-in businesses in all districts.

713.1 *Approved drainage system.* The entire area of any drive-in business shall have a drainage system approved by the

17 Amended 12/18/2018 (Resolution 2018-09)

county engineer.

713.2 *Surfaced to control dust and drainage.* The entire developed area, other than that occupied by structures or planting, shall be surfaced with a hard surface material which will control dust and drainage.

713.3 *Fencing and screening.* A fence or screen of acceptable design not over six (6) feet in height or less than four (4) feet, shall be constructed along the property line abutting a residential district and such fence or screen shall be adequately maintained. The fence shall not be required in front of the setback line.

713.4 General

(1) Any drive-in business serving food or beverages shall also provide, in addition to vehicular service areas, in-door food and beverage service seating area sufficient to accommodate at least twenty-four (24) customers.

(2) The hours of operation shall be set forth as a condition of the interim use permit for drive-in business.

(3) Each drive-in business serving food may have outside seating.

(4) Each food or beverage drive-in business shall place refuse receptacles at all exits as well as one (1) refuse receptacle per ten (10) vehicle parking spaces within the parking area.

713.5 Locations

(1) No drive-in business shall be located within four hundred (400) feet of a public or parochial school, church, public recreation area, or any residential district.

(2) No drive-in business shall be located such that it may increase traffic volumes on nearby residential streets.

(3) No drive-in shall be located on any street other than one designated as a thoroughfare or business service road.

713.6 Site Plan

(1) The site plan shall clearly indicate suitable storage containers for all waste material. All commercial refuse containers shall be screened.

(2) A landscaping plan shall be included and shall set forth complete specifications for plant materials and other features.

(3) Adequate area shall be designated for snow storage such that clear visibility shall be maintained from the property at any public street.

(4) The design of any structure shall be compatible with other structures in the surrounding area.

(5) Electronic devices such as loudspeakers, automobile service order devices, drive-in theater car speakers and similar instruments shall not be located within four hundred (400) feet from any residentially zoned or used property, nor within two hundred (200) feet of any adjacent lot regardless of use or zoning district.

(6) No service shall be rendered, deliveries made, or sales conducted within the required front yard; customers served in vehicles shall be parked to the sides and/or rear of the principal structure.

(7) No permanent or temporary signs visible from the public street shall be erected without specific approval in the permit.

(8) No plan shall be approved which will in any way constitute a hazard to vehicular or pedestrian circulation. No access drive shall be within fifty (50) feet of intersecting street curb lines.

713.7 In the case of a drive-in theater, a solid fence not less than eight (8) feet in height and extending at least to within two (2) feet of the ground shall be constructed around the property.

713.8 The lighting shall be designed so as to have no direct source of light visible from the public right-of-way or adjacent land in residential use.

714. NUISANCES

714.1 Nuisance Characteristics (non-agricultural uses)

No noise, odors, vibration, smoke, air pollution, liquid, or solid wastes, heat, glare, dust, or other such adverse influences shall be permitted in any district that will in any way have an objectionable effect upon adjacent or nearby property. All wastes in all districts shall be disposed of in a manner that is not dangerous to public health and safety nor will damage public waste transmission or disposal facilities. These regulations shall not apply to normal farm operations.

714.2 Livestock and Animals

(1) All parcels of property shall comply with the regulations and density requirements for livestock and feedlots as regulated in Ch. 152 of the Wright County Code of Ordinances.

(2) Minimum of four acres. Except as provided in subpart (3) of this section, a minimum area of four acres or such greater area required to meet all setbacks set forth by this chapter and 152 of the Wright County Code of Ordinances shall be required for animal feedlot operations. On lots larger than four acres in the A/R, R-1, R-2, R-2a, R-3, S-1, S-2, and S-3 Zoning Districts, animals shall be allowed at a maximum density of one-half animal unit per acre. In the AG Zoning District, animals shall be allowed at a maximum density of one-half animal unit per acre on parcels of four to ten acres. These restrictions shall not apply to normal farm operations existing prior to the adoption of this chapter or to farms in the AG Zoning District on parcels over ten acres in size. Parcels in the A/R Zoning District and all Residential districts are limited to less than ten animal units regardless of parcel size. Parcel size in all districts is determined using all adjoining parcels under common ownership. New feedlots in shoreland, as allowed by § 152.031(C) of the Wright County Code of Ordinances, are limited to less than ten animal units, regardless of parcel size. Livestock shall include those animals listed in this chapter, except for dogs, cats and rabbits as domestic pets.

(3) Fowl and Chickens. Every parcel of property, except for parcels in the R-1 and W Zoning Districts under 2.5 acres, and notwithstanding any provision to the contrary in Chapter 152 of the Wright County Code of Ordinances and this ordinance, shall be allowed to have up to five domesticated fowl and 30 chickens, except roosters, provided the following setbacks are met:

(a) Poultry buildings will be setback a minimum of 50 feet from side and rear property lines and 300 feet from the ordinary high water mark of any public body of water.

(b) Road setbacks are as required under the relevant zoning district; and

(c) Poultry on less than four acres must be contained in a fenced enclosure. The fence must be setback at least 15 feet from all side and rear property lines, and must meet all road setback requirements. The fence must be setback at least 50 feet from the ordinary high water level of a public body of water, provided there is a buffer, as defined under M.S. § 103F.48, between the fence and the public body of water.

(4) Any building or open feedlot enclosure, not to include pastures, in which livestock are kept shall be a distance of one hundred (100) feet or more from any other parcel. These regulations shall not apply to

normal farm operations which existed prior to the adoption of this ordinance provided no expansion shall take place except in accord with these regulations.

(5) In all Districts, the manure from livestock and domestic pets shall be properly treated and disposed with best management practices, and not allowed to accumulate in any manner which may cause public health problems.

(6) The Township Board may order the owner of any animals to apply for a conditional or interim use permit if it is deemed to be in the interest of the public health, safety or welfare.

(7) Keeping four (4) or more dogs on any parcel for any reason shall be deemed a kennel. Kennels are permitted by Interim Use in the Ag and A/R Districts only.

714.3 Miscellaneous Nuisances

(1) It shall be unlawful for any person to store or keep any vehicle of a type requiring a license to operate on the public highway, but, without a current license attached thereto, whether such vehicle be dismantled or not, outside of an enclosed building in residential or agricultural districts except as provided in Section 703 Refuse.

(2) It shall be unlawful to create or maintain a junkyard or vehicle dismantling yard except as provided herein.

(3) It shall be unlawful to create a nuisance affecting the health, peace or safety of any person.

(4) The following are declared to be nuisances affecting public health or safety:

(a) The effluent from any cesspool, septic tank, drainfield or human sewage disposal system, discharging upon the surface of the ground, or dumping the contents thereof at any place except as authorized.

(b) The pollution of any public well or cistern, stream or lake, canal or body of water by sewage, industrial waste or other substances.

(c) Carcasses of animals not buried or destroyed or otherwise disposed.

(d) The placing or throwing on any street, alley, road, highway, sidewalk, or other public property of any glass, tacks, nails, bottles or other nuisance which may injure any person or animal or damage any pneumatic tire when passing over the same.

(e) The ownership, possession or control of any unused refrigerator or other container, with doors which fasten automatically when closed of sufficient size to retain any person to be exposed and accessible to the public without removing the doors, lids, hinges or latches or providing locks to prevent access by the public.

715. AUTO SERVICE STATIONS

The following standards shall be applicable to auto and truck service stations in all districts.

715.1 A surface water drainage system, subject to approval by the County Engineer, shall be installed. The developed area site other than that taken up by a structure or planting, shall be surfaced with concrete or other material approved by the Planning Commission. Pump islands shall not be placed in the required yards. The area around the pump island to a distance of eight (8) feet on each side, shall be concrete. A box curb not less than six (6) inches above grade shall separate the public right-of-way from the motor vehicle service areas, except at approved entrances and exits. No driveways at a property line shall be less than fifty (50) feet from the intersection of two (2) street right-of-way lines. Each service station shall have at least two (2) driveways with a minimum distance of

one hundred seventy (170) feet between centerlines when located on the same street.

715.2 No vehicles shall be parked on the premises other than those utilized by employees or awaiting service. No vehicle shall be parked or be waiting service longer than fifteen (15) days. Existing service stations shall comply with this requirement within forty-five (45) days of the effective date of this Ordinance.

715.3 Exterior storage besides vehicles shall be limited to service equipment and 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. Existing service stations shall comply with this requirement within three (3) months of the effective date of this Ordinance.

715.4 All areas utilized for the storage, disposal, or burning of trash, debris, discarded parts, and similar items shall be fully screened. All structures and grounds shall be maintained in an orderly, clean, and safe manner. Existing service stations shall comply with this requirement within nine (9) months of the effective date of this Ordinance.

715.5 Business activities not listed in the definition of service stations in this Ordinance are not permitted on the premises of a service station unless an interim use permit is obtained specifically for such business. Such activities include but are not limited to the following:

(a) automatic car and truck wash;

(b) rental of vehicles, equipment, or trailers; and

(c) general retail sales.

716. SEWAGE AND WASTEWATER TREATMENT AND DISPOSAL STANDARDS

716.1 Purpose and Intent

The purpose of the Sewage and Wastewater Treatment and Disposal Standards shall be to provide minimum standards for, and regulation of, subsurface sewage treatment systems (SSTS) and septage disposal including the proper location, design, construction, operation, maintenance and repair to protect surface water and groundwater from contamination by human sewage and waterborne household and commercial waste; to protect the public's health and safety, and eliminate or prevent the development of public nuisances pursuant to the authority granted under Minnesota Statutes Chapters 115 and 145A and Minnesota Rules Chapter 7080 through 7083 as amended that may pertain to sewage and wastewater treatment.

716.2 General Provisions

(1) Standards adopted by reference. The County hereby adopts, by this reference, Minnesota Rules Chapter 7080 and 7081 and Minnesota Statutes Section 115.55, along with any future amendments.

(2) License requirements. No person shall engage in the evaluation, inspection, design, installation, construction, alteration, extension, repair, maintenance or pumping of on-site subsurface sewage treatment systems without first obtaining a license to perform such tasks from the Minnesota Pollution Control Agency, except as provided under part 7083.0700. Only gravity fed Type I systems can be installed by homeowners.

(3) Permits. No person shall install, alter, repair or extend any SSTS in Corinna Township without first applying for and obtaining a permit from the Township and at the same time paying a fee as listed in the fee schedule determined by the Township Board. Maintaining the system as originally designed and installed is excluded from the previous requirements. A permit is required for the conversion of a septic tank to a holding tank. As needed, operating permits and any associated fees will be required by EHO staff when necessary for proper system operation. Staff will notify the permittee of an incomplete application, when the requirements are met a permit will be issued. Such permit shall be valid for a period of eighteen (18) months from the date of issuance. A full design must be submitted before a permit for a new or replacement system is approved. When weather does not allow a full site evaluation to be completed, a design of the worst case scenario shall be submitted. Verification is required when weather permits.

(4) Construction Inspections. The permittee shall notify the EHO prior to the completion and covering of the SSTS. The installation and construction of the SSTS shall be in accordance with the permit requirements and application design. Inspections will be made at least once during the construction of the SSTS at such time to assure that the system has been constructed per submitted and approved design.

(a) No part of the system shall be covered until it has been inspected and accepted by the Inspector unless prior arrangements have been made.

(b) Proposals to alter the permitted construction shall be reviewed and the proposed change accepted in writing by both the designer and the EHO.

(c) It shall be the responsibility of the property owner or authorized agent to notify the Inspector on the workday preceding the day inspection is desired.

(d) If proper notice is given and the inspector does not appear for an inspection within two hours after the time is set, the permittee may complete the installation. The permittee shall then file a signed As-Built, including photographs of the system prior to covering, with the EHO within five (5) working days. The As-Built shall include a certified statement that the work was installed in accordance with submitted design and permit conditions and that it was free from defects.

(e) Upon satisfactory completion of the system the Inspector shall perform a final inspection. If

upon inspection the Inspector discovers that any part of the system is not constructed in accordance with the minimum standards provided in this Ordinance, the Inspector shall give the applicant written notification describing the defects. The applicant shall be responsible for the correction or elimination of all defects, and no system shall be placed or replaced in service until all defects have been corrected or eliminated.

(5) Neither the issuance of a permit nor the inspection of a system shall constitute any warranty or guarantee of operation of the system.

(6) Permit Requests. When either of the following occur the EHO department will review records of the SSTS on the property to determine adequate conformance. Said review may require conformance to 7080.2450 Subp. 2 and/or require a certification of compliance of the SSTS.

(a) Any time that a permit or variance is applied for in a Shoreland Management area (1000 feet of a lake, pond or flowage; or 300 feet of a river or stream or the landward extent of a floodplain).

(b) With the addition of a bedroom on the property.

Permit requests which occur during winter months when frozen ground conditions make compliance inspections unfeasible shall be reviewed by the EHO department. The EHO shall make a recommendation to the Zoning Administrator as to whether a compliance inspection should be required before issuance of the permit or if the permit could be issued with a condition that the inspection be completed when ground conditions allow for such an inspection.

(7) Separation Allowances.

(a) SSTS built after March 31, 1996 or in an SWF area as defined under part 7080.1100 subp. 84, shall have three (3) feet vertical separation or a vertical separation based on applicable requirements. Existing systems are allowed up to a fifteen (15) percent reduction from the three (3) foot required vertical separation distance to account for settling of sand or soil, normal variation of measurement, and interpretations of the limiting layer conditions.

(b) SSTS built before April 1, 1996, in areas that are not SWF areas as defined under part 7080.1100 subp. 84, must have at least two (2) feet of vertical separation.

(8) When conducting compliance inspections and/or designing a replacement SSTS that will use the existing septic/lift tank(s), the tanks(s) shall be pumped by a licensed maintainer and certified. Pumping is not mandatory if documentation exists that the tank has been pumped within the past three (3) years, however this alone does not fulfill the tank certification requirement. In all cases, the tank integrity documentation must be completed and is required at the time of applying for a SSTS permit.

(9) With septic tank pumping, the maintenance hole(s) shall be brought to within one foot of finished grade and properly secured as needed. With the pumping, maintaining or certification of a lift tank, the pump riser must be brought to grade.

(10) Abandonment. SSTS must be properly abandoned according to part 7080.2500.

(a) If the individual abandoning a SSTS is not a licensed SSTS professional, the abandonment must be inspected by a licensed SSTS inspector.

(b) A state abandonment document must be submitted to the local unit of government within 90 days of abandonment.

(11) Failing SSTS must be resolved on the following schedule:

(a) A failing SSTS as described in 7080.1500 subp. 4b, shall be upgraded, replaced or its use discontinued within one (1) year of notice. The Environmental Health Office will give consideration to weather conditions as it establishes compliance dates.

(b) An SSTS posing an imminent threat to public health or safety as described in 7080.1500 subp. 4a, shall be abated within ten (10) days of notice. The system shall be upgraded, replaced, or repaired or its use discontinued, within 6 months of notice.

(12) Holding Tanks

(a) Holding tanks shall not be used as a sanitary system for a new residential dwelling. For conforming lots and structures, a holding tank may be used for expansions, alterations, additions, and improvements to existing dwellings so long as it does not exceed fifty (50) percent of the value of the existing structure as indicated in the records of the County Assessor, or fifty (50) percent of the footprint, whichever is more restrictive. Holding tanks may also be used for the exact replacement of an existing dwelling where no expansion in livable space occurs.

(b) Holding tanks shall only be used as a corrective action for sewage disposal for pre-existing uses where a full treatment system cannot be installed.

(c) Undeveloped lots of record on which a holding tank is the only practical means of sewage disposal are unsuitable for residential use.

(d) Holding tanks shall not be installed on undeveloped lots of record for recreational uses unless the lot has been found to be suitable for a dwelling and can support a full septic system.

(e) Holding tanks must have an alarm device for the prevention of overflow.

(f) An owner must have a current pumping contract signed by the owner and a licensed maintenance business. Records shall be kept to validate required pumping.

(g) A septic tank that is converted to a holding tank must be pumped and certified.

(13) Scope. All sewage generated in unsewered areas of the County shall be treated and dispersed by an approved SSTS that is sited, designed, installed, operated, and maintained in accordance with the provisions of this Ordinance or by a system that has been permitted by the MPCA.

(14) Prohibitive Discharge. It is unlawful for any person to construct, maintain, or use any SSTS regulated under this Ordinance that results in raw or partially treated wastewater seeping to the ground surface or flowing into any surface water. Any surface discharging system must be permitted under the National Pollution Discharge Elimination System program by the MPCA.

(15) Dispute. If a documented discrepancy arises on the depth of the periodically saturated soil, the following procedures shall be followed:

a. All parties involved in the discrepancy will be contacted by the Township's designee and informed of the discrepancy.

b. The disputing parties may agree to meet at the site in an attempt to resolve differences.

c. If one or both parties refuse to meet or the differences are not resolved, the Township's designee will make a decision based on the information submitted as part of the discrepancy and any other information gathered.

d. If a party disputes the decision of the Township's designee, an opinion from a MN licensed professional soil scientist who is a certified SSTS designer or inspector and who is independent of all parties may be obtained and submitted to the Township's designee at the party's expense.

e. If opinions rendered as outlined above do not resolve the dispute, the Township's designee shall take into consideration all information and opinions rendered and make a final decision. The Township's designee shall issue written findings setting forth the reasons for any final decisions it renders.

(16) Floodplain. SSTS shall not be located in a floodway and whenever possible, location in a floodplain should be avoided. If no option exists to locate a SSTS outside of a floodplain, location within the flood fringe is allowed if the requirements in Chapter 7080.2270 and all relevant local floodplain requirements are met.

(17) Class V Injection Wells. All owners of new or replacement SSTS that are considered to be Class V injection wells, as defined in the Code of Federal Regulations, title 40, part 144, are required by the Federal Government to submit SSTS information to the Environmental Protection Agency as described in CFR40 part 144. Further, owners are required to identify all Class V injection wells in property transfer disclosures.

(18) Newly created lots. All lots created after January 23, 1996 must have a minimum of two (2) soil treatment and dispersal areas that can support trenches, seepage beds, mounds, and at-grade systems as described in Minnesota Rules, Chapters 7080.2200 through 7080.2230, 7080.2260, or site conditions described in 7081.0270, Subp. 3 through 7. For the creation and division of new lots, verification by soil borings located on a plan must be submitted establishing that this requirement can be met.

(19) Management plans. Management plans are required for all new or replacement SSTS. The management plan shall be submitted by the designer to the local unit of government before issuance of a SSTS permit. Management plans shall include requirements as listed in Chapter 7082.0600, Subp. 1(B) and other requirements as determined by the permitting authority.

(20) Operating permits. SSTS specified in parts 7080.2290, 7080.2350, 7080.2400, and Chapter 7081 require an operating permit and shall include 7082.0600, Subp. 2 and other requirements as determined by the permitting authority. The operating permit for new SSTS and MSTS will be issued in tandem with the construction permit for the new system. Operating permits, when needed for existing systems and or system repair, will be issued as separate permits. Any additional fees for operating permits will be listed in the fee schedule determined by the Township Board.

(21) SSTS not operated under a management plan or operating permit must have treatment tanks inspected every three (3) years. Solids must be removed when their accumulations exceed the limits as described in Chapter 7080.2450.

(22) No owner of a tract of land on which a dwelling is located, or tract of land on which a structure which is required to have an SSTS is located, shall sell or transfer to another party said tract of land unless requirements as stated in the Wright County Point of Sale Certification Ordinance for On-Site Septic Systems are met.

(23) Septage Management. Septage shall be pumped, managed, land applied and disposed of in accordance with applicable state and federal laws.

(24) Nonconforming Shoreland Septic Systems: Systems installed according to all applicable local shoreland management standards adopted under Minnesota Statutes, sections 103F.201 to 103F.221, in effect at the time of installation may be considered as conforming unless they are determined to be failing, except that systems using cesspools, leaching pits, seepage pits, or other deep disposal methods, or systems with less soil treatment area separation above groundwater than required by chapter 7080, shall be considered nonconforming.

Corinna Township shall implement programs to identify and upgrade sewage treatment systems in shoreland areas that are inconsistent with the sewage treatment system design criteria of this ordinance, exclusive of the appropriate setback from the ordinary high water level. This program shall require reconstruction within a timeframe not to exceed two years if such system is found noncompliant or ten

months if such system is declared to be an imminent public health threat. The program may include one or more of the following options:

(a) a systematic review of existing records to determine which systems in the jurisdiction are nonconforming and requiring reconstruction when practicable;

(b) a systematic on-site inspection program including all properties where adequate record of conformances does not exist, identifying nonconforming or illegal systems and requiring reconstruction when appropriate;

(c) a notification or education program that is oriented toward convincing substantial numbers of property owners to evaluate their sewage systems and voluntarily upgrade the sewage treatment system, if nonconforming; or

(d) other programs found to be acceptable to the commissioner.

716.3 Site Evaluation and Design Requirements

(1) When designing systems a minimum of three (3) soil observations are required for each site, unless sites are adjacent. For adjacent sites a minimum of three (3) soil observations are required with a minimum of two (2) observations in the primary site and one (1) observation in the secondary site.

(2) Benchmarks, borings, percolation sites, and dispersal area must be staked and labeled in the field. The elevations of the above items must be on the design.

(3) Septic tank. A minimum 1500 gallon split tank is required. Split tank capacity can be achieved with multiple tanks. For a new dwelling, burial of the top of tank greater than four (4) feet only allowed with LUG approval and statement from tank manufacturer as to maximum designed depth for tank.

(4) Pump tank. At minimum a 1000 gallon pump tank is needed for lifting the effluent to the soil treatment area.

TABLE 1
DRAINFIELD SIZING TREATMENT LEVEL C MINIMUM TREATMENT AREA*

SLR / Bedrooms	Sand Loamy Sand 1.20 gpd/ft2	Sandy loam 0.78 gpd/ft2	Loam Fine sand 0.60 gpd.ft2	Silt Silt Loam 0.50 gpd/ft2	Clay Loams 0.45 gpd/ft2
2	600	600	600	600	667
3	700	800	800	900	1000
4	800	900	1000	1200	1333
5	900	1000	1250	1500	1667

TABLE 2
DRAINFIELD SIZING TREATMENT LEVEL A/B MINIMUM TREATMENT AREA*

SLR / Bedrooms	Sand Loamy Sand 1.60 gpd/ft^2	Sandy loam 1.0 gpd/ft^2	Loam Fine sand 0.78 gpd.ft^2	Silt Silt Loam 0.78 gpd/ft^2	Clay Loams 0.6 gpd/ft^2
2	450	450	450	450	500
3	500	500	577	577	750
4	550	600	769	769	1000
5	600	750	962	962	1250

*there are structure and consistence qualifiers per code 7080.2150 that may require design modifications before being able to properly apply these tables.

(5) When conducting percolation tests, soil texture shall be logged and accounted for. If there is a discrepancy between the soil texture and the percolation rate, the smaller soil loading rate needs to be used.

(6) Trenches designed with twelve (12) inches of rock or more under the distribution pipe shall be sized according to Table 1 or Table 2.

(7) Mound systems are to be sized at 1.0 GPD/SQ.FT.

(8) Type III, IV,V and nonresidential SSTS shall be time dosed.

(9) Bedroom additions; existing compliant SSTS. Bedroom additions with an existing compliant SSTS where the treatment area cannot be practically increased to the proper treatment area size, shall be time dosed.

(10) When installing gravity trenches in sandy soil per 7080.2210 sub 4 section F item 2: the maximum single trench area shall be determined as 15% of the state required treatment area.

(11) Remediation. A permit shall be required when an operational component is added, or a method employed to an SSTS to recover a failing treatment area. Required information for this permit will be a description of what is wrong with the existing SSTS, an inspection/compliance of the components of the system, a lab sample of the existing effluent to determine abnormalities, and a preliminary site evaluation of what the upgrade options will be on the property if remediation fails to correct the problem. A management plan/operating permit will also be required.

Table 3
Minimum Setback Distances (Feet)

	Sewage or Holding Tank	**Soil Treatment or Absorption Area**	**Building Sewer or Supply Pipes**
Water Supply Wells* (50 feet of continuous casing or encountering 10 feet of impervious material)	50	50	50**
Water Supply Wells* (less than 50 feet of continuous casing)	50	100	50**
Buried water suction pipe*	50	50	50**
Buried pipe distributing water under pressure*	10	10	10
Buildings***	10	20	-
Property Lines****	10	10	-
Subsurface drainage systems such as field tile lines	50	50	-
Surface drainage systems such as open ditches	30	30	-
The ordinary high water mark of the following types of lakes:			
Natural Environmental Lakes and Transitional River Segments (North Fork of the Crow)	150	150	-
General Development Lakes	50	50	-
Recreational Development Lakes, Mississippi River, Agricultural Rivers and Tributaries as defined in Section 612.4	75	75	-
All public water wetlands as defined by Minnesota Statutes, Section 103G.005, Subd. 15a, as it may be amended from time to time, or successor statute	50	50	-

* Setbacks from buried water pipes and water supply well as governed by Minnesota Rules, Chapters 4715 and 4725, respectively.

** The setback can be reduced from 50 to 20 feet if the building sewer or supply pipe is air tested by holding 5 pounds of air pressure for 15 minutes.

*** For structures other than buildings these setbacks may be reduced if necessary due to site conditions, but in no case shall any part of the individual sewage treatment system be located under or within the structure. For this provision to be employed there shall not be interior space below the structure. For the new construction of a structure without interior space below the structure no part of the absorption area shall encroach closer than 10 feet.

**** The setback from the treatment area to the platted road may be reduced with written approval from the road authority. The Board of Adjustment shall review variance requests, including those from common property lines, per 502 Appeals and Board of Adjustment in the Corinna Township Zoning Ordinance.

716.4 Setbacks and Placement of Building Sewer

(1) The building sewer pipe extending from the house to the tank shall not be less than four (4) inches in diameter and must meet the strength requirements of Schedule 40 plastic pipe. The pipe shall be supported in such manner so that there is no deflection during backfilling and subsequent settling of the soil between the building foundation and the inlet to the septic tank. Construction of the line shall provide a grade of not less than 1/8 inch per foot for minimum grades. No 90 degree ells shall be permitted.

(2) The sewer pipe extending from the tank to the distribution medium must meet the strength requirements of Schedule 40 plastic pipe. Sewer pipe lines, manholes and other appurtenances shall be constructed in accordance with the State Plumbing Code and Minnesota Pollution Control Agency requirements.

716.5 Subject to Change

The requirements of this Ordinance are intended to be comparable to the Environmental Protection Agency and Minnesota Pollution Control Agency standards. Should this Ordinance differ from other agency standards or should EPA or MPCA standards change, the more strict standards shall apply.

717. DWELLING UNITS PROHIBITED

No garage, tent, trailer, motor home, accessory building, nor any vehicle or building not specifically approved by the Building Inspector, may be used at any time as a dwelling[18]. The basement portion of finished home or apartment may be used for normal eating and sleeping purposes provided it is properly damp-proofed, has suitable fire protection and exits, and is otherwise approved by the Building Inspector.

One travel trailer or motor home (not to include mobile homes nor park trailers) is permitted for seasonal use on any lot, provided that the following conditions are met:

(1) Only one such unit is allowed per lot.
(2) Sewage must be properly treated or hauled away. On lots which have been declared by the Board of Adjustment to be unacceptable as a building site, the unit shall have a self-contained holding tank and sewage shall be hauled away for treatment and disposal.
(3) The travel trailer is for guests or recreational use only. It may not be occupied on any lot for more than 90 days in any one year.
(4) The unit must have a current license attached in accord with state law.
(5) Placement of the unit shall comply with all setback requirements for a principal structure, except when such units are not occupied and are being stored on the property they shall meet the requirements of Section 702.

718. RELOCATION OF STRUCTURES

A conditional use permit shall be required for all permanent relocation of residence and for the relocation of any building requiring a permit in residential areas. Relocated sheds, farm buildings, cribs and other farm structures onto farms do not require a conditional use permit.

Relocation of construction sheds to be located on a lot for less than eighteen (18) months requires no permit. For relocation of structures requiring a permit, the applicant shall submit photographs showing all sides of the structure to be moved and proposed site plan of the lot on which the structure is to be located. The Planning Commission shall also require a map indicating location of surrounding lots and structures. The Planning Commission shall consider the compatibility of the structure to be relocated with structures and uses on surrounding lots. If the Planning Commission decides that relocation of the structure would depreciate the value of structures or lots surrounding the lot upon which it is to be moved, then the permit shall be denied. The relocation of railroad cars and cabooses onto lots shall be prohibited in all districts.

18 Amended 12/18/2018 (Resolution 2018-09)

A conditional use permit shall be required to locate a mobile home on any property for use as a storage shed or other non-residential use.

719. VACATED STREETS

Whenever any street, alley, easement or public way is vacated by official action, the zoning district abutting the centerline of the said vacated area shall not be affected by such proceeding. If a street is vacated, within a zoning district, the provision of that district shall apply to the new parcels.

720. PERMITTED ENCROACHMENTS

The following shall be considered as permitted encroachments on setback and height requirements except as herein provided:

(1) In any yard: Posts, off-street open parking spaces, flues, leaders, sills, pilasters, lintels, cornices, eaves, gutters, awnings, open terraces, service station pump islands, open canopies, steps, chimneys, flag poles, ornamental features, and fences, and all other similar devices incidental and appurtenant to the principal structure except as restricted elsewhere herein.

(2) In side and rear yards: Bays not to exceed a depth of three (3) feet or contain an area of more than thirty (30) square feet, fire escape not to exceed a width of three (3) feet. Breezeways, detached outdoor picnic shelters, open arbors and trellises may extend to within five (5) feet of a side or rear lot line except that no structure shall exceed five hundred (500) square feet. Covered porches may extend twenty (20) feet into the rear yard but not closer than ten (10) feet from the rear lot line, and must meet shoreland standards.

(3) Height limitations shall not apply to barns, silos, and other non-residential farm structures; to church spires, belfries, cupolas and domes; monuments; chimneys and smokestacks; flag poles, public utility facilities; transmission towers of commercial and private radio broadcasting station; television antenna, private ham radio towers and parapet walls extending not more than four (4) feet above the limiting height of the building except as provided in municipal airport zoning provisions.

(4) In no event shall off-street parking space, structures of any type, buildings, or other features cover more than fifty (50) percent of the lot area resulting in less than fifty (50) percent landscaped area in Residential Districts.

721. ACCESS DRIVES AND ACCESS

721.1 Access drives may not be placed closer than five (5) feet to any side or rear lot line. No access drive shall be closer than three (3) feet to any single or two family residence, no closer than five (5) feet to any multiple family building or commercial building. The number and types of access drives onto major streets may be controlled and limited in the interests of public safety and efficient traffic flow.

721.2 Access drives onto county roads shall require a review by the County Engineer. The County Engineer 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 drives onto township roads shall be approved by the appropriate township board.

721.3 Access drives to principal structures which traverse wooded, steep, or open field areas shall be constructed and maintained to a width and base material depth sufficient to support access by emergency vehicles. The Building Inspector shall review all access drives (driveways) for compliance with the accepted community access drive standards.

721.4 All driveways shall have a minimum width of ten (10) feet with a pavement strength capable of supporting emergency and fire vehicles.

721.5 All lots or parcels shall have direct adequate physical access for emergency vehicles along the frontage of the lot or parcel from either an existing dedicated public roadway, or an existing private roadway approved by the Planning Commission, County Board or Township Board.

721.6 Public and private roads and parking areas must be designed to take advantage of natural vegetation and topography to achieve maximum screening from view from public waters. Documentation must be provided by a qualified individual that all roads and parking areas are designed and constructed to minimize and control erosion to public waters consistent with the field office technical guides of the local soil and water conservation district, or other applicable technical materials.

721.7 Roads, driveways, and parking areas must meet shoreland structure setbacks and must not be placed within bluff and shore impact zones, when other reasonable and feasible placement alternatives exist. If no alternatives exist, they may be placed within these areas, and must be designed to minimize adverse impacts.

721.8 Public and private watercraft access ramps, approach roads, and access-related parking areas may be placed within shore impact zones provided the vegetative screening and erosion control conditions of this subpart are met. For private facilities, the grading and filling provisions of Sections 612.5 (6) and 728 of this ordinance must be met.

723. IRRIGATION SYSTEMS

723.1 Permits

All proposed irrigation systems, as regulated by the Department of Natural Resources (DNR), shall require a permit from the DNR.

724. SIGN REGULATIONS

It is hereby found and declared that in the interest of and to promote the general welfare of the people and to conserve the natural beauty of the unincorporated rural areas of Corinna Township that it is necessary to reasonably and effectively regulate and control the erection or maintenance of signs. The objectives of this chapter include preserving the right of free speech and expression, providing easy and pleasant communication between people and their surroundings, and avoiding excessive levels of visual clutter and distraction that are potentially harmful to traffic and pedestrian safety, property values, business opportunities, or community appearance.

All signs hereafter erected or maintained shall conform with the provisions of this Ordinance.

724.1 General Provisions

(1) Sign Types:

(a) Canopy – A protective roof like covering, made of canvas or similar fabric, mounted on a frame over a walkway, door, or window of a building.

(b) Wall – A painted or non-painted sign affixed on the side of a building.

(c) Monument – a ground sign having a solid appearance and a generally low profile. Must be attached to a proportionate enclosed base (fifty percent minimum). The sign may be constructed with stone, concrete, metal, routed wood planks or beams, or similar materials which harmonize with the establishment it serves. The sign base area shall not exceed the actual sign face area by ten percent.

(d) Pole/Pylon – A freestanding sign that is suspended by no more than three (3) metal, wood, or concrete poles.

(e) Window – A painted or freestanding sign placed in/on a window of a business.

(f) Billboard – Any sign that exceeds ninety-six (96) square feet in surface area.

(2) All signs, unless otherwise noted, shall require a permit.

(3) Sign Illumination:

(a) The light from any illuminated sign or from any light source, including interior of a building, shall be so shaded, shielded or directed that the light intensity or brightness shall not adversely affect surrounding or facing premises nor adversely affect safe vision of operators of vehicles moving on public or private roads, highways or parking areas. Light shall not shine or reflect in or into residential structures. Where a sign is illuminated, the source of light shall not shine upon any part of a single residential district.

(b) No signs shall have blinking, flashing or fluttering lights or other illuminating devices which have a changing light intensity, brightness or color, or which are so constructed and operated as to create an appearance or illusion of writing or printing. No signs should have flashing or rotating signs resembling emergency vehicles.

(4) Message substitution:

Subject to the land owner's consent, a noncommercial message of any type may be substituted for any duly permitted or allowed commercial message, or for any duly permitted or allowed noncommercial message; provided, that the sign structure or mounting device is legal without consideration of message content. Such substitution of message may be made without any additional approval or permitting. This provision prevails over any more specific provision to the contrary within this chapter. The purpose of this provision is to

prevent any inadvertent favoring of commercial speech over noncommercial speech, or favoring of any particular noncommercial message over any other noncommercial message. This provision does not create a right to increase the total amount of signage on a parcel, nor does it affect the requirement that a sign structure or mounting device be properly permitted.

(5) Severability:

The invalidation of any section, subsection, clause, word, or phrase of this chapter, or of any definition in this ordinance of any word or phrase used in this chapter, by any court of competent jurisdiction shall not affect the validity of the remaining portions of this chapter.

724.2 Signs in the S-2, S-3, A/R, and AG Districts and R-1, R-2, R-2a and R-3 Residential Districts.

In S-2, S-3, A\R, AG and R-1, R-2, R-2a, and R-3 Districts, no sign shall be erected except as follows:

(1) One (1) sign, not to exceed thirty-five (35) square feet in surface area and not more than fifteen (15) feet in height above the average grade shall be allowed on a parcel with an active agricultural, horticultural, forestry or nursery operation, or seasonal produce stand, or has a valid conditional or interim use permit. No property will be permitted more than one sign under this provision. It may be illuminated, but not flashing.

(2) One (1) canopy, window, or wall sign, which shall not exceed thirty-five (35) square feet in surface area or the height of the building, for a parcel with an active agricultural, horticultural, forestry or nursery operation, or seasonal produce stand, or has a valid conditional or interim use permit. This can be in addition to the sign allowed under Section 724.2 (1).

(3) Signs, located on the premises, for allowed conditional or interim uses, subject to the following provisions:

(a) No sign shall be erected within thirty (30) feet of the road right of way.

(b) No sign shall be erected within ten (10) feet of any abutting property line.

724.3 Signs in B-1, B-2 and I-1 Districts

In B-1, B-2 and I-1 Districts, no sign shall be erected except as follows:

(1) Signs, located on premises, shall comply with the following provisions:

(a) No more than one (1) pole/pylon sign or monument sign located on the premises. The surface area cannot exceed ninety-six (96) square feet. Signs permitted under this section are limited to a height not to exceed the permitted building height of the tallest structure on the property. It may be illuminated, but not flashing.

(b) In addition to Section 724.3(1) (a), each parcel of property is allowed:

(1) One (1) canopy, window, or wall sign which shall not exceed ten (10) percent of the surface area of the front facade.

(2) For a property that includes a drive-through window, two (2) additional signs, one (1) no larger than ten (10) square feet in surface area and forty-eight (48) inches in height and located at least ten (10) feet from a property line and at least six (6) feet from a curb cut, and the second no larger than thirty (30) square feet in surface area and facing the drive-through lane.

(3) For a property (other than one including a drive-through window) that

includes one (1) or more lanes limited to one-way traffic, one (1) additional sign, no larger than ten (10) square feet in surface area and forty-eight (48) inches in height and located at least ten (10) feet from a property line and at least six (6) feet from a curb cut.

(2) Parcels of property abutting State Highway 55 shall be permitted to construct one (1) pole/pylon sign or monument sign that is in excess of the permitted building height, provided the sign is not in excess of fifty (50) feet in height above the average grade. Signs permitted under this section shall not exceed ninety-six (96) square feet in surface area for each conditional or interim use and shall not exceed three hundred (300) square feet in total surface area for all signs.

(3) All signs shall meet the following restrictions and setbacks:

(a) No sign shall be erected within ten (10) feet of any abutting property line.

(b) No sign shall be erected within thirty (30) feet of the road right of way.

724.3A Signs In Other Zoning Districts

All signs shall be prohibited in any Zoning District which is not specifically listed in Sections 724.2, 724.3, and 724.4 except for signs which are classified as exempt under 724.5.

724.4 Billboards

Billboards are not permitted.

724.5 Exempt Signs

Unless prohibited in Section 724.6, the following signs shall be authorized in all Zoning Districts and shall not require a permit. These exemptions, however, shall not be construed as relieving the owner of the sign from the responsibility of its erection and maintenance, and its compliance with the provisions of this ordinance or any other law or ordinance regulating the same.

(1) Any sign owned or maintained by a governmental entity.

(2) The changing of the display surface on a previously approved painted or printed sign.

(3) One sign six (6) square feet or less in size and no more than five (5) feet in height per property.

(4) Non-commercial signs beginning forty-six (46) days before the state primary in a state general election year until ten (10) days following the state general election.

(5) When the date of a local, municipal, county, township, or school election does not correspond with the state primary or state general election, non-commercial signs may be erected, within the jurisdiction conducting the election, and maintained beginning forty-six (46) days before any scheduled primary or general election until ten (10) days following the general election.

(6) Each newly platted subdivision or development shall be allowed one (1) sign at each entrance of the subdivision or plat. Each sign shall not exceed ninety-six (96) square feet in surface area and no more than fifteen (15) feet in height. Each sign shall be allowed for one (1) year after the recording of the plat, or for thirty (30) days after the last property or parcel in the plat is sold or transferred, whichever is later.

(7) Every parcel of property is entitled to additional signs totaling but not exceeding twelve (12) square feet in surface area and no more than five (5) feet in height while the parcel of property is actively being

marketed for sale or rent.

(8) Every parcel of property shall be entitled to one (1) sign no more than one hundred twenty (120) square inches in surface area to be placed in all of the following locations:

a) On the front of a residence;

b) On each side of an authorized United States Postal Service mailbox;

c) On one (1) post which measures no more than forty-eight (48) inches in height and four (4) inches in width.

(9) Every parcel of property is entitled to additional signs totaling, but not exceeding, twenty four (24) square feet in surface area and no more than fifteen (15) feet in height when there is an event at the subject property and not posted for more than twenty eight (28) days.

(10) Every parcel of property is entitled to additional, unilluminated signs, to be used during the construction of a building, and which in total are not to exceed twelve (12) square feet each in surface area and are no more than fifteen (15) feet in height. Said signs shall be removed within six (6) months from the start of construction.

(11) In the interest of safe traffic flow, every parcel of property is entitled to additional signs totaling, but not exceeding, twenty four (24) square feet in surface area and no more than fifteen (15) feet in height.

724.6 Signs Prohibited

(1) Billboard signs

(2) Flashing or rotating signs resembling emergency vehicles, official traffic control devices not owned by a public body, or railroad signs or signals not owned by a railroad or a public body shall not be permitted in any District.

(3) Dynamic signs shall not be permitted in any District.

(4) No sign shall be permitted to obstruct any door, fire escape, stairway or other opening intended to provide light, air, ingress or egress of any building or structure.

(5) No sign shall be placed that resembles any official marker erected by a governmental agency.

(6) Signs shall not be permitted within public right-of-way or easements except for signs allowed under sections 724.5 (1) and 724.5 (8)(b).

(7) Abandoned Signs shall be removed by the owner or lessee of the premises upon which the sign is located. If the owner or lessee fails to remove the sign, the Zoning Administrator shall remove it in accordance with 724.8(3) below. These removal provisions shall not apply where a succeeding owner or lessee has a valid conditional or interim use permit and agrees to maintain the signs as provided in this Ordinance or changes copy on the signs in accord with a valid conditional or interim use permit and provided the signs comply with the other provisions of this Ordinance.

(8) Any sign which becomes structurally unsafe or endangers the safety of a building or premises or endangers the public safety must be taken down and removed by the owner, agent, or person having the beneficial use of the building, structure or land upon which the sign is located.

(9) Unless otherwise noted, no sign shall be placed on public street/traffic signs, utility poles or public property. Signs in violation of this Subdivision may be removed by County, Township or other authorized

personnel at their discretion, without advance notice to the sign owner.

(10) Any other structure, banner, balloon, trailer, building, portable device, or anything visible from a public road which is used as an advertising device is prohibited unless specifically authorized by this ordinance.

724.7 Permits and Fees

(1) The property owner or other persons having control of signs subject to the requirements of this Ordinance shall be responsible to see that the regulations contained herein are followed.

(2) The erection of any new sign outlined in this ordinance, unless otherwise noted, shall require a permit. The fee for sign permits shall be established by resolution of the Township Board.

(3) It shall be the duty of the Zoning Administrator and/or the Building Official upon filing of an application for a sign permit, to examine such plans and specifications and other data; and if it appears that the proposed structure is in compliance with all requirements of this Ordinance and all other laws and Ordinances of the County, then the Zoning Administrator shall grant the sign permit. In addition, all illuminated signs shall be subject to the provisions of the State Electrical Code and shall comply with the Underwriter's standard as defined in the current Underwriter Laboratories standard for safety, electric sign.

(4) Where work for which a permit is required by this ordinance is started or proceeded with prior to obtaining a permit, the fee as provided by the Township Board shall be doubled. Payment of such double fee shall neither relieve any persons from fully complying with the requirements of this Ordinance in the execution of the work nor from any other penalties prescribed herein.

(5) If the work authorized under a sign permit has not been completed within six (6) months after the date of issuance, said permit shall expire automatically and renewal of the permit shall be required.

724.8 Inspection, Removal, Safety

(1) Inspection

Any sign for which a permit is required may be inspected periodically by the Zoning Administrator for compliance with this Ordinance and all other applicable laws.

(2) Maintenance

(a) The owner, lessee or manager of any ground sign and the owner of the land on which the same is located shall keep grass or weeds and other growth cut and debris and rubbish cleaned up and removed from the lot on which a sign is located.

(b) Painting, repainting, cleaning and normal maintenance and repair of a sign or sign structure is required to protect the sign and prevent its deterioration and maintain its neat appearance. Such maintenance is allowed without permit unless a structural change is made. All signs must be maintained in a neat and orderly condition.

(3) Removal of Signs

The Zoning Administrator shall order the removal of any sign erected or maintained in violation of this Ordinance. Ten (10) days notice in writing shall be given to the owner of such sign, or of the building, structure or premises on which such sign is located, to remove the sign or to bring it into compliance with the Ordinance. Upon failure to remove the sign or to comply with this notice, the Zoning Administrator may remove the sign. The Zoning Administrator may remove the sign immediately and without notice if it reasonably appears that the condition of the sign is such as to present an immediate threat to the safety

of the public. Any costs of removal incurred by the Zoning Administrator shall be assessed to the owner of the property on which such sign is located and may be collected in the manner of ordinary department or in the manner of taxes and all costs shall be assessed against the property. Signs located within the right-of-way of County Roads may be removed by the County at any time without notice.

724.9 Prior Lawful Non-Conforming Signs

(1) Lawful signs existing on the effective date of this Ordinance which do not conform to the regulations set forth in this Ordinance shall become a non-conforming use.

(2) Business signs that were lawfully established when erected on the premises of a non-conforming building or use may be continued so long as they continue to comply with the version of this chapter in effect at the time the signs were established, but such signs shall not be increased in number, area, height, volume, or illumination. Such signs may be illuminated, but no flashing, rotating, or moving signs shall be permitted.

(3) No business sign erected before the passage of this Ordinance shall be rebuilt, altered, or moved to a new location without being brought into compliance with the requirements of this Ordinance.

(4) In the event that the use of a non-conforming business sign structure is discontinued or its normal operation stopped for a period of six (6) months, any subsequent use of the sign shall be a conforming use.

(5) Legal nonconforming signs on residential and seasonal residential real estate shall be allowed to continue as provided under Minnesota Statute § 394.36 Subd. 4.

724.10 Prior Lawful Non-Conforming Signs

(1) Lawful signs existing on the effective date of this Ordinance which do not conform to the regulations set forth in this Ordinance shall become a non-conforming use.

(2) Business signs that were lawfully established when erected on the premises of a non-conforming building or use may be continued so long as they continue to comply with the version of this chapter in effect at the time the signs were established, but such signs shall not be increased in number, area, height, volume, or illumination. Such signs may be illuminated, but no flashing, rotating, or moving signs shall be permitted.

(3) No business sign erected before the passage of this Ordinance shall be rebuilt, altered, or moved to a new location without being brought into compliance with the requirements of this Ordinance.

(4) In the event that the use of a non-conforming business sign structure is discontinued or its normal operation stopped for a period of six (6) months, any subsequent use of the sign shall be a conforming use.

(5) Legal nonconforming signs on residential and seasonal residential real estate shall be allowed to continue as provided under Minnesota Statute § 394.36 Subd. 4.

725. ESSENTIAL SERVICES

725.1 Policy

Essential services, as defined by this chapter, may have an effect upon urbanizing areas of the county, county land uses, highway location, the preservation of natural environmental areas, lakes, streams, rivers, and park and recreation areas.

725.2 Conditional use required

Essential services are a conditional use unless otherwise stated in this section.

725.3 Filing and Setback Requirements

(1) All essential services including large facilities and those for local distribution or other similar appurtenances or facilities shall be located entirely within a public road right-of-way or shall meet the road right-of-way setbacks as required for principal structures in all zoning districts.

(2) The proposed location of all essential and transmission services in any land use district shall be filed with the county Highway Department prior to commencement of any condemnation action or construction. The proposed location of all essential and transmission services along a township road right-of-way shall also be filed with the Township Clerk prior to commencement of any condemnation action or construction.

725.4 Exemptions

(1) Essential services located within a public road right-of-way, platted utility easement, or within a pre-existing utility easement recorded prior to January 1, 2017, for their entire length shall be considered a permitted use in all districts and are exempt from the conditional use permit requirements of this chapter, provided all necessary permits are obtained from the road authority and all state and federal requirements are met. "As-built" plans for such essential services which specify the location of the essential service must be filed with the county Highway Department, and the Township Clerk when the essential services are located in a township road right-of-way, in a format specified by the county Highway Engineer within 90 days of final completion.

(2) County and township structures and support facilities are exempt from requiring conditional use permits.

(3) Essential services, as referred to in this section, do not include the lateral lines, cables, wires, pipes, or sewers which extend from the trunk transmission, collection, or distribution lines, mains, or pipes to service a single residence or other lawfully permitted structure.

725.5 Application Procedures. The following application procedure shall be observed.

(1) The applicant shall file with the Zoning Administrator such maps indicating the location, alignment and type of service proposed as shall be necessary to determine the potential impacts of the essential services.

(2) The essential service permit then shall be treated as a conditional use permit and the applicant shall be responsible to comply with all terms of this chapter applicable to such permits.

725.6 Time limit.

Conditional use permits shall expire if all conditions in an essential service utility permit are not commenced within two years of the approval of the conditional use permit, or completed within three years of the approval of the conditional use permit, unless otherwise specified by the Planning Commission.

725.5 Pipeline safety.

Where any construction or development is proposed adjacent to a pipeline as defined in M.S. § 299J.05, as it may be amended from time to time, said project shall comply with all provisions for pipeline safety and setback standards as specified in M.S. § 299J.05, as it may be amended from time to time.

725.6 Energy Storage Systems.

Energy Storage Systems. Energy storage system are not an essential service but are permitted in commercial and industrial districts provided the energy storage system, including battery technology, has less than 100 kilowatt hours (kWh) of capacity. An energy storage system, including battery technology, which does not exceed 100 kilowatt hours (kWh) of capacity is permitted in all agricultural or residential districts only as an accessory use to a primary dwelling. An "energy storage system" has the meaning given in Minnesota Statute § 216B.2422, subdivision 1, paragraph (f) (2022).

726. MOBILE HOME PARKS

726.1 Intent

The intent and purpose of this Section is to assure quality development equal to that found in other types of residential areas throughout the community. Excellence of design, development, and maintenance is the desired objective.

726.2 Permit Required

No person shall attempt to develop or operate a mobile home park within the community without first obtaining a permit therefore. The requirements of a permit shall prevail over all other standards and requirements, notwithstanding the more restrictive sections of the Ordinance. A permit for a mobile home park may contain other requirements beyond those mentioned in this Section.

726.3 Application

The applicant for a permit, in addition to other requirements, shall include the name and address of the developer and a general description of the construction schedule and construction cost. The application for a permit shall be accompanied by twelve (12) copies of plans which indicate the following:

(1) Location and size of the mobile home park.

(2) Location, size and character of all mobile home lots, mobile home stands, storage areas, recreation areas, laundry drying areas, central refuse disposal, roadways, parking spaces and sites, and all setback dimensions.

(3) Detailed landscaping plans and specifications.

(4) Location and width of sidewalks.

(5) Plans for sanitary sewage disposal, surface drainage, water systems, electrical service, telephone service, and gas service.

(6) Plans for an overhead street lighting system shall be submitted for approval by the County Engineer.

(7) The method of disposing of garbage and refuse.

(8) Location and size of all streets abutting the mobile home park and all driveways from such streets to the park.

(9) Plans and specifications for all road construction either within the park or directly related to park operation.

(10) Floor plans of all service buildings to be constructed within the mobile home park.

(11) Such other information as may be required or requested by the community.

(12) Detailed description of maintenance procedures and grounds supervision.

726.4 Performance Standards for Mobile Home Parks

(1) A mobile home park shall contain at least one hundred fifty (150) fully developed lots. A minimum of fifty (50) mobile home stands must be fully developed, together with all required auxiliary buildings and areas, before any mobile home may be occupied.

(2) All mobile homes shall be properly connected to a central water supply and a public sanitary sewer system. All water and sewer systems shall be constructed in accordance with plans and specifications approved by the County Engineer. Where a public water supply is available to the mobile home park or at the boundary of the park, a connection to said public water supply shall be provided for each mobile home.

(3) All mobile home parks shall have one (1) or more recreational areas which shall be easily accessible to all park residents. Recreational areas shall be so located as to be free of traffic hazards and should, where the topography permits, be centrally located. The size of such recreational area shall be based upon a minimum of fifteen percent (15%) of the land area (exclusive of streets), but no outdoor recreational area shall contain less than two thousand (2,000) square feet. All equipment installed in such an area shall be owned and maintained by the owner or operator at his own expense.

(4) Each mobile home park shall maintain a paved off-street overload parking lot for guests of occupants in the amount of one (1) space for each three (3) coach sites and located within three hundred (300) feet of the unit to be served.

(5) All utilities, such as sewer, water, fuel, electric, telephone and television antenna lead-ins, shall be buried to a depth specified by the County Engineer, and there shall be no overhead wires or support poles except those essential for street or other lighting purposes. All utility connections shall be approved by the Zoning Administrator prior to connection and electrical service shall be at least one hundred twenty (120) volt, one hundred (100) ampere capacity. Plan for the disposal of surface storm water shall be approved by the County Engineer.

(6) A properly landscaped area shall be adequately maintained around each mobile home park. All mobile home parks shall be screened with a fence along the property boundary lines separating the park from residential and non-residential uses to protect adjoining property owners.

(7) No mobile home, off-street parking space, or building shall be located within thirty (30) feet of the exterior boundary of any mobile home park. No mobile home shall be located within one hundred twenty-five (125) feet of the existing or planned centerline of a public street.

(8) Signs shall be limited to one (1) nameplate or identification sign not to exceed twenty-five (25) square feet, with lighting, height and location as approved by the Zoning Administrator and have a fifteen (15) foot setback from the front line.

(9) The area beneath all mobile homes shall be enclosed with a material that shall be generally uniform through the entire mobile home park, except that such an enclosure must be so constructed that it is subject to reasonable inspection. No obstruction shall be permitted that impedes the inspection of plumbing, electrical facilities, and related mobile home equipment.

(10) Each mobile home lot shall be served by a central fuel supply system such as natural gas or a central LP system. No separate private fuel containers, such as fuel oil tanks or LP tanks shall be allowed in the mobile home park.

(11) All mobile home parks shall have an area or areas set aside for dead storage. Boats, boat trailers, hauling trailers, and all other equipment not generally stored within the mobile home or within the utility enclosure, that may be provided, shall be stored in a separate place provided by the park owner. This storage place shall be screened. Such equipment shall not be stored upon a mobile home lot which is occupied by a mobile home nor upon the streets within the mobile home park.

(12) Each mobile home lot within a mobile home park shall abut on and have access to a private road used by the inhabitants of the park and built and maintained by the owner thereof. This road shall lead to and furnish ingress and egress from a public street through controlled driveways which shall have a right-of-way at least sixty (60) feet in width. The private roads and the access roads to public streets shall be paved with a concrete or bituminous material complying with the specifications for the construction of any community street. The paved surface shall be at least thirty-six (36) feet in width from curb to curb. A concrete curb and gutter shall comply with all applicable community ordinances. There shall also be a paved three (3) foot wide walkway from the slab to the frontage curb. Access drives off roads to all parking spaces and mobile home slab sites shall be paved.

(13) Each mobile home park shall have one (1) or more central community buildings with central heating which must be maintained in a safe, clean, and sanitary condition. Said buildings shall be adequately lighted during all hours of darkness and shall contain laundry washers, dryers and drying areas, public telephones, and public mail boxes, in addition to public toilets and lavatory. For each one hundred (100) mobile home lots or fractional part thereof, there shall be one (1) flush toilet and one (1) lavatory for each sex.

(14) Every structure in the mobile home park shall be developed and maintained in a safe, approved and substantial manner. The exterior of every such structure shall be kept in good repair, and shall be repainted or refinished when so directed by the community building inspector. All of said structures must be constructed to meet existing community codes. Portable fire extinguishers rated for electrical and liquid fires shall be kept in all service buildings and other locations conveniently and readily accessible for use by all occupants.

(15) All structures shall require a building permit. It is not the intent of this Section to repeal or abrogate any part of the Building Code. The provisions of the Section shall be enforced in addition to and in conjunction with the provisions of the Building Code.

726.5 Mobile Home Park Lots

(1) Each mobile home site shall contain at least six thousand (6,000) square feet of land area for the exclusive use of the occupant and shall be at least sixty (60) feet wide, which size site allows for a maximum length mobile home of fifty five (55) feet. Larger mobile homes will require longer lots to comply with the following requirements of this Ordinance.

(2) Mobile homes shall be placed upon mobile home lots so that there shall be at least a twenty (20) foot clearance between mobile home and twenty (20) feet between the front of the mobile home and the front lot line and twenty five (25) feet between the rear of the mobile home and the rear lot line. Mobile homes shall be parked no closer than ten (10) feet to a side lot line.

(3) The area occupied by a mobile home shall not exceed fifty percent (50%) of the total area of a mobile home site; land may be occupied by a mobile home, a vehicle, a building, a cabana, a ramada, a carport, an awning, storage closet or cupboard or any structure.

(4) The yards shall be landscaped except for the necessary driveway and sidewalk needs which shall not exceed one-half (1/2) the width of the site. Landscaping shall include at least one (1) tree, hedges, grass, fences, windbreaks, and the like. Temporary storage shall not be allowed in the lawn area.

(5) Each mobile home lot shall have paved off-street parking space for at least two (2) automobiles. Each space shall be ten (10) feet by twenty (20) feet minimum or as approved by the Zoning Administrator.

(6) The corners of each mobile home lot shall be clearly marked and each site shall be numbered.

(7) Each mobile home lot shall be so designed that automobiles may not be parked within five (5) feet of the side of any mobile home or within five (5) feet of the front or back of the mobile home.

726.6 Mobile Home Stands

The area of the mobile home stand shall be improved to provide adequate support for the placement and tie-down of the mobile home, thereby securing the superstructure against uplift, sliding, rotation, and overturning.

(1) The mobile home stands shall not heave, shift, or settle unevenly under the weight of the mobile home, due to frost action, inadequate drainage, vibration, or other forces acting upon the structure.

(2) The mobile home stand shall be provided with anchors and tie-downs, such as cast-in-place concrete foundations or runways, screw augers, arrowhead anchors or other devices providing for stability of the mobile home.

(3) Anchors and tie-downs shall be placed at least at each corner of the mobile home stand and each anchor shall be able to sustain a minimum tensile strength of two thousand eight hundred (2,800) pounds or as approved by the current Minnesota State Uniform Mobile Home Standards Code whichever is more restrictive.

(4) All land areas shall be adequately drained and properly maintained free of dust, refuse, garbage, rubbish, or debris. The proposed method of garbage, waste, and trash disposal must be approved by the community and must conform to the regulations of the State Pollution Control Agency. Refuse collection stands shall be provided for all refuse containers. Such stands shall be so designed as to prevent containers from being tipped, to minimize spillage and container deterioration, and to facilitate cleaning around them. The storage, collection, and disposal of refuse in the mobile home park shall be so conducted as to create no health hazards, rodent harborage, insect breeding areas, accident or fire hazards, or air pollution.

(5) No mobile homes shall be located in the mobile home park that do not conform to the requirements of the most current Minnesota State Uniform Mobile Home Standards Code and has the State Seal of Compliance affixed to it. No mobile home shall be allowed therein which is in an unsanitary condition, or which has an exterior in bad repair, or which is structurally unsound, or which fails to protect the inhabitants of said mobile home against all the elements.

(6) No person shall erect, place, construct, reconstruct, relocate, alter, maintain, use or occupy a structure in a mobile home park without the written consent of the owner or operator of said park.

(7) Dogs and animals shall not be permitted to run at large within the mobile home park.

(8) No public address or loud speaker system shall be permitted.

(9) No tents shall be erected, or occupied, and there shall be no outdoor camping anywhere in the trailer park.

(10) Laundry and clothes shall be hung out to dry only on lines located in approved areas established and maintained exclusively for that purpose.

(11) No person shall bring or keep an automobile into the mobile home park that does not have a current license and is not in operable condition.

(12) Land in the mobile home park shall be used for residential purposes only.

(13) Each mobile home shall be equipped with an approved fire extinguisher.

(14) No open fires shall be permitted within the park and no fires in burners or incinerators shall be left unattended at any time. The operator shall provide safe, adequate incinerator service in full compliance with any State laws or local ordinances pertaining thereto.

727. MINING AND EXTRACTION

727.1 Purpose

Corinna Township recognizes that the mining and extraction of gravel, sand and other subsurface resources is necessary for their use by Township landowners and for public road and other projects. Modern lifestyles create the indisputable need for a continued and uninterrupted supply of aggregate materials. Accordingly, mining is a necessary land use that shall be balanced with the impact on the environment, health, welfare, safety, and quality of life of Corinna Township residents and future generations. Given that close proximity to such resources helps lower the cost of obtaining them, the Township finds that it needs to both protect resources and provide opportunities for their removal, processing and use. At the same time, mining and extraction and its associated activities can create nuisances for neighboring property owners, congestion on and/or damage to local roads, public safety hazards and/or visual nuisances if they are not properly operated or reclaimed in a timely manner. The purpose of this section is to find a reasonable balance between the need to make use of gravel, sand and other subsurface resources within the Township while protecting property values and the quality of life for nearby property owners by regulating mining operations so as to minimize conflicts with adjacent land uses and ensure that mining operations are reclaimed with a use compatible with surrounding land uses and a use as designed in the Comprehensive Plan.

727.2 Administration and Exceptions

In all districts where permitted, commercial Mining and Extraction shall be permitted only as an Interim Use. Such permit shall include as a condition: site plan, a completion plan, and a haul route plan with provision for road restoration as provide below. An approved extractive use Interim Use Permit shall be used solely for the operations detailed in the permit.

Exceptions. A mining and extraction permit shall not be required for any of the following:

- Excavation for a foundation, cellar, or basement of a building or subsurface sewage treatment system, if such work has been properly permitted.
- Excavation by state, county, city, or township authorities in connection with construction and maintenance of roads, highways, bridges, or utilities conducted solely within the permanent easement areas or rights-of-way.
- Grading and removal of materials in accordance with the development of an approved plat or development, if the activity was reviewed as part of the approval process.

727.3 Length of Permit and Extended Operations

Interim Use Permits for mining and extraction operations shall run for no longer than three (3) years, except that an interim use permit for a hot mix asphalt plant shall not be issued for a term in excess of two years, and shall expire on December 31st of the expiring calendar year, regardless of when they were issued. The Township may, at its discretion, approve an interim use permit for less than three (3) years when determined necessary to ensure proper operation and compliance with regulations or for projects that will last only one season, such as for road projects. Permits may be renewed and applicants wishing to continue operations may apply for a new interim use permit within 90 days of the date their current interim use permit expires. There shall be no limit to the number of times an applicant may apply for an interim use permit. Applications for renewal shall follow the same procedure as a new Interim Use Permit application. If a requested interim use permit is denied, no reapplication shall be made for a period of six (6) months.

The following activities, other than the initial removal of material, shall be considered a separate interim use:

- The crushing, washing, refining or processing of excavated material;
- In stone quarries, the production or manufacturing of veneer stone, sills, lintels, cut flagstone, hearthstones, paving stone and similar architectural or structural stone and the storing or stockpiling of such products on the site;
- The manufacture of concrete building blocks or other similar blocks, the production or manufacture of lime products, the production of ready-mixed concrete and any similar production or manufacturing processes which might be related to the mining operation; and

- The crushing, heating, storage, washing, refining, or processing of asphalt or bituminous material for the production of bituminous asphalt material.

A new interim use permit shall be required for any mining operation where the amount of imported material exceeds the amount of material extracted or the primary use changes from the extraction of aggregate resources to the processing of materials.

727.4 Stockpiling of Excavated Material

Excavated materials may be stockpiled on the site for no longer than twenty-four (24) months following the expiration of an interim use permit.

727.5 General Provisions

All excavation and extraction shall conform to the following:

A. Minimum lot size. No sand and gravel operation shall be conducted on parcels of less than 20 acres in size. This limitation shall not apply when the tract of land is contiguous to an active mining operation, provided that both tracts are being operated by the same sand and gravel producer.

B. Distance from property lines. Processing of minerals shall not be conducted closer than 100 feet to the property line, nor closer 500 feet to any residential or commercial structures located prior to commencement of processing operations.

No quarrying or mining operation, not to include berms or other barriers constructed for screening purposes, shall be carried on, or any stock pile placed, closer than 50 feet from any property line, unless a greater distance is specified by the Interim Use Permit where such is deemed necessary for the protection of adjacent property. This distance requirement may be reduced to 30 feet only with written consent of the owners of the affected adjacent non-residence property. Proof of said agreement shall be submitted as a part of the application and maintained in Township files for all approved Interim Use Permits for extractive uses. Without such agreement, the buffer area may be used only under the following circumstances:

1. The buffer area may contain the haul road if the Township determines that, for safety purposes, the access to the use is best served in that area.
2. The haul road may be located in the buffer area to avoid wetlands or other sensitive environmental resources.
3. If authorized in an approved reclamation plan, one half of the buffer area may be used for the storage of topsoil and for final sloping. All topsoil storage areas shall be seeded to prevent erosion and dust. Berms, including those consisting of topsoil to be used for reclamation, may be placed in the buffer area, but they shall be seeded and mulched in a manner that prevents dust from blowing onto adjacent properties.

C. Distance from public right-of-way. In the event that the site of mining or quarrying operation is adjacent to the right-of-way of any public street or road, no part of such operation shall take place closer than 50 feet to the nearest line of such right-of-way.

D. Screening barrier.

a. To minimize problems of dust and noise and to shield mining operations from public view, a screening barrier shall be maintained between the mining site and adjacent residential and commercial properties. A screening barrier shall also be maintained required between the mining site and any public road within 500 feet of any mining or processing operations. The type and extent of the barrier shall be set by the Planning Commission. Screening barrier shall be planted with a species of fast growing trees such as green ash. The Planning Commission may waive or alter screening requirements in this section.

b. Existing trees and ground cover along public road frontage or property lines shall be preserved and, maintained (and or supplemented), for the depth of the roadside or property line setback, except where traffic safety requires cutting and trimming.

c. Any trees or shrubs approved for use as a screening barrier must be mature and at least six feet in height. Any tree or shrub which is overcome with disease or that is deceased must be replaced with

a new mature tree at least six feet in height and of the same type within 30 days. All trees and shrubs must be irrigated as needed to prevent disease or death.

E. Safety Fencing. At the discretion of the Planning Commission, fencing may be required to be erected and maintained around the entire site, or excavated portions thereof, and shall be of a type specified in the Interim Use Permit. At a minimum, any mining operation adjacent to a residential zone or within 300 feet of two or more residential structures shall comply with the following standards:

a. Where collections of water occur that are one and one-half feet or more in depth existing for any period of at least one month, and occupy an area of 700 square feet or more, all access to such collections of water shall be barred by a fence or some similarly effective barrier such as a snow fence at least four feet in height.

b. In locations where slopes occur that are steeper than one foot vertical to three feet horizontal existing for a period of one month or more, access to such slopes shall be barred by a fence or some similarly effective barrier such as a snow fence of at least four feet in height.

F. Equipment. All equipment and machinery used for mining operations shall be constructed, operated and maintained in such a manner as to minimize, as far as is practicable, dust, noise, and vibration which are injurious or substantially annoying to persons living in the vicinity. Power drives or power producing machinery, not including vehicles, shall not be housed or operated less than 500 feet from a residential use district or from an occupied dwelling not occupied by the operator or owner of the gravel mining operation. All buildings, structures and plants used for the production or processing of sand and gravel shall be maintained in such a manner as is practicable and according to acceptable industrial practice as to assure that such buildings, structures and plants will not become dangerously dilapidated.

G. Processing. Crushing, concrete mixing, washing, refining, and other similar processing must be authorized by the Interim Use Permit as an accessory use, provided, however, that such accessory processing does not conflict with the use regulations of the district in which the operation is located. Processing shall not be permitted in any residential district. All processing equipment shall be located at least 500 feet from any residence, 200 feet from the OHW of any lake or stream, and outside of any wellhead protection area. The Township may not approve such accessory uses if they are found to be incompatible with the neighborhood, in conflict with the Township's Comprehensive Plan, or do not meet the review criteria for the interim use permit.

H. Hot mix asphalt plants. All hot mix asphalt plants must utilize odor control technology or additives to reduce the odors emitted from the hot mix asphalt plant. The applicant for a hot mix asphalt plant interim use permit shall state in their application the means and methods they will be utilizing for effective odor control. Any technologies or products used must be stated in the annual report required by this Ordinance.

I. Drainage. The mining operation shall not interfere with surface water drainage beyond the boundaries of the mining operation.

J. Depth to groundwater separation. The applicant must indicate the estimated or actual depth to groundwater table based on site-specific evaluations, the Wright County Soil Survey, the Minnesota Geologic Atlas or other appropriate documentation. When such estimates indicate that excavation will be taking place within five (5) feet of such groundwater, the applicant shall provide a description of the steps it will take to protect such groundwater supplies from pollution during mining and extraction activities.

K. Water quality. The extractive use operation shall not adversely impact the quality of quantity of surface or subsurface and groundwater resources. Surface water originating outside and passing through the extraction site shall be of equal quality, at its point of departure from the site, to the water at the point where it enters the extraction site. The applicant shall perform the water treatment necessary to comply with this provision.

L. Waste materials and debris. No waste materials shall be disposed of on site unless authorized by the Township. Stumps, brush, and other natural debris shall be removed or disposed of in accordance with local rules and regulations. Sanitary facilities acceptable to the Township shall be provided for workers during the operation of the extractive use.

M. Weed and vegetation management. Weeds and any other unsightly or noxious vegetation shall be cut or trimmed as may be necessary to preserve a reasonably neat appearance and to prevent the seeding of such plants on on adjoining or nearby property.

N. Mining access roads. The location of the intersection of mining access roads with any public roads shall be selected such that traffic on the access roads will have a sufficient distance of the public road in view so that any turns onto the public road can be completed with a margin of safety. Access roads connecting to public roads or highways shall be sufficiently wide to accommodate two-way hauling traffic. Intersections of public roads with access roads shall be maintained by the mine operator and shall be kept clean and free from mud, debris or asphalt tracked out from the mining site. Such intersections shall also be repaired by the mine operator if the public road surface or shoulders have broken down due to repeated traffic by mining trucks and equipment. The need for turn lanes, road improvements, maintenance, or repair will be determined by the road authority. Upon written notification from a local road authority directing the repair, maintenance, or other such actions due to the repeated traffic by mining trucks and equipment, the property owner or operator shall have fourteen days to comply with the directives of the local road authority. If the property owner or operator fails to comply within that time, the Zoning Administrator may suspend any interim mining permit. Any suspension shall be in effect until all conditions or requirements from the local road authority are brought into compliance. No mining, extraction, or processing activities shall occur during a suspension.

O. Days and Hours of Operation.

   a. All mining operation shall be conducted between the hours of 7:00am and 7:00pm Monday through Saturday, unless otherwise specified by the Planning Commission;

   b. Any operations not conducted between the hours of 7:00am and 7:00pm shall require a new or amended interim use permit. Such permits shall be granted for public or private emergency, for government work required by agency contracts, or whenever any reasonable or necessary repairs to equipment are required to be made.

   c. Operations restricted to the above days and hours shall include the loading and unloading of trucks and the moving and processing of materials. Trucks may enter the mining site no earlier than 6:00am and leave the mining site no later than 7:00pm. At no time may trucks park, queue, or stack on public rights-of-way. The Planning Commission may authorize work outside of the restrictions stated herein as part of an interim use permit hearing.

   d. Operations shall be prohibited on Wright County designated holidays as of January 1, 2023.

P. Dust and dirt.

   a. All equipment used for mining operations shall be constructed, maintained and operated in such a manner as to minimize, as far as practicable, dust conditions

   b. All mining operators will be responsible for providing water or other suitable methods to control dust on roads utilized by trucks hauling to or from mining operations. Roads that require cleaning or dust control because of mining operations shall be tended to when conditions warrant, or a potential safety hazard exists.

   c. The Planning Commission may require dust control measures within mining operations when it is determined that airborne dust from extraction areas, processing activities, stockpiles, internal roads, or other mining related activities may create a public nuisance. Such dust control measures may include berming, landscaping, or enclosures for processingequipment.

Q. Signage. An information sign shall be erected at the intersection of the primary access road and the public road servicing the site identifying the name of the company or landowner responsible for the operations at the site. This sign shall also include a telephone number(s) for the company or responsible landowner, shall be clearly visible from the public road, and shall conform to the signage requirements in section 724 of this Ordinance.

R. Concurrent permits. All required local, state or federal permits applying to the proposed extractive use, which may include an NPDES permit for stormwater management, shall be obtained and copies submitted to the Township prior to the commencement of any extractive use or related activities. Any violations of these other provisions may result in the revocation of the interim use permit.

S. Shoreland areas.

a. The processing of minerals shall not be conducted within shoreland principal structure setback distances.

b. Setbacks for Processing Machinery. Processing machinery must be located consistent with setback standards for structures from ordinary high water levels of public waters and from bluffs.

c. Mining of Metallic Minerals and Peat. Mining of metallic minerals and peat, as defined in Minnesota Statutes, sections 93.44 to 93.51, shall be a permitted use provided the provisions of Minnesota Statutes, sections 93.44 to 93.51, are satisfied.

727.6 Extractive Use Standards

Specific evaluation criteria. In addition to the criteria used in evaluating Interim Use Permits, the following specific criteria shall be used in evaluating an application for an extractive use:

A. The ability of proposed haul routes to handle the additional traffic generated by the extractive use.

B. Air quality, dust, and noise control measures and the ability to limit impact upon adjacent residential properties according to MPCA standards.

C. The extent that the proposed extractive use, or its accessory uses, impact the groundwater.

D. The ability of the applicant to control erosion and sedimentation that may result from the proposed use.

E. The impact on the natural resources contained in the watershed in which the proposed extractive use is located and the ability of the applicant to avoid or mitigate any impacts.

727.7 Rehabilitation

A mining and extraction site restoration plan must be developed, approved, and followed when the site, or portions of the site, are no longer in active use. The plan must clearly explain how the site will be rehabilitated after mining and extractive activities end. Unless otherwise amended or approved by the Planning Commission, all final grades and site restoration shall be consistent with Map C, the End Use Plan. All mining and extraction areas shall be rehabilitated by June 1st of the year following the expiration of the interim use permit.

To guarantee the restoration, rehabilitation, and reclamation of mined-out areas, every applicant granted an extraction/mining permit as herein provided shall furnish a performance bond running to the Township or a cash escrow in an amount to be determined by the Township based on estimated costs of reclamation to guarantee compliance with this Ordinance and terms and specifications of the interim use permit. The minimum amount of such bond shall be $5,000 per disturbed acre with a minimum of $5,000 or other amount deemed acceptable by the Planning Commission. The Township shall have the right to use the financial guarantee to remove stockpiles, complete site rehabilitation, and correct other deficiencies or problems, in the event the owner or operator is in default of permit obligations. The financial guarantee may be adjusted periodically to reflect ongoing progress, at the discretion of the Zoning Administrator, and shall remain in full force and effect until al conditions of the permit have been met, including site restoration. The bond or escrow shall run for at least 36 months past the expiration or termination of an interim use permit, and shall serve as a guarantee that such applicant, in restoring, reclaiming, and rehabilitating such land and haul road, shall, within a reasonable time and to the satisfaction of the Township, meet the following minimum requirements:

A. Removal of structures and equipment. Unless otherwise specified within an approved and current interim use permit, buildings, structures, machinery and plants shall be removed from the site within three (3) months of the date they are no longer in active use or from the date an interim use permit expires, is terminated or is abandoned. Removal shall be by, and at the expense of, the mining operator last operating such facilities. Equipment actively in use to remove stockpiled materials may be allowed to remain until the stockpile is exhausted or the site is reopened under a new interim use permit. Equipment shall be considered in active use provided they are used at least once in any thirty-day period of time. Equipment not in active use shall be removed from the site.

B. Surface rehabilitation. The finished grade shall be such that it will not adversely affect the surrounding land or future development of the site upon which mining operations have been conducted. The finished

plan shall restore the mining site to a condition whereby it can be utilized for the type of land use proposed to occupy the site after mining operations cease. All excavation areas shall be graded or backfilled to contour and shape the peaks and depressions thereof, so as to produce a gently drained surface that will minimize erosion due to rainfall and which will be in substantial conformity to the adjoining land area. Reclaimed areas shall be sodded or surfaced with a soil of a quality at least equal to the topsoil of the land areas immediately surrounding, and to a depth of at least three (3) inches. Haul roads shall be restored to their condition prior to the beginning of the extraction operation.

C. Vegetation. Vegetation shall be restored by appropriate seeds of grasses and planting of shrubs or trees in all parts of said mining area where such area is not submerged under water as herein provided. All restored areas shall be seeded with a mixture consistent with Minnesota Department of Transportation specifications for rights-of-way or a mixture recommended by the Wright County Soil and Water Conservation District, or returned to crop production, unless otherwise specified or approved by the Planning Commission.

D. Banks of excavation not backfilled. The banks of all excavation not backfilled shall be sloped not steeper than a 23 percent grade and said bank shall require the establishment of vegetation.

E. Reclamation of extractive use sites and designated haul roads shall be completed by June 1st of the year following the expiration of the interim use permit. Stockpile areas shall be reclaimed within thirty (30) months of the expiration of the interim use permit, or within six (6) months of the date the stockpile is exhausted if weather conditions allow, whichever comes first.

Site Development and Restoration Plan. A mining and extraction site development and restoration plan must be developed, approved, and followed over the course of operation of the site. The plan must address dust, noise, possible pollutant discharges, hours and duration of operation, and anticipated vegetation and topographic alterations. It must also identify actions to be taken during operation to mitigate adverse environmental impacts, particularly erosion, and must clearly explain how the site will be rehabilitated after extractive activities end.

Application, contents, procedure. An application for such operation shall provide the following information in addition to that required by the Interim Use Permit process:

A. Name, address and contact information for the person or corporation conducting the actual removal operation;

B. The exact legal property description;

C. Name of any specific project for which the excavation is related. If not for a specific project(s), expected use of excavated material and whether such use would be expected to generate significant hauling volume;

D. Size of the area from which the removal is to be made and the volume of material to be removed;

E. Type of resources or materials to be removed;

F. Proposed method of removal and whether blasting or other use of explosives will be required;

G. Description of equipment to be used, including any proposed accessory uses such as hot mix plants or crushing operations;

H. The following maps of the entire site and to include all areas within 500 feet of the site. All maps shall be drawn to a scale as determined by the Zoning Administrator and submitted on scale-size paper, unless otherwise stated below:

   a. Map A, existing conditions to include:

      i. Contour lines at two-foot intervals;

      ii. Existing vegetation;

      iii. Existing drainage and permanent water areas;

      iv. Existing structures; and

      v. Existing wells.

   b. Map B, proposed operations to include:

i. Structures to be erected;

ii. Location of sites to be mined showing depth of proposed excavation;

iii. Location of tailings deposits showing maximum height of deposits;

iv. Location of machinery to be used in the mining operation;

v. Location of storage of mined materials, showing height of storage deposits;

vi. Location of vehicle parking, truck staging, queuing, or stacking area, access roads and local truck routes;

vii. Location of storage of explosives, equipment, and other materials;

viii. Erosion and sediment control structures;

ix. Screening, berms, and proposed plantings; and

x. Location of leak containment structures, in the event of a petrochemical leak or spill.

c. Map C, end use plan to include:

i. Final grade of proposed site showing elevations and contour lines at two-foot intervals;

ii. Location and species of vegetation to be replanted; and

iii. Location and nature of any structures to be erected in relation to the end use plan.

I. A soil erosion and sediment control plan;

J. A plan for dust and noise control;

K. A full and adequate description of all phases of the proposed operation to include an estimate of duration of the mining operation;

L. Method of rehabilitation and reclamation of the pit area, including timeframe for rehabilitation.

M. Identification of haul roads and amount of truck activity at highest and average levels on those routes, ADT (average daily total) counts.

N. Hours of operation.

O. Types of barriers to be used, if necessary, to ensure the safety of people and livestock residing within proximity to the proposed area of excavation.

P. Proposed methods of avoidance or mitigation of the impacts on natural resources caused by the proposed use.

Q. Detailed plans indicating anticipated vegetative and topographic alterations.

R. Any other information as may be required or requested by the Zoning Administrator or Planning Commission.

727.8 Annual Report. All property owners and operators with an active conditional or interim use permit, regardless of when the permit was issued, for mining shall submit for the previous year an annual report, on a form as provided by the Office of Planning and Zoning, to the Zoning Administrator in paper and electronic portable document format (“pdf”) on or before January 31 of each year. The annual report form shall include at a minimum the following:

A. The actual rate of mining and the remaining minable reserves which includes at a minimum the operating life of the mine, including the rate of mining and anticipated changes in that rate, and the factors used to determine the minable reserves and changes which would expand or diminish such reserves; he exact legal property description;

B. The actual mining activities including the types, amounts, sequence, and schedule for mining the material on site and stockpiling materials, including the distinctions among all aggerate resources and waste material;

C. The actual reclamation activities including the methods, sequence, and schedules of reclamation which address the goals and meets the requirements of this ordinance and any conditions of the permit held on file with the Wright County Office of Planning and Zoning; and

D. The amount and type of imported aggregate and imported material brought to the property; and

E. A map which depicts the status of mining, construction, reclamation, and watershed modifications, at a scale which is normally used by the operator for the mine planning purposes, which:

a. defines the shape and extent of the aggregate material which will support the operating life of the mine; and

b. identifies all known and inferred mineral reserves or resources which are located within the mining area but which have not been included as part of the mining plan;

c. identifies lands proposed for use as vegetative reference and screening areas, depict the detailed drainage patterns for waters which may contact leachable materials; and

d. depicts at appropriate intervals, approved by the Zoning Administrator, the status of: all mining (including shape, extent, and content) and reclamation (including contouring, dust control, temporary stabilization, vegetation, and deactivation) of each: stockpile, basin, mine, drainage control, settling basin, and auxiliary facilities.

F. Failure to timely file an annual report is prima facia evidence that the gravel operation is inactive.

728. LAND ALTERATIONS

728.1 Permit Required

(1) A Land Alteration Permit shall be required in all cases where excavation, grading and/or filling of any land within the county would result in a substantial erosion or sedimentation potential, substantial alteration of existing ground contour, substantial change to existing drainage, would be likely to cause flooding or erosion, would deprive an adjoining property owner of lateral support, or would remove or destroy the present ground cover resulting in less beneficial cover for present and proposed development, uses and enjoyment of any property in the County. The applicant, in their application, shall provide drawings, photos and/or project descriptions on forms and in a manner as required by the Zoning Administrator so as to sufficiently describe the project.

(2) Substantial alteration shall be defined as the extraction, grading, or filling of land involving movement of earth and materials in excess of fifty (50) cubic yards in the Shorelands Districts and in excess of five hundred (500) cubic yards in all other districts except drain tiles and ditch cleaning in agricultural areas. Such substantial alteration shall require a conditional use permit. Materials excavated or moved for the purpose of constructing a basement or other foundation shall be exempt from this calculation. Any such material not immediately removed from the site shall be counted against the above limit.

Substantial erosion or sedimentation potential shall be defined as the exposure of 400 or greater square feet of soil within 200 feet of a lake or stream or a ditch or drainageway leading to a lake or stream, unless such areas are sodded or completely covered with a building, patio, landscaping fabric/mulch/rock or other material that serves as the final land cover within twenty-four (24) hours of the soil being exposed. Excavations for basements shall be exempt from this calculation if all stormwater in contact with the exposed soil would be contained within the excavation.

The creation of wildlife ponds, pollution control structures, and erosion control structures shall not require a conditional use permit, provided that said construction is approved by an official of the Soil and Water Conservation District and abides by all other applicable rules, regulations and ordinances.

(3) The extraction, grading, or filling of land involving the movement of rock, earth and materials (including landscaping blocks, timbers or boulders) greater than ten (10) cubic yards and no greater than fifty (50) cubic yards within shore, bluff impact zones, or steep slopes in shoreland areas shall require an Administrative Permit but not a conditional use permit.

(4) Public road improvement projects, and grading and excavation directly related to such projects (not to

include gravel pits), shall not require a Land Alteration Permit provided the work is directly supervised by the County Engineer or the Governing Body of a local unit of government.

(5) A Land Alteration Permit is also required from the Commissioner of Natural Resources for any alteration in the Flood Plain District and the Shorelands Districts. Such alteration shall include any filling, dredging, channeling, or any other work in the beds of public waters which would change the course, current or cross section of a public water.

(6) A Land Alteration Permit shall be valid for a period of six (6) months from the date of issue. A Land Alteration Permit shall be administered in the same manner as a Conditional Use Permit.

728.2 Requirements

Before the issuance of a Land Alteration Permit or an Administrative Land Alteration Permit, the Township must evaluate possible soil erosion impacts and development visibility from public waters and it must be established that all of the following conditions are met. These conditions must also be adhered to during the issuance of construction permits, permits, conditional use permits, variances and subdivision approvals:

(1) Grading or filling in any type 2, 3, 4, 5, 6, 7, or 8 wetland must be evaluated to determine how extensively the proposed activity would affect the following functional qualities of the wetland (this evaluation must also include a determination of whether the wetland alteration being proposed requires permits, reviews, or approvals by other local, state, or federal agencies such as a watershed district, the Minnesota Department of Natural Resources, or the United States Army Corps of Engineers. The applicant will be so advised):

(a) sediment and pollutant trapping and retention;

(b) storage of surface runoff to prevent or reduce flood damage;

(c) fish and wildlife habitat;

(d) recreational use;

(e) shoreline or bank stabilization; and

(f) noteworthiness, including special qualities such as historic significance, critical habitat for endangered plants and animals, or others.

(2) Alterations must be designed and conducted in a manner that ensures only the smallest amount of bare ground is exposed for the shortest time possible;

(3) Mulches or similar materials must be used, where necessary, for temporary bare soil coverage, and a permanent vegetation cover must be established as soon as possible;

(4) Methods to minimize soil erosion and to trap sediments before they reach any surface water feature must be used;

(5) Altered areas must be stabilized to acceptable erosion control standards consistent with the field office technical guides of the local soil and water conservation districts and the United States Soil Conservation Service;

(6) Fill or excavated material must not be placed in a manner that creates an unstable slope;

(7) Plans to place fill or excavated material on steep slopes must be reviewed by qualified professionals for continued slope stability and must not create finished slopes of 30 percent or greater;

(8) Fill or excavated material must not be placed in bluff impact zones;

(9) Any alterations below the ordinary high water level of public waters must first be authorized by the commissioner under Minnesota Statutes, section 103G.245 and 103G.405;

(10) Alterations of topography must only be allowed if they are accessory to permitted, interim or conditional uses and do not adversely affect adjacent or nearby properties; and

(11) Placement of natural rock riprap, including associated grading of the shoreline and placement of a filter blanket, is permitted if the finished slope does not exceed three feet horizontal to one foot vertical, the landward extent of the riprap is within ten feet of the ordinary high water level, and the height of the riprap above the ordinary high water level does not exceed three feet.

728.3 Connections to Public Waters

Excavations where the intended purpose is connection to a public water, such as boat slips, canals, lagoons, and harbors, require a conditional use permit. Permission for excavations may be given only after the commissioner has approved the proposed connection to public waters.

740. SINGLE FAMILY DWELLING STANDARDS

In order to prevent blight, to protect the general welfare and property values, and to ensure reasonable consistency with existing housing styles and designs, the following minimum standards shall apply to all single family dwellings, in addition to any other standards or conditions contained within this Ordinance.

(1) Building shall be anchored to a permanent concrete or treated wood foundation, in accord with State Building Code standards.

(2) The minimum width of the structure shall be twenty-four (24) feet, as measured across the narrowest portion. Width measurements shall not take into account overhangs nor other projections beyond principal walls.

(3) There shall be a minimum 3:12 roof pitch with a minimum 12 inch soffit. Alternative roof styles may be approved by the building inspector based on generally accepted construction practices, building codes and the nature of the surrounding neighborhood. Unadorned flat roofs shall be prohibited.

(4) Only new units shall be permitted. The relocation of previously occupied units shall require a conditional use permit.

741. RULES AND DEFINITION OF HOME EXTENDED BUSINESS

(1) Business must be located on the homestead of the business operator.
(2) No more than one employee in addition to the owner/operator and family members residing at the homestead.
(3) All work and work related items shall be kept in an enclosed structure. In very limited circumstances, the Planning Commission may allow for the storage of items in a fully enclosed fence. Trees, plants, and bushes do not qualify as fencing; but these items may be required as part of an overall landscaping plan.
(4) Shall provide two (2) parking spaces per employee or one (1) space for each 400 square feet of building area, whichever is greater.
(5) Excessive noise levels are prohibited (that which may be considered a nuisance, L10 at 55 dBA decibels as regulated by NPC regulations).
(6) Lot coverage must comply with all zoning standards.
(7) Site must be capable of supporting on-site sanitary facilities; sewer and water.
(8) All effluent consisting of any liquid, gaseous, or solid waste substance resulting from any process of manufacturing (i.e. sewage or industrial waste) shall not be discharged into the soil, water or air unless it

is at a location determined appropriate by the Planning Commission, Planning Staff, and/or Pollution Control Agency.

(9) The operator must properly dispose of all waste including but not limited to garbage, decayed wood, sawdust, shavings, bark, lime, sand, ashes, oil, tar, chemicals, offal, and all other substances.

(10) Working hours shall be set by the Corinna Township Planning Commission.

(11) A business sign shall be permitted which is no larger than 35 square feet; it may not be illuminated.

(12) If located on a Township road and determined necessary by the Town Board, a letter of agreement containing any dust control measures determined necessary by the Township shall be provided prior to issuance of the Interim Use Permit and renewed annually (January 1st of every year).

(13) All posted road limits shall be obeyed.

(14) Distance from building to next residence shall be at least 500 feet.

(15) Must be outside of platted areas.

(16) Building shall be no larger than 2,000 square feet.

(17) After four (4) founded nuisance or permit violation complaints have been made and verified with written notice to the holder of the Conditional or Interim Use Permit or at any time upon the written request of the Town Board a hearing shall be called to re-consider the Conditional or Interim Use Permit within 60 days.

(18) Building must conform to present buildings and to neighborhood.

742 PERFORMANCE STANDARDS FOR RETREAT CENTERS

742.1 Size and Density for Residential Buildings

A Retreat Center must be located on a parcel of land which includes at least 40 contiguous acres. The number of residential buildings may not exceed the number of residences on the land as allowed by the underlying zoning district, but may include the number that would be allowed by transferring entitlements from contiguous property as defined in section 604, but not any extra units that may have accrued to a Rural PUD as defined in section 614. For as long as the Retreat Center operates, there shall be no other residential buildings nor subdivisions allowed on the land designated for the Retreat Center. The residential buildings shall be detached from any communal facilities, accommodations for sleeping and sanitation may be provided. The residential buildings shall not be dwelling units, and shall not include kitchen facilities, except that one unit may be approved as a residence for a caretaker and family. Other than a caretaker's residence, no one person or family may occupy the residential buildings (one, or more than one in combination) for more than thirty days per year. Each residential building shall be detached from every other residential building. Except for a caretaker's residence, no residential building shall exceed 750 square feet of total floor area. No dormitories, apartments, condominium nor any other type of multiple dwelling units are allowed**.** Each residential building shall be accessible to emergency service vehicles by path or private road, but internal improved streets are not required.

742.2 Communal Facilities

All structures not defined as residential buildings shall be communal facilities, which may include a nature center, conservatory, interpretive center, exhibit, museum, library or closely related use. One communal facility may provide common showers, bathrooms and kitchen and dining facilities for guests at the Retreat Center, but no food service nor restaurant may be open to the public. The communal facilities shall not be used as dwelling units, nor motel, hotel, dormitory, rooming house nor any residential occupancy. In no case shall the number of communal facilities exceed three. Buildings used for communal facilities shall not exceed a total of 10,000 square feet of floor space for all such facilities combined.

Only one communal facility shall be used as an interpretive center, museum, library or similar use, and the hours of operation and programming shall be consistent with a Retreat Center as defined in this ordinance, and as approved by the Planning Commission as part of the Interim Use Permit. The communal facility buildings shall be principally, but not exclusively, for the use of the persons occupying the residential buildings. The one communal facility which may be used as an interpretive center, museum, library or similar use may be available to private guests of the owner of the Retreat Center, and to the general public only at such hours and days as approved in the Conditional Use Permit and as consistent with the location in a rural area.

Unless the Retreat Center contains only one structure, there shall not be a separate lot of record for each

structure (no lot divisions). Parking requirements shall be included in the terms of the Interim Use Permit, but the Retreat Center shall provide at least two parking spaces at any communal facility, and at least 2 off street parking stalls for each residential building.

742.3 Other Standards and Requirements

Any use allowed in the zoning district as a conditional or interim use may only be allowed with the Retreat Center if expressly included in the conditional or interim use permit for the Retreat Center, except that commercial outdoor recreation uses are not allowed within the area of the Retreat Center. The performance standards of 603.5 and 604.5 shall apply except that a separate lot shall not be required nor permitted for each structure, and that commercial outdoor-commercial recreation use is not included in the Retreat Center. Commercial campgrounds and recreation vehicle camps are not allowed, but camping sites may be provided as long as occupancy (number) does not exceed the number that would be allowed if each camping site was a residential building/unit (one family each).

Yard requirements (604.5(2)-(4), 603(2)-(6), shall not apply to each building and shall only to the Retreat Center as a whole. Clustering of the buildings on the site shall be allowed, as long as the total number of structures does not exceed the number that would be allowed if the Retreat Center land was divided into the maximum number of lots permitted in the underlying district for that amount of land. Residential buildings may be clustered as such, but must remain as detached structures with no common walls.

743 DETACHED ACCESSORY STRUCTURES

Detached accessory structures and garages on lots less than one acre shall not have a second story, must have no more than six (6) feet of headroom in a rafter storage area, and have a maximum 6/12 roof pitch.

Accessory buildings and structures, individually and combined (not to include attached garages nor decks), on isolated residential parcels (those that are not adjoining other residential parcels/lots) smaller than 10 acres in size shall not exceed the following maximum size limits:

Parcel size	Max. Building area	Max. Sidewall
Less than 20,000 sq. ft.	1000 square feet	14 feet
20,000 sq. ft.-.99 acres	1600 square feet	14 feet
1-2.49 acres	2400 square feet	14 feet
2.5-4.99 acres	3200 square feet	14 feet
5-9.99 acres	4000 square feet	16 feet

Parcels classified as public lands are exempt from the maximum size limits stated herein.[19]

750. RESERVED

19 Amended 12/18/2018 (Resolution 2018-09)

760. ANTENNAS AND SUPPORT STRUCTURES

760.1 Definitions

Antenna, Personal Wireless Service: A device consisting of a metal, carbon fiber, or other electromagnetically conducive rods or elements on a single supporting pole or other structure, and used for the transmission and reception of wireless communication radio waves including cellular, personal communication service (PCS), enhanced specialized mobilized radio (ESMR), paging and similar services and including the wiring, related ground equipment and the support structure thereof.

Antenna, Microwave: A parabolic dish or cornucopia shaped electromagnetically reflective or conductive element used for the transmission and/or reception of point to point UHF or VHF radio waves in wireless communications, and including the wiring, related ground equipment and the supporting structure thereof.

Antenna, Radio and Television Broadcast Transmitting: A wire, set of wires, metal or carbon fiber rod or other electromagnetic element used to transmit public or commercial broadcast radio, or television programming, and including the wiring, related ground equipment and the support structure thereof. (Allowed by Interim Use in the I-1 district only.)

Antenna, Radio and Television Receiving: A wire, set of wires, metal or carbon fiber element(s), other than satellite dish antennas, used to receive radio, television, or electromagnetic waves, and including the supporting structure thereof.

Antenna, Satellite Dish: A device incorporating a reflective surface that is solid, open mesh, or bar configured and is in the shape of a shallow dish, cone, horn, or cornucopia. Such device is used to transmit and/or receive radio or electromagnetic waves between terrestrially and/or orbitally based uses. This definition shall include, but not be limited to, what are commonly referred to as satellite earth stations, TVROs (television, receive only) and satellite microwave antennas and the wiring, related ground equipment and support structure thereof.

Antenna, Short-Wave Radio Transmitting and Receiving: A wire, set of wires or a device, consisting of a metal, carbon fiber, or other electromagnetically conductive element used for the transmission and reception of radio waves used for non-commercial short-wave radio communications, and including the supporting structure thereof.

Antenna Support Structure: Any pole, telescoping mast, tower, tripod, or any other structure which supports a device used in the transmitting or receiving of electromagnetic energy.

760.2 General Standards

The following standards shall apply to all antennas.

(a) All obsolete and unused antenna shall be removed within twelve (12) months of cessation of use, unless a written exemption is granted by the Zoning Administrator.

(b) All antenna shall be in compliance with all Federal, State and local building, electrical and other relevant code requirements.

(c) Structural design, mounting and installation of any antenna support structure shall be in compliance with manufacturer's specifications. The construction plans and design of any antenna requiring a permit shall be verified and approved by a registered professional engineer.

(d) No advertising message nor identification shall be affixed to any antenna structure.

(e) Antennas shall not be artificially illuminated unless required by law or by a governmental agency to protect the public health and safety. Guy wires or guy wire anchors shall not be erected within public or private utility and drainage easements, and shall be set back a minimum of five (5) feet from all lot lines. Guy wires within ten feet of the ground surface must be fenced within an enclosure or maintained with a

cover of highly reflective material to prevent accidental collision.

(f) When applicable, proposals to erect new antenna shall be accompanied by any required federal, state, or local agency licenses or proof of application thereof.

(g) Antenna support structures under two hundred (200) feet in height shall be painted or coated silver or have a galvanized finish to reduce visual impact, unless otherwise required by federal law. Silver or galvanized finishes shall be required unless the setting or natural surroundings can be used to justify another color.

(h) No land may be subdivided for the purpose of providing space for any antenna unless all lot size requirements for the relevant zoning district are met and subdivision approval is obtained.

(i) No antenna to be used for any commercial purpose shall be placed on any land enrolled in the exclusive agricultural use zone Farmland Preservation Property Tax Credit Program pursuant to section 750.

(j) The addition of antennas and associated equipment of an additional provider to an existing legal structure shall be considered co-location and not require an amendment to the conditional use permit.

760.3 Permitted and Accessory Uses

(1) Radio and Television receiving antennas and satellite dish antennas shall be permitted in all districts and shall not require any permit provided the following standards are met.

(a) Antennas and necessary support structures, monopoles or towers may extend a maximum of fifteen (15) feet above the building height restriction for the affected zoning district.

(b) Any antenna or antenna support structure not located on a building must be located in the rear yard, no closer to any property line than the height of the structure.

(c) The installation of more than one (1) support structure per property shall require the approval of a conditional use permit.

(d) Satellite dish antennas larger than two (2) meters in diameter must meet all building setback standards, and dishes over three (3) meters in diameter are prohibited in all residential and shoreland districts.

(2) Private short wave radio antennas, and other private radio transmitting or receiving antennas are allowed in all districts provided that the following standards are met.

(a) The maximum support structure height shall be 75 feet and all other standards of section 760.2 must be met.

(b) A use and building permit shall be required in accord with section 506.

(c) Radio support structures (towers) must be installed in accordance with the instructions furnished by the manufacturer of that tower model. Antenna mounted on such a tower may be modified or changed at any time so long as the published allowable load on the tower is not exceeded and the structure of the tower remains in accordance with the manufacturers specifications.

(d) Any antenna or antenna support structure not located on a building must be located in the rear yard, no closer to any property line than the height of the structure.

760.4 Personal Wireless Service and Microwave Antennas

(1) Residential and Shoreland Districts

(a) Antenna and support structures shall not exceed 75 feet in height in the R-1, R-2, R-2a and all Shoreland and Wild and Scenic Districts.

(b) Commercial antennas (other than co-location) and support structures of any type in the R-1, R-2, R-2a and all Shoreland and Wild and Scenic Districts shall require a conditional use permit and be subject to all other requirements for a conditional use listed in section 760.5.

(c) Any antenna or antenna support structure not located on a building must be located in the rear yard, no closer to any property line than the height of the structure.

(2) Agricultural Districts (AG, General Agriculture and A/R, Agricultural/Residential)

(a) The zoning administrator may issue an administrative use permit for any antenna support structure equal to or less than 130 feet in height, or for any antenna to be located on any pre-existing legal antenna support structure, or for any antenna to be located upon an existing building or structure which does not exceed 15 feet in height above the permitted structure height. An application filed for any new structure must include all the information required for a conditional use permit as specified in section 760.5. If the zoning administrator finds that the information submitted does not properly address all of the requirements of this ordinance, he may require a conditional use permit upon providing the applicant a written summary of the reasons for this finding.

(b) A conditional use permit shall be required for any antenna or support structure over 130 feet in height. No structure shall be located closer to any property line than the height of the structure.

(3) Commercial Districts (B-1, B-2 and I-1)

(a) The zoning administrator may issue an administrative use permit for any antenna support structure equal to or less than 130 feet in height, or for any antenna to be located on any pre-existing legal antenna support structure, or for any antenna to be located upon an existing building or structure which does not exceed 15 feet in height above the permitted structure height. An application filed for any new structure must include all the information required for a conditional use permit as specified in section 760.5. If the zoning administrator finds that the information submitted does not properly address all of the requirements of this ordinance, he may require a conditional use permit upon providing the applicant a written summary of the reasons for this finding.

(b) A conditional use permit shall be required for any antenna or support structure over 130 feet in

height. No structure shall be located closer to any property line than one-half the height of the structure, exceptions to such setback may be granted if a structural engineer licensed in Minnesota specifies in writing that any failure or collapse of the structure will occur within a lesser distance under all foreseeable circumstances.

760.5 Standards and Requirements for Conditional Use Permits

(1) Information required with application

In addition to the standard application materials required by section 505 for a Conditional Use Permit, no application for an antenna shall be complete unless the following data has been submitted.

(a) Documentation of the area to be served, including a search ring for the antenna location. A narrative describing a search ring (with not less than a ½ mile radius) for the request clearly explaining why the site was selected and what existing (over 100 feet in height) structures were available and why they are not suitable as locations or co-locations.

(b) Documentation that the communications equipment planned for the proposed structure cannot be accommodated on any existing or approved structure within the search ring of the service area due to one or more of the following reasons:

(1) The planned equipment would exceed the structural capacity of the existing or approved structure or building, as documented by a qualified structural engineer, and the existing or approved structure cannot be reinforced or modified to accommodate planned equipment at a reasonable cost (or within a reasonable time); or

(2) The planned equipment would cause interference with other existing or planned equipment at location as documented by a qualified radio frequency (RF) engineer, and the interference cannot be prevented at a reasonable cost; or

(3) No existing or approved structures or buildings within a half-mile radius meet the radio frequency (RF) design criteria; or

(4) Existing or approved structures and buildings within a one-half mile radius cannot accommodate the planned equipment at a height necessary to function reasonably as documented by a qualified radio frequency (RF) engineer.

(5) A good faith effort to co-locate on existing structures within a one-half mile radius was made, but an agreement could not be reached.

(c) An agreement stating that structures over 130 feet tall will be designed for not less than three users (including the applicant) with applicant and property owner commitment to co-location on reasonable market terms in good faith; any prohibition of additional users on a tower will be considered a violation of the conditional use permit. The agreement shall also include a statement that any unused or obsolete tower shall be removed by the property owner and/or applicant. Said agreement shall be signed by the applicant and the property owner and shall be attached to and become a part of the permit.

(2) Standards and Conditions

In addition to any terms or conditions applied as a result of the process for issuing a conditional use, the following standards shall apply to all antenna and support structures unless specifically waived by the Planning Commission.

(a) Antenna and support structures shall be certified by a qualified and licensed professional engineer to conform to the latest structural standards of the Uniform Building Code and all other

applicable codes. Antennas shall be designed to conform with accepted electrical engineering methods and practices and to comply with the provisions of the National Electrical Code.

(b) Antenna support structures shall be constructed of, or treated with, corrosive resistant material.

(c) Any proposed support structure over 130 feet in height shall be designed, in all respects, to accommodate both the applicant's antennas and comparable antennas for at least two additional users. To allow for future rearrangement of antennas, the structure shall be designed to accept antennas mounted at no less than 10 foot intervals. Support structures less than 130 feet and greater than 75 feet in height shall be designed for a total of two users.

(d) All support structures shall be reasonably protected against unauthorized climbing. The bottom of the structure (measured from ground level to 12 feet above ground level) shall be designed in a manner to preclude unauthorized climbing and shall be enclosed with a minimum of an eight foot high chain link fence with a locked gate.

(e) All antennas and support structures shall utilize building materials, colors, textures, screening and landscaping that blend the tower facilities within the surrounding natural setting and built environment to the greatest extent possible.

(f) No part of any antenna or support structure, nor any lines, cable, equipment, wires, or braces shall at any time extend across or over any part of the right-of-way, public street, highway, or sidewalk, unless specifically approved by the County.

761. WIND ENERGY CONVERSION SYSTEMS

761.1 Purpose

This Ordinance is established to regulate the installation and operation of Wind Energy Conversion Systems (WECS) within Corinna Township not otherwise subject to siting and oversight by the State of Minnesota under MS 216F.

761.2 Definitions

(1) Aggregate Project – Aggregated projects are those which are developed and operated in a coordinated fashion, but which may have multiple entities separately owning one or more of the individual WECS within the larger project. Associated infrastructure such as power lines and transformers that service the facility may be owned by a separate entity but are also included as part of the aggregate project.

(2) Commercial WECS – A WECS of equal to or greater than 40 kW in total nameplate generating capacity.

(3) Non-Commercial WECS – A WECS of more than 5, but less than 40 kW in total name plate generating capacity.

(4) Fall Zone – The area, defined as the furthest distance from the tower base, in which a guyed tower will collapse in the event of a structural failure. This area is less than the total height of the structure.

(5) Feeder Line – Any power line that carries electrical power from one or more wind turbines or individual transformers associated with individual wind turbines to the point of interconnection with the electric power grid. In the case of interconnection with the high voltage transmission systems, the point of interconnection shall be the substation serving the WECS.

(6) Meteorological Tower – For the purpose of this Ordinance, meteorological towers are those towers which are erected primarily to measure wind speed and directions plus other data relevant to siting WECS. Meteorological towers do not include towers and equipment used by airports, the Minnesota Department of Transportation, or other similar applications to monitor weather conditions.

(7) Micro-WECS–Micro WECS are WECS of 5 kW nameplate generating capacity or less.

(8) Rotor Diameter – The diameter of the circle described by the moving rotor blades.

(9) Substations – Any electrical facility designed to convert electricity produced by the wind turbines to a voltage greater than 35,000 volts (35 KV) for interconnection with high voltage transmission lines shall be located outside of the road right-of-way.

(10) Total Height – The height of a WECS as measured from ground level to the highest point reached by a rotor tip or any other part of the WECS.

(11) Tower – Towers include vertical structures that support the electrical generator, rotor blades, or meteorological equipment.

(12) Tower Height – The total height of the WECS exclusive of rotor blades.

(13) Transmission Line – Those electrical power lines that carry voltages of at least 69,000 volts (69 KV) and are primarily used to carry electrical energy over medium to long distances rather than directly interconnecting and supplying electric energy to retail customers.

(14) Public Conservation Lands – Land owned in fee title by County, State or Federal agencies and managed specifically for conservation purposes, including but not limited to County Parks, State Wildlife Management Areas, State Parks, State Scientific and Natural Areas, Federal Wildlife Refuges and

Waterfowl Production Areas. For the purpose of this section, public conservation lands will also include lands owned in fee title by non-profit conservation organizations. Public conservation lands do not include private lands upon which conservation easements have been sold to public agencies or non-profit conservation organizations.

(15) Wind Turbine – A wind turbine is any piece of electrical generating equipment that converts kinetic energy of blowing wind into electric energy through the use of airfoils or similar devices to capture the wind.

761.3 Applications

(1) All applications for Micro WECS, Non-Commercial WECS, and Meteorological Towers shall include the following information:

(a) The name of project applicant.

(b) The name of the property owner.

(c) The legal description and address of the property.

(d) A description of the project including: number, type, nameplate generating capacity, tower height, rotor diameter, and total height of all wind turbines and means of interconnecting with the electrical grid.

(e) Site layout, including the location of property lines, wind turbines, electrical wires, interconnection points with the electrical grid, and all related accessory structures. The site layout shall include separation/setback distances and be drawn to scale.

(f) Plan designed by a Minnesota Licensed Engineer for footings and structure.

(g) Documentation of land ownership or legal control of the property.

(h) Life expectancy of the WECS and proposed abandonment date.

(2) All applications for Commercial WECS shall also include:

(a) The latitude and longitude of individual wind turbines.

(b) A half-section map of the property and surrounding area, including any other WECS within a quarter mile of the proposed WECS.

(c) Location of wetlands and natural areas (including bluffs) within one-quarter mile of the proposed WECS.

(d) FAA Permit Application.

(e) Evidence of power purchase contracts.

(f) Location of all known Communication Towers within two (2) miles of the proposed WECS.

(g) Decommissioning plan.

(h) Description of potential impacts on nearby WECS and wind resources on adjacent properties.

(i) Road and grading plans, including drainage and erosion control measures.

(j) A National Pollutant Discharge Elimination System (NPDES) Permit, if required.

761.4 Aggregated Projects

Aggregated projects may jointly submit a single application and be reviewed under joint proceedings, including notices, hearings, reviews, and as appropriate approvals. Permits will be issued and recorded separately. Joint applications will be assessed fees as one project. The Minnesota Public Utilities Commission shall be the site permitting authority for all WECS with a nameplate generating capacity of five (5) megawatts or more.

761.5 District Regulations

District	Micro-WECS	Non-Commercial WECS	Commercial WECS	Meteorological Tower
AG – General Agriculture	Permitted*	Permitted*	Interim Use Permit	Permitted*
AR – Ag/Residential	Permitted*	Interim Use Permit	Prohibited	Prohibited
R1 – Urban Rural Transition	Prohibited	Prohibited	Prohibited	Prohibited
R2 – Suburban Residential	Interim Use Permit	Prohibited	Prohibited	Prohibited
R2a -Suburban Residential (a)	Interim Use Permit	interim Use Permit	Prohibited	Prohibited
B1 – Highway Business	Permitted*	Interim Use Permit	Interim Use Permit	Permitted*
B2 – General Business	Permitted*	Interim Use Permit	Interim Use Permit	Permitted*
I1 – General Industry	Permitted*	Interim Use Permit	Interim Use Permit	Permitted*
WS – Wild and Scenic	Prohibited	Prohibited	Prohibited	Prohibited
Shoreland Overlay	Prohibited	Prohibited	Prohibited	Prohibited

*Any WECS support tower or Meteorological tower one-hundred-thirty (130) feet or more in height shall require an Interim Use Permit.

761.6 Setbacks – Wind Turbines, Tower, and Related Structures

	Micro-WECS	Wind-Turbine – Non-Commercial WECS	Wind Turbine – Commercial WECS & Meteorological Towers
Property Lines	1.1 times the total height	1.1 times the total height	1.5 times the total height
Neighboring Occupied Structures	1.5 times the total height	750 feet	1,000 feet
Road Right-Of-Ways	1.1 times the total height	1.1 times the total height	1.1 times the total height
Other Right-Of-Ways (railroads, power line, and other easements)	1.1 times the total height	1.1 times the total height	1.1 times the total height
Public Conservation Lands	1.1 times the total height	1.1 times the total height	600 feet
Wetlands, USFWS Types III, IV & V	1.1 times the total height	1.1 times the total height	600 feet
Other Structures	1.1 times the total height	1.1 times the total height	1.1 times the total height
Existing WECS	300 feet	750 feet	750 feet
Bluffs	1,000 feet	1,000 feet	1,000 feet

Minimum setback standards for substations and feeder lines shall be consistent with the standards for essential services established in Section 725 of the Corinna Township Zoning Ordinance or as established in the underlying zoning district, whichever is more restrictive.

761.7 Requirements and Standards

(1) Safety Design Standards

(a) Engineering Certification – For all WECS, the manufacturer's engineer or another qualified engineer shall certify that the turbine, foundation, and tower design of the WECS is within accepted professional standards, given local soil and climate conditions.

(b) Clearance – Rotor blades or airfoils must maintain at least twenty (20) feet of clearance between their lowest point and the ground.

(c) Warnings – For all Commercial WECS, a sign or signs shall be posted on the tower, transformer, and substation warning of high voltage. The signs must include emergency contact information.

For all guyed towers, visible and reflective objects, such as plastic sleeves, reflectors, or tape shall be placed on the guy wire anchor points and along the outer and innermost guy wires up to a height of ten (10) feet above the ground. Visible fencing around the anchor points of guy wires may be substituted for the above referenced markers.

All towers and support structures shall be reasonably protected against unauthorized climbing. The bottom of the structure (measured from ground level to fourteen (14) feet above ground level) shall be designed in a manner to preclude unauthorized climbing and/or shall be enclosed with a minimum of an eight (8) foot chain link fence with a locked gate. The chain link fence will meet the requirements of the 2012 IBC 3109.4.1.5. Depending on design, monopole structure may be exempt for the fence requirement.

(2) Standards

(a) Any WECS support tower or Meteorological tower one-hundred-thirty (130) feet or more in height shall require an Interim Use Permit.

(b) Non-Commercial WECS shall have a total height of less than two-hundred (200) feet.

(c) All wind turbines which are part of a Commercial WECS shall be installed with a tubular, monopole type tower.

(d) Meteorological towers must be guyed.

(e) All wind turbines and towers that are part of a Commercial WECS shall be white, gray, or another non-obtrusive color. Blades may be black in order to facilitate de-icing. Finishes shall be matte or non-reflective.

(f) Lighting, including lighting intensity and frequency of strobe, shall adhere to but not exceed requirements established by the Federal Aviation Administration permits and regulations. Red strobe lights are preferred for night-time illumination. Red pulsating incandescent lights should be avoided.

(g) All signage on-site shall comply with Section 724 of the Corinna Township Zoning Ordinance. The manufacturer's or owner's company name and/or logo may be placed upon the compartment containing the electrical generator of the WECS.

(h) All communications and feeder lines, equal to or less than 34.5 kV in capacity, installed as part of a

WECS shall be buried.

(i) Solid and hazardous wastes, including but not limited to crates, packaging materials, damaged or worn parts, as well as used oils and lubricants, shall be removed from the site promptly and disposed of in accordance with all applicable local, state, and federal regulations.

(j) A WECS shall be considered a discontinued use after one (1) year without energy production, unless a plan is developed and submitted to the Corinna Township Zoning Administrator outlining the steps and schedule for returning the WECS to service. All WECS and accessory facilities shall be removed to ground level within ninety (90) days of the discontinued use.

(k) Each Commercial WECS shall have a decommissioning plan outlining the anticipated means and costs of removing WECS at the end of their serviceable life or upon becoming a discontinued use. The cost estimate shall be made by a competent party; such as a Professional Engineer, a contractor capable of decommissioning or a person with suitable expertise or experience with decommissioning. The plan shall also identify the financial resources that will be available to pay for the decommissioning and removal of the WECS and accessory facilities.

(l) Upon issuance of an interim use permit, all Commercial WECS shall notify the Environmental Quality Board Power Plant Siting Act program staff of the project location and details on the survey form specified by the Environmental Quality Board.

(m) All WECS shall comply with Minnesota Rules 7030 governing noise.

(n) All WECS shall comply with Federal Aviation Administration (FAA) standards and permits.

(o) All WECS shall comply with the Building Code adopted by the State of Minnesota.

(p) Applicants for WECS shall be responsible for restoring or paying damages to all applicable road authority sufficient to restore the roads and bridges to preconstruction conditions.

(q) The applicant for a WECS shall be responsible for the immediate repair or damage to public drainage systems stemming from the construction, operation, or maintenance of the WECS.

(r) Guy wires and guy wire anchors shall not be erected within public or private easements and shall be setback a minimum of five (5) feet from all property lines.

(s) No land may be subdivided for the purpose of providing space for any WECS unless all lot size requirements for the relevant zoning district are met and subdivision approval is obtained.

(3) Interference

The applicant shall minimize or mitigate interference with electromagnetic communications, such as radio, telephone, microwaves, or television signals caused by any WECS. The applicant shall notify all communication tower operators within five (5) miles of the proposed WECS location upon application to the County for permits. No WECS shall be constructed so as to interfere with the County or Minnesota Department of Transportation microwave transmissions.

(4) Abandonment

(a) At such time that a WECS is scheduled to be abandoned or discontinued, the applicant will notify the building inspector by U.S. mail of the proposed date of the abandonment or discontinuation of operations.

(b) Upon abandonment or discontinuation of use, the owner or applicant shall physically remove any

small wind energy system greater than one-hundred-thirty (130) feet in height within ninety (90) days from the date of abandonment or discontinuation of use. This period may be extended at the request of the owner and at the discretion of the building inspector. "Physically remove" shall include, but not be limited to:

(1) Removal of the wind generator, tower, and all related above-grade structures.

(2) Restoration of the location of the small wind energy system to its natural condition, except that any landscaping, grading, or below-grade foundation may remain in its same condition at initiation of abandonment.

(c) In the event that an applicant fails to give such notice, the system shall be considered abandoned or discontinued if the system is out-of-service for a continuous twelve (12) month period. After the twelve (12) months of inoperability, the building inspector may issue a Notice of Abandonment to the owner of the small wind energy system. The owner shall have the right to respond to the Notice within thirty (30) days from receipt of Notice. After review of the information provided by the owner, the building inspector shall determine if the small wind energy system has been abandoned. If it is determined that the small wind energy system has not been abandoned, the building inspector shall withdraw the Notice of Abandonment and notify the owner of the withdrawal.

(d) If the owner fails to respond to the Notice of Abandonment or if, after review by the building inspector, it is determined that the small wind energy system has been abandoned or discontinued, the owner of the system shall physically remove the system at the owner's sole expense within ninety (90) days of the receipt of the Notice of Abandonment. If the owner fails to physically remove the system after the Notice of Abandonment procedure, the building inspector may pursue legal action to have the small wind energy system removed at the owner's expense.

762. SOLAR ENERGY FARMS AND SOLAR ENERGY SYSTEMS

762.1 Purpose

The purpose of this document is to set forth standards for Solar Energy Systems for Corinna Township. It is the intent of the township in adopting this section that solar energy farms are a temporary use and interim in nature and the property be returned to its agricultural use at the conclusion of the interim use permit for all solar energy farms.

762.2 Definitions

(1) Solar Energy Farms. Solar energy farms are composed of multiple solar panels on multiple mounting systems (poles or racks), and have an alternating current (AC) rated capacity greater than 200 kilowatts AC.

(2) Solar energy systems. Solar energy systems are any combination of solar panels on a parcel of property with a combined energy rated capacity not to exceed 200 kilowatts AC. Solar energy systems forty (40) kilowatts AC and under are permitted as accessory uses in all zoning districts. Solar energy systems over forty (40) kilowatts AC and not exceeding 200 kilowatts AC are permitted as accessory uses in the General Agriculture (AG) district and require an interim use permit in all other zoning districts.

(3) Utility interconnection. Point where the solar energy system or solar energy farm connects to the utility company system.

762.3 Solar Energy Farms. Solar energy farms are prohibited in all zoning districts. Any legal, nonconforming solar farms shall be subject to the following regulations:

(1) Residential Districts Prohibited. Solar energy farms are prohibited in residential districts.

(2) Height at maximum design tilt. Solar energy farms in Agricultural, Commercial and Industrial Zoning Districts may not exceed 20 feet in height at maximum design tilt.

(3) Location within lot. A solar energy farm must meet the primary structure setbacks for the zoning district in which it is located A minimum setback distance of 100 feet is required to all adjacent primary residential structures, public trail, park, waterfowl production areas and wildlife management areas. Setbacks will be measured from the closest point of the project, which shall include any perimeter fencing. The Planning Commission may require greater setback distances.

(4) Land alterations. The Planning Commission shall review the associated land alteration for a solar energy farm and issue an interimuse permit for that land alteration as part of the request for the solar energy farms interim use permit. Excavation plans must include proposed vegetation removal such as trees or other prominent natural vegetation and alteration of soils. No more than three acres or 7% of the project area, whichever is greater, of trees may be removed from any site. Under no circumstances can tree removal be more than 50% of the project area. Limited excavation may be allowed only where a road, berm, or other solar infrastructure, excluding panel locations, are proposed as deemed necessary by the Planning Commission.

(5) Screening and vegetation. A screening barrier will be required and maintained between the solar project and adjacent residences. It may also be required along roadways if the Planning Commission deems it necessary. Screening is required to be planted on the outside of the solar farms perimeter fence where deemed necessary by the Planning Commission. The Planning Commission may require additional screening between solar energy farms and adjoining properties. Perennial vegetative cover shall be established within 60 days of the completion of the project. Once the interim use permit has been issued the solar company and property owner are responsible for proper vegetative maintenance. Noxious weeds are prohibited from growing on the property. The Planning Commission may create a condition specifying the type of vegetative cover to be used for the project, this requirement may include the requirements stated in M.S. § 216B.1642.

(6) Storm water management; zoning code. Storm water management shall meet the requirements of this chapter and the State of Minnesota.

(7) Erosion and sediment control; zoning code. Erosion and sediment control shall meet the requirements of this chapter and the State of Minnesota.

(8) Foundations. The manufacturer's engineer or another qualified engineer shall certify that the foundation and design of the solar panels are within accepted professional standards, given local soil and climate conditions.

(9) Other standards and codes. All solar energy farms shall be in compliance with any applicable local, state and federal regulatory standards, including the State of Minnesota Uniform Building Code, as amended; the National Electric Code and National Electric Safety Code as amended. The current property owner is required to sign all building permit applications.

(10) Onsite internal power and communication lines. Internal power and communication lines running among banks of solar panels to the point of utility interconnection or interconnections with buildings shall be buried underground. Exemptions may be granted by the Planning Commission in instances where shallow bedrock, water courses, or other elements of the natural landscape interfere with the ability to bury lines.

(11) Onsite external power and utility interconnection. All grounding transformers, the utility interconnection to the main electrical grid, electrical meters, main service meters, protective relays, reclosers, and any other similar electrical meter, regulator, control, or shut off device shall be ground-mounted unless specifically permitted to be aerially mounted by the Planning Commission. Utility poles associated with each solar energy farm shall be limited to up to one general utility pole and one additional pole for each permitted megawatt AC of electricity. The Planning Commission may require fewer utility poles. Utility poles legally permitted in any road right-of-way or which are currently existing are not included in this calculation. The proposed placement of all utility poles and any proposed aerially mounted equipment shall be shown in any proposed plans submitted. The Planning Commission shall specifically approve the placement of all utility poles outside of the road right-of-way.

(12) Internal service roads: All constructed internal roads will be allowed under limited circumstances as deemed necessary by the Planning Commission for the project area. If allowed all aggregate internal service roads will be required to have a road grade geotextile fabric below the surface of the aggregate to allow for removal of the road to reclaim the property back to its original state. The Planning Commission may allow for exceptions to the reclamation standard in situations in which the property owner files an affidavit asserting the road will have an agricultural or commercial value at the conclusion of the solar energy farm permit.

(13) External roads and road access. Before a permit is issued a written agreement by the applicable road

authority must be submitted to the Zoning Administrator for the approval of any road right-of-way construction. The road authority may require a separate bond or letter of credit for the maintenance of external roads adjacent to the project area. This bond or letter of credit may be held by the road authority or the township.

(14) Agreement for decommissioning and public infrastructure:

(a) As part of the conditions for all solar energy farms, the Planning Commission shall require all applicants and property owners to enter into an agreement with the county for protection from the developer and property owner of all public infrastructure and to require security for the ongoing maintenance of the site during the permit, for the abatement of noxious weeds and ordinance violations, for the maintenance and protection of beneficial storm water drainage from surrounding parcels of real property, and for the decommissioning and reclaiming of the property.

(b) Prior to receiving an application for a building permit or making any improvements to the property the applicant and property owner shall enter into a contract in writing with the county requiring the applicant to indemnify the county for damage to any public improvements or infrastructure at the applicant's sole cost and in accordance with the county's specifications and usual contract conditions.

(c) The agreement shall require the applicant to create an escrow deposit or furnish an irrevocable letter of credit or a certified check as is determined by the Township and/or County Attorney, County Engineer, and Township and/or County Administration. The amount of the deposit or security is to be based upon the estimate of the total cost to remove any infrastructure and reclaim the property to its original condition at the conclusion of the solar energy farm. The salvage or resale value of the infrastructure shall not be used in calculating any offset or credit against the estimate of the total cost to remove the infrastructure and reclaim the property to its original condition.[20] The deposit or security shall equal 150% of the estimate of all costs to remove any infrastructure and reclaim the property, plus any amount deemed necessary by the County Engineer to protect any public infrastructure during the construction or decommissioning of this project. This amount may be reduced or increased upon approval of a Town Board resolution based upon such consideration as the size of the project, past performance by the applicant and/or financial credibility of the applicant, but in no case shall the amount be less than 50% of the estimate. On request of the applicant, if evidence is presented that the described work and improvements have been paid for, the amount of the deposit may be reduced in a sum equal to the estimated cost of the reclamation work so completed The escrow or irrevocable letter of credit shall be reimbursed or reissued within 90 days in the event the Township authorizes or uses any funds in the escrow to correct or abate any violations of the interim conditional use permit, the agreement, noxious weed regulations, or the zoning ordinance. Failure to reimburse the escrow account or reissue the irrevocable letter of credit shall be considered a violation of the interim condition use permit, whether listed as a specific condition or not, and a reason for revoking the interim condition use permit.

(d) The agreement shall provide that the Town Board may allow an adjoining owner of real property to receive reimbursement from the escrow deposit or irrevocable letter of credit in the event a property owner receives a final Judgment or Order from a court of competent jurisdiction finding the Solar Energy Farm has damaged or altered the beneficial drainage of surface or tiled storm water discharged from adjoining real property.

(15) Application requirements. The following information shall be provided to the Township for application of an interim use permit:

(a) A site plan of existing applicable conditions showing the following :

1. Existing property lines and property lines extending 100 feet from the exterior boundaries.

2. Existing public and private roads and any easements.

3. Location and size of any abandoned wells and sewage treatment systems.

4. Existing buildings and any impervious surface.

5. Topography at two-foot intervals and source of contour interval, unless determined otherwise by the Zoning Administrator.

20 Amended 12/18/2018 (Resolution 2018-09)

6. Existing vegetation.

7. Waterways, watercourses, lakes and wetlands.

8. The 100-year flood elevation and regulatory flood protection elevation, if available.

9. Floodway, flood fringe and/or Flood Plain (FP) District boundary, if applicable.

10. The Shoreland District boundary, if any portion of the project is located in a Shoreland District.

11. In the Shoreland District, the ordinary high water level.

12. In the Shoreland District, the toe and top of a bluff within the project boundaries.

13. Surface water drainage patterns.

14. Location of existing drain tiles. When a drain tile is located on the site it shall be avoided whenever possible. All drain tiles located on the property must be replaced if they are found to be broken or in need of repair.

15. An aerial map demonstrating the proposed solar farm complies with all setback requirements. The map at a minimum shall include accurate measurement rings, boxes or other survey measurements as approved by the Zoning Administrator.

(b) Site plan of proposed conditions:

1. Planned location and spacing of solar panels.

2. Planned location of access roads.

3. Planned location of all utility poles and underground or overhead electric lines connecting the solar energy farms or solar energy systems to the point of interconnection. The location of any utility poles shall also be shown on the site plan.

4. Planned new electrical equipment other than at the existing building or substation that is the connection point for the solar energy farm.

5. Proposed excavation plans, including erosion and sediment control measures as required in Section 710 and 728 of this chapter.

6. Proposed screening plan and vegetation plan for the project area is required.

7. Proposed storm water management controls, with grading, drainage, storm water controls and erosion controls designed by a licensed engineer. Any requirements of the Township or a State or Federal agency shall be incorporated in the plans submitted. All plans that are submitted must be reviewed and accepted by the Wright Soil and Water Conservation District prior to an application being submitted and deemed complete.

8. The identification and mapping of new drain tile on site.

9. Sketch elevation of the premises accurately depicting the proposed solar energy farm or solar energy systems and its relationship to structures on adjacent lots (if any) unless determined otherwise by the Zoning Administrator.

(c) Specifications and proposed installation methods for all planned major equipment, including solar panels, mounting systems and foundations for poles or racks.

(d) The planned number of panels to be installed.

(e) A description of the method of connecting the array to the utility interconnection.

(f) A copy of the submitted interconnection application with the local electric utility or a written explanation outlining why an interconnection application is not necessary. The proposed utility interconnection design plan must also accompany the application for the interim use permit.

(g) A decommissioning plan shall be required to ensure that the infrastructure improvements are properly removed after their useful life. Decommissioning of solar panels must occur in the event they are not in use for 12 consecutive months. The plan shall include provisions for removal of all structures and foundations, restoration of soil and vegetation and a plan describing the financial resources that will be

available to fully decommission the site The decommissioning plan shall also include a statement that any unused or obsolete equipment shall be removed by the property owner and/or applicant. Said plan shall be signed by the applicant and the property owner and shall be attached to and become part of the permit. The applicant and property owner shall enter into an agreement and provide security for the decommissioning as outlined in Section 762(3)(14).

(16) Any interim use permit issued under this section for solar energy farms is temporary and interim in nature. The interim use permit for solar energy farms shall expire at the same time the solar energy farm lease expires, but in no case shall exceed 30 years. A new interim use permit can be applied for and the township may issue a new interim use permit for an existing solar energy farms under the terms of this chapter. The Planning Commission may waive the expiration requirement for solar energy farms located on property owned by public utilities and other unique owner operated facilities.

(17) The final utility interconnection design and approval must be submitted to the Township before the building permit can be issued.

(18) Solar Farm Setback Distances. The operational area(s), including fencing, solar arrays, and any other infrastructure of a Solar Energy Farm, shall be located a minimum distance of 2-miles from any other solar array over 200 kilowatts AC whether originally permitted by the county, a State or Federal regulatory agency, or any other municipality in the county. Calculating the 2-mile distance from another solar array as provided in this section shall be measured by the shortest line from any of the infrastructure, solar arrays, or fencing of the proposed Solar Energy Farm to the nearest point of the other solar array in excess of 200 kilowatts AC.

762.4 Solar energy systems requirements and standards.

(1) Accessory building limit. Solar energy systems, either roof or ground-mounted, do not count as an accessory building for the purpose of limits on accessory buildings.

(2) Height. Solar energy systems are subject to the following height requirements:

(a) Building or roof-mounted solar energy systems shall not exceed the maximum allowed height in any zoning district.

(b) Ground or pole-mounted solar energy systems shall not exceed 15 feet in height when oriented at maximum tilt in Residential Zoning Districts and may be allowed up to 20 feet in other zoning districts.

(3) Location within lot. Solar energy systems must meet the accessory structure setback for the zoning district it is located within and will be measured from the closest point at maximum orientation. If attached to the primary structure, the solar energy systems must meet the setbacks for the primary structure.

(4) Approved Solar Components. Electric solar energy system components must have an Underwriters Laboratory (UL) listing.

(5) Compliance with state electric code. All Solar Energy Systems shall comply with the Minnesota State Electric Code.

(6) Utility notification. No solar energy system shall be installed until evidence has been given to the Township that the owner has notified the utility company of the customer's intent to install an interconnected customer-owned generator. Off-grid systems are exempt from this requirement.

(7) Interim use permit.

(a) The Planning Commission shall review the associated land alteration for a solar energy system and issue an interimuse permit for that land alteration as part of the request for the solar energy farms interim use permit. Excavation plans must include proposed vegetation removal such as trees or other prominent natural vegetation. No more than three acres or 7% of the project area, whichever is greater, of trees may be removed from any site. Under no circumstances can tree removal be more than 50% of the project area. Limited excavation may be allowed only where a road, berm, or other solar infrastructure, excluding panel locations, are proposed as deemed necessary by the Planning Commission.

(b) Screening barrier may be required.

(c) The Planning Commission may require standards similar to solar energy farms as deemed necessary.

(d) Interim use permits for solar energy systems do not expire unless the solar energy system is removed

or unless terms are violated.

763. COMMERCIAL AGRICULTURAL TOURISM

763.1 Purpose. This section is adopted for the purpose of:

(1) Preserving Corinna Township's agricultural and rural heritage and landscapes.

(2) Enhancing Corinna Township's appeal to visitors who are drawn to its rural and agricultural environment.

(3) Providing opportunities for new economic growth through commercial agricultural tourism.

(4) Allowing for commercial agricultural tourism that does not conflict with permitted agricultural operations and developed residential areas.

763.2 Standards. The following standards shall apply to all commercial agricultural tourism uses.

(1) Commercial agricultural tourism shall be located on a parcel of at least ten acres in size which has a residence or entitlement.

(2) Commercial agricultural tourism shall be shown to have a unique or demonstrable relationship with the county and be correlated to agricultural and rural features in accordance with the above stated purposes.

(3) Large scale events and gatherings held inside a building must be associated with an outdoor agricultural or rural outdoor activity, or be seasonal or part-time in nature. Any associated food must be catered. The Planning Commission may allow for limited food preparation provided it meets the underlying intent of the commercial agricultural tourism use. Alcohol must be catered.

(4) Commercial agricultural tourism shall require an interim use permit in accord with Section 505 of the Corinna Township Land Use Ordinance and must comply with the Corinna Township and Wright County land use plan.

763.3 Conditions. As part of any interim use permit the Planning Commission shall adopt conditions which address the following criteria:

(1) Must not create an excessive number of events or activities such that it would be incompatible with the surrounding area and land uses.

(2) Must not create an excessive demand upon existing services or amenities.

(3) Must be screened or able to be screened adequately, or are sufficiently separated from adjacent residences to prevent negative impacts to nearby properties.

(4) Must have an appearance that is consistent and compatible with the surrounding area and land uses.

(5) Must not cause traffic hazards or undue congestion.

(6) Must not negatively impact surrounding residences and neighbors by the intrusion of noise, glare, odor, or other adverse effects.

764. PUBLIC SCHOOLS[21]

764.1 Standards. The following standards shall apply to all public schools:

(1) The school is supported in whole or in part with funds from the State of Minnesota;

(2) The school is regulated or licensed by the State of Minnesota Commissioner of Education;

(3) The school is located on a parcel of land that is at least 80 acres in size, has lake shoreline features, and has a significant portion of its land that is wooded or wetland;

21 Added 12/18/2018 (Resolution 2018-09)

(4) The school has an enrollment capacity of 150 pupils or less;

(5) The school has an essential part of its mission, purpose, or vision an educational component that is significantly related to the environment or nature;

(6) The school is an accessory use to an existing non-profit organization that provides camp and education experiences.

764.2 Conditions. As part of any interim use permit the Planning Commission shall adopt conditions which address the following criteria:

(1) Must not create an excessive demand upon existing services or amenities.

(2) Must be screened or able to be screened adequately, or are sufficiently separated from adjacent residences to prevent the negative impacts to nearby properties.

(3) Must have an appearance that is consistent and compatible with the surrounding area and land uses.

(4) Must not cause traffic hazards or undue congestion.

(5) Must not negatively impact surrounding residences and neighbors by the intrusion of noise, glare, odor, or other adverse effects.

(6) The maximum length of an interim use permit for a public school shall be five (5) years. The landowner/applicant may request a new interim use permit at or near the end of each five year period after following the procedures required for a new interim use permit application.

771. ADULT USES LICENSING AND PERFORMANCE STANDARDS

771.1 Hours of Operation

No adult uses may be open to the public between the hours of 10:00 p.m. and 8:00 a.m.

771.2 Performance Standards for Adult Cabarets

(1) No owner, operator or manager of an adult cabaret shall permit or allow any dancer or other live entertainer to perform nude. Nude shall be applied in this section as it is defined at 615.2 (10) above.

(2) No dancer, live entertainer, performer, patron or any other person shall be nude in an adult cabaret.

(3) The owner, operator or manager of an adult cabaret shall provide the following information to the county concerning any persons who dance or perform live entertainment at the adult cabaret: The persons full name including all previously used legal names, home address, home telephone number, date of birth and any presently or previously used aliases.

(6) No dancer, live entertainer or performer shall be under 18 years old.

(5) All dancing or live entertainment shall occur on a platform intended for that purpose and which is raised at least two feet from the level of the floor.

(6) No dancer or performer shall perform any dance or live entertainment closer than ten feet to any patron.

(7) No dancer or performer shall fondle or caress any patron and no patron shall fondle or caress any dancer or performer.

(8) No patron shall pay or give any gratuity to any dancer or performer.

(9) No dancer or performer shall solicit any pay or gratuity from any patron.

771.3 License Required

(1) No person shall own or operate an adult use establishment without having first secured a license as provided for in this section. Notwithstanding any other provision of this code to the contrary, the procedures set forth in this section establish the exclusive method for obtaining an adult establishment license.

(2) The application for an adult use establishment license shall be submitted on a form provided by the county and shall include:

(a) If the applicant is an individual, the name, residence, phone number, and birth date of the applicant. If the applicant is a partnership, the name, residence, phone number, and birth date of each general and limited partner. If the applicant is a corporation, the names, residences, phone numbers, and birth dates of all those persons holding more than five percent of the issued and outstanding stock of the corporation.

(b) The name, address, phone number, and birth date of the operator and manager of such operation, if different from the owners.

(c) The address and legal description of the premises where the adult establishment is to be located.

(d) A statement detailing any gross misdemeanor or felony convictions relating to sex offenses, obscenity or the operation of an adult establishment or adult business by the applicant, operator or manager and whether or not the applicant, operator or manager has ever applied for or held a license to operate a similar type of business in other communities. In the case of a corporation, a statement detailing any felony convictions by the owners of more than five percent of the issued and outstanding stock of the corporation, and whether or not those owners have ever applied for or held a license to operate a similar type of business in other communities.

(e) The activities and types of business to be conducted.

(f) The hours of operation.

(g) The provisions made to restrict access by minors.

(h) A building plan of the premises detailing all internal operations and activities.

If an application form is not available from the county, on request at the time of applying, the applicant may provide the information in letter form so long as it is complete.

771.4 License Fee

(1) An annual license fee for an adult establishment shall be set from time to time by resolution of the Township Board. Commencing with the enactment of this ordinance section, the fee shall be as specified in Appendix A hereto.

(2) Each application for a license shall be submitted to the Wright County Sheriff, and payment made to the County. Each application for a license shall be accompanied by payment in full of the required license fee. Upon rejection of any application for a license, the County shall refund the license fee.

(3) All licenses shall expire on the last day of December in each year. Each license shall be issued for a period of one year, except that if a portion of the license year has elapsed when the application is made, a license may be issued for the remainder of the year for a pro rated fee. In computing such fee, any unexpired fraction of a month shall be counted as one month.

(4) No part of the fee paid by any license shall be refunded, except that pro rata portion of the fee shall be refunded in the following instances upon application to the County Zoning Administrator within 30 days before the expiration of the license:

(a) Destruction or damage of the licensed premises by fire or other catastrophe.

(b) The licensee's illness.

(c) The licensee's death.

(d) A change in the legal status making unlawful for licensed business to continue.

(5) Each application shall contain a provision on the application in bold print indicating that any withholding of information or the providing of false or misleading information will be grounds for denial or revocation of a license. Any changes in the information provided on the application or provided during the investigation shall be brought to the attention of the Township Board by the applicant(s) or licensee. If said changes take place during the investigation, said data shall be provided to the Sheriff's Department or the Township Board in writing. Failure to report said changes by the applicant(s) or the licensee may result in a denial or revocation of a license.

771.5 Investigative Fee

(1) Upon applying for the license, an investigative fee shall be required for each application submitted to the County. The investigative fee amount shall be set from time to time by resolution of the Township Board. Commencing with the enactment of this ordinance section, the fee shall be as specified in Appendix A hereto.

(2) If it appears that the investigative costs will exceed the amount set forth in Appendix A, the Sheriff or the County Zoning Administrator shall notify the applicant and give the applicant an estimate of costs. The applicant shall either make an additional deposit equal to the difference or shall withdraw the application. If the additional deposit is not paid within 14 days, the application shall be deemed withdrawn.

(3) If the costs of administration, issuance and investigation are less than the additional deposit, the balance shall be refunded upon the issuance or denial of the license. No license shall be issued until the applicant has paid the entire cost of administration, including required license fees and investigative fees.

771.6 Granting of License

(1) The Township Board, or such persons as they shall designate, shall complete their investigation within 45 days after the Board receives a complete application and all license and investigative fees.

(2) If the application is for a renewal, the applicant shall be allowed to continue business until the Board has determined to renew or refuse to renew a license.

(3) If after such investigation, it appears that the applicant and the place proposed for the business are eligible for a license under the criteria set forth in this section, then the license shall be issued by the Township Board within the requirements of Minn.Stat. 15.99.

(4) Each license shall be issued to the applicant only and shall not be transferable to another holder. Each license shall be issued only for the premises described in the application. No license may be transferred to another premise without the approval of the Township Board. If the licensee is a partnership or a corporation, a change in the identity of the principals of the partnership or corporation shall be deemed a transfer of the license. All adult establishments existing at the time of the adoption of this section shall be required to obtain an annual license.

771.7 Persons Ineligible for License

No license shall be granted to or held by any person:

(1) Under 21 years of age;

(2) Who is overdue or whose spouse is overdue in their payment to any unit of government for taxes, fees,

fines or penalties assessed against them or imposed upon them;

(3) Who has been convicted or whose spouse has been convicted of a gross misdemeanor or felony relating to sex offenses, obscenity offenses or adult establishments in any jurisdiction within the past five years;

(4) Who has been convicted or whose spouse has been convicted of a misdemeanor under state law or local ordinance, or of violating any equivalent law of this state relating to sex offenses, obscenity offenses or adult establishments within the past three years;

(5) Who is not the proprietor of the establishment for which the license is issued;

(6) Who is residing with a person who has been denied a license by the County or any other Minnesota municipal corporation to operate an adult use, or residing with a person whose license to operate an adult use has been suspended or revoked within the preceding 12 months;

(7) Who has not paid the license and investigative fees required by this section.

771.8 Places Ineligible for License

(1) No license shall be granted for adult uses on any premises where the applicant or any of its officers, agents or employees has been convicted of a violation of this section, or where any license hereunder has been revoked for cause, until one year has elapsed after such conviction or revocation.

2) No license shall be granted for any adult use which is not in full compliance with all the provisions of this County's zoning ordinance, the building code, the fire code, the County's health regulations and all provisions of state and federal law.

771.9 Conditions of License

Every license shall be granted subject to the following conditions:

(1) All the provisions of this section shall be followed, and all applicable sections of the County Zoning Ordinance, the building code, the fire code, the County's health regulations and other specific provisions of county, state and federal law.

(2) No minor shall be permitted on the licensed premises.

(3) Any designated inspection officer of the County shall have the right to enter, inspect, and search the premises of a licensee during business hours.

(4) Every licensee shall be responsible for the conduct of their place of business and shall maintain conditions of order.

(5) No adult goods or material services shall be offered, sold, transferred, conveyed, given, displayed, or bartered to any minor.

771.10 Penalty

(1) Any person violating any provision of this section is guilty of a misdemeanor and is subject to all the applicable provisions of Section 801 below.

(2) Any violation of this section shall be a basis for the suspension or revocation of any license granted hereunder. In the event that the Township Board proposes to revoke or suspend the license, the licensee shall be notified in writing of the basis for such proposed revocation or suspension. The Board shall hold a hearing for the purpose of determining whether to revoke or suspend the license, which hearing shall be within thirty (30) days of the date of the notice.

(3) The Township Board shall determine whether to suspend or revoke a license within thirty (30) days after the close of the hearing or within sixty (60) days of the date of the notice, whichever is sooner, and shall notify the licensee of its decision within that period.

771.11 Right of Appeal

(1) In the event that the Township Board determines to suspend, or revoke a license, such suspension or revocation shall not be effective until fifteen days after notification of the decision to the licensee. If, within that fifteen (15) days, the licensee files and serves an action in state or federal court challenging the board's action, then the suspension or revocation shall be stayed until the conclusion of such action.

(2) If the Township Board determines not to renew a license, the licensee may continue its business for fifteen (15) days after receiving notice of such non-renewal. If the licensee files and serves an action in state or federal court within that fifteen (15) days for the purpose of determining whether the Township acted properly, the licensee may continue in business until the conclusion of the action.

(3) If the Township Board decides not to grant a license to an applicant, then the applicant may commence an action in state or federal court within fifteen (15) days for the purpose of determining whether the Township acted properly. The applicant shall not commence doing business unless the action is concluded in its favor.

(4) Additionally, any taxpayer or citizen may proceed with any action provided for in Section 801 below.

781. PRIVATE/VACATION HOME RENTAL[22]

781.1. Purpose and intent

(1) Corinna Township has a long history as a tourist and recreational destination. Private/vacation home rentals benefit the Township and broader area economically by bringing in tourists who spend money locally. Rentals also have the potential to increase the number and value of future property sales.

However, the use of residential properties for short-term vacation rental can have a negative impact on neighbors. Through a public hearing and a series of meetings and work sessions, Corinna Township identified the following findings concerning private/vacation home rentals:

(a) Private/vacation rentals provide economic benefits to the community that may be realized through tourism revenue, increased sales of vacation properties, increased property values and improved maintenance of properties, all of which contribute not only to a greater property tax base, but also provide economic benefits to the community through increased sales to local businesses.

(b) Some private/vacation renters'/guests' behavior can affect neighboring residents in the following ways: disruptive or annoying noise, traffic, congestion, and inappropriate parking, and unknowing or purposeful trespass.

(c) Frequent and continuous short-term rental use may affect the health and safety of communities through impacts on air quality from campfires, over-use of septic systems, and risky or illegal behaviors.

(d) Inconsistent management, a lack of rental policies, and limited communication between owners/managers and renters, neighbors, and regulators can create problems and/or make them worse.

(e) Laws, statutes, and rules that control noise, parking, and trespass have not been widely adopted at the county or township levels, and at the state level are largely aimed at criminal activity rather than recurring nuisances.

22 Section 781.3 (1)-(3) and 781.4 (1)-(3) are effective as of May 5, 2020. The remainder of Section 781 becomes effective as of January 1, 2021.

(f) State and county regulations exist to address health and safety concerns related to short-term lodging, but current definitions exempt private/vacation home rental from the requirements.

(2) The intent of these proposed amendments to the zoning ordinance is to allow the use of private/vacation home rentals in appropriate zoning districts while also establishing rules and standards, the intent of which are to mitigate or eliminate potential harmful impacts to the health, safety, and general well-being of neighboring property owners and tenants as well as the environment. Specifically, the amendments are intended to:

(a) Establish basic performance standards for health and safety, with controls to address nuisance issues.

(b) Establish rental management rules that require owners or managers to be informed and locally available and that require that owners or managers communicate with renters, neighbors, and county agencies to ensure the vacation rental is operated in compliance with state and local regulations while maintaining a positive relationship with neighboring homeowners.

(c) Hold rental property owners and managers responsible for guest conduct through clearly defined enforcement measures.

781.2 Permits

(1) An interim use permit, applied for separately from any required interim use permit, shall be required for private/vacation home rental where:

(a) There is more than one rental unit on a parcel and/or where more than two (2) Private/vacation home rentals are on contiguous parcels under common ownership (including immediate family members) or management.

(b) The overnight guest occupancy in subpart 781.3(5) will be exceeded.

(c) The vacation rental unit is served by a holding tank.

781.3. General requirements for all private/vacation home rentals

(1) Noise levels shall not exceed the standards established in MN Rules, chapter 7030, or successor rules.

(2) On-site parking area of sufficient size to provide parking for rental guests, their visitors, contracted cleaners or others expected at the site shall be provided on the premises for each use. The Zoning Administrator shall require a parking plan be submitted and approved consistent with the requirements of Section 707 of the Corinna Township Land Use Ordinance. Physical demarcation of the off-street parking areas may be required. All parking areas are subject to setback, impervious coverage and other limitations of the Township Land Use Ordinance.

(3) Public streets and rights-of-way shall not be obstructed or otherwise create violations of Minnesota Statutes 160.2715, or successor statute.

(4) The boundaries of the rental property shall be visually demarcated by signs, a fence, vegetation, landscaping, or other method as approved in the Interim Use Permit (if applicable), or if no interim use permit is required, or specific requirements are not identified in the Interim Use Permit, by the Township Zoning Administrator.

(5) Overnight guest occupancy is the maximum number of overnight guests allowed at a private/vacation home rental without an interim use permit. Overnight guest occupancy shall not exceed twelve (12) overnight guests or three (3) overnight guests per bedroom (whichever is less) unless an interim use permit has been granted.

(6) The use of detached or temporary sleeping accommodations such as RVs, tents, fish-houses, campers or others to increase the overnight guest capacity shall be prohibited.

781.4. Rental Property Management and Notifications

(1) The rental owner, operator, or manager shall designate a local contact/property manager who meets the following requirements:

(a) Is available 24 hours/day, 7 days per week.

(b) Can respond by phone within 30 minutes and in-person within 60 minutes of notification.

(c) Has administrative authority over the property and guests.

(d) Has knowledge of the vacation rental unit, the property, rental and Township rules, standards, and procedures.

(2) The rental owner, operator, or manager shall provide the name and phone number of the contact/property manager in subpart 781.4(1) above to the Township and to all adjoining property owners within ten (10) days of approval of an interim use permit or submittal of their Township registration if no interim use permit is required. Any change of contact or contact information shall be noticed as above to the Township and neighbors within ten (10) days of the change.

(3) The following information shall be provided to the Township and placed within the rental unit in a prominent location so as to be easily visible and read by the guests:

(a) The full name and phone number of the owner or operator

(b) The full name and phone number of the local contact person or local management agent

(c) Local emergency contact information (police, fire, ambulance – i.e. 911)

(d) Aerial image of the property clearly showing property boundaries, parking areas, shore recreational facilities, garbage receptacles, septic treatment system. A property survey may also be provided, if available.

(e) The maximum number of overnight guests allowed in the rental unit.

(f) The maximum number of parking spaces.

(g) Any applicable county or township ordinances governing noise, parking, pets, lakes (AIS laws, water surface zoning), or other applicable regulations.

(h) Information identifying the type of materials that should not be flushed down toilets or minimized in drains so as to preserve the functionality of the septic system.

(i) Any other information or specific handouts as provided by the Township

(4) The total permitted overnight guest occupancy shall be included on all advertisements or web-based reservation service pages.

781.5. Sanitation

(1) The private/vacation home rental shall be connected to a compliant subsurface septic treatment system (SSTS). The following shall be required:

(a) A current compliance inspection showing the system to be in compliance with State and local requirements shall be submitted to the Township.

(b) An operating permit and any applicable permit fee shall be required through the Township, which shall include a management plan that requires, at least once per calendar year by a state-licensed septic system maintainer, pumping of the septic tank, verification that any alarms, pumps and pump event counters are operational, verification that any septic tank filters are installed correctly and operational, and that all septic tank and inspection pipe covers are in place and functional. A report from the licensed SSTS maintainer detailing that the requirements of the management plan and operating permit have been met shall be submitted within 30 days of the work being completed. All such inspections and verifications shall be conducted when all components of the SSTS are visible.

782. CANNABIS ZONING REGULATIONS

782.1. Statutory Authorization and Purpose

(1) Statutory Authorization. Corinna Township has the authority to adopt this ordinance within the land use

jurisdiction of Corinna Township pursuant to:

(a) Minnesota Statute 342.13(c), or successor statute, regarding the authority of a local unit of government to adopt reasonable restrictions of the time, place, and manner of the operation of a cannabis business provided that such restrictions do not prohibit the establishment or operation of cannabis businesses.

(b) Minnesota Statutes 462.357, or successor statute, regarding the authority of a local authority to adopt zoning ordinances.

(c) Other applicable Minnesota Statutes

(2) Purpose.

(a) This ordinance is adopted in the public interest to promote appropriate and lawful land use practices for Corinna Township that will mitigate threats present to the general public regarding cannabis-related business. Corinna Township recognizes the risks that unintended access to cannabis products may present to the health, welfare, and safety of the public, especially youth.

(b) This ordinance is intended to provide space for the location of cannabis-oriented businesses in appropriately zoned districts within the land use jurisdiction of the Township while separating these cannabis-related businesses from areas in which children and other persons, who may be negatively affected by these businesses, frequent.

782.2 Definitions. Unless specifically defined in this section, words or phrases contained in Minn. Stat. 342.01, or successor statute, and the rules promulgated pursuant to any of these acts shall have the same meaning in this ordinance. For the purpose of this section, and in addition to the provision of Section 3 of the Corinna Township Zoning Ordinance, the following definitions shall apply:

(1) Cannabis Cultivation: A cannabis business licensed to grow cannabis plants within the approved amount of space from seed or immature plant to mature plant, harvest cannabis flower from mature plant, package and label immature plants and seedlings and cannabis flower for sale to other cannabis businesses, transport cannabis flower to a cannabis manufacturer located on the same premises, and perform other actions approved by the Office of Cannabis Management (OCM).

(2) Cannabis Retail Businesses: A retail location and the retail location(s) of mezzobusinesses with a retail operations endorsement, microbusinesses with a retail operations endorsement, medical combination businesses operating a retail location, and lower-potency hemp edible retailers.

(3) Cannabis Retailer: Any person, partnership, firm, corporation, or association, foreign or domestic, selling cannabis product to a consumer and not for the purpose of resale in any form.

(4) Daycare: A location licensed with the Minnesota Department of Human Services to provide the care of a child in a residence outside the child's own home for gain or otherwise, on a regular basis, for any part of a 24-hour day.

(5) Lower-potency Hemp Edible: As defined under M.S. § 342.01 subd. 50, or successor statute.

(6) Office of Cannabis Management: Minnesota Office of Cannabis Management, referred to as “OCM” in this ordinance.

(7) Place of Public Accommodation: A business, accommodation, refreshment, entertainment, recreation, or transportation facility of any kind, whether licensed or not, whose goods, services, facilities, privileges, advantages or accommodations are extended, offered, sold, or otherwise made available to the public.

(8) Preliminary License Approval: OCM pre-approval for a cannabis business license for applicants who qualify under M.S. § 342.17, or successor statute.

(9) Public Place: A public park or trail, public street or sidewalk; any enclosed, indoor area used by the general public, including, but not limited to, restaurants; bars; any other food or liquor establishment; hospitals; nursing homes; auditoriums; arenas; gyms; meeting rooms; common areas of rental apartment buildings, and other places of public accommodation.

(10) Residential Treatment Facility: As defined under M.S. § 245.462 subd. 23, or successor statute.

(11) Retail Registration: An approved registration issued by Wright County to a state licensed cannabis retail business.

(12) School: A public school as defined under M.S. § 120A.05, or successor statute, or a nonpublic school that must meet the reporting requirements under M.S. § 120A.24, or successor statute.

(13) State License: An approved license issued by the State of Minnesota's Office of Cannabis Management to a cannabis retail business.

782.3. Zoning District Requirements

(1) The cultivation, manufacturing, wholesale, and sale of cannabis and cannabis related products shall be permitted as an Interim Use, as regulated in Section 507 of this ordinance, as follows:

(a) General Industry (I-1) Zoning District

(i) Cannabis Cultivation

(ii) Cannabis Manufacturing

(iii) Hemp Manufacturing

(iv) Cannabis Wholesaling

(v) Cannabis Retail

(vi) Cannabis Transportation

(b) Highway Business (B-1) Zoning District

(i) Cannabis Retail

(ii) Cannabis Transportation

(iii) Cannabis Delivery

(c) General Business (B-2) Zoning District

(i) Cannabis Retail

(ii) Cannabis Transportation

(iii) Cannabis Delivery

782.4. Performance Standards

(1) Setbacks – In addition to the building and use setbacks required in each applicable Zoning District as outlined in Section 4 of the Corinna Township Zoning Ordinance, cannabis-related businesses are subject to the following setbacks as measured from the property boundary containing the following:

(a) One thousand (1000) feet from any school

(b) Five hundred (500) feet from a church, daycare or library

(c) Five hundred (500) feet from a residential treatment facility

(d) Five hundred (500) feet from a park, playground, or athletic field

(e) Five hundred (500) feet from another cannabis retail business.

(2) Cannabis Cultivation – Cannabis Cultivation is subject to the following standards and requirements.

(a) Cultivation and Operations Plan. A business licensed or authorized to cultivate cannabis must prepare, maintain, and execute an operating plan and a cultivation plan, which must include but is not limited to:

(i) Site Plan - Site Plan detailing size and layout of the facility.

(ii) Security – Provisions for fencing, lighting, personnel, and video monitoring.

(iii) Waste Water and Utilities Plan - Plans for wastewater, waste disposal; utilities including

water and electricity, water usage and recycling.

(iv) Solid Waste – A plan to destroy all cannabis plant material and cannabis byproduct to render it unusable. Waste material must be stored in a secure location.

(v) Pest Management – A pest management protocol that incorporates integrated pest management principles to control or prevent the introduction of pests to the cultivation site.

(3) Manufacturing and Wholesale – The Manufacturing and Wholesale of cannabis is subject to the following standards and requirements:

(a) Facility and Operations Plan. A business licensed or authorized to manufacture or wholesale cannabis and cannabis related products must prepare, maintain, and execute a facility and operations plan, which must include but is not limited to:

(i) Site Plan - Site Plan detailing size and layout of the facility, including size and layout of the manufacturing facility.

(ii) Security – Provisions for fencing, lighting, personnel, and video monitoring.

(iii) Waste Water and Utilities Plan - Plans for wastewater (in accordance with M.S. §342.28 Subd. 3), waste disposal; utilities including water and electricity, water usage and recycling.

(iv) Solid Waste – A plan to destroy all cannabis plant material and cannabis byproduct to render it unusable. Waste material must be stored in a secure location.

(v) Ventilation and Filtration – In accordance with M.S. § 342.24 Subd. 4, or successor statute.

(4) Retail – The retail sales of cannabis and related cannabis products is subject to the following standards and requirements:

(i) Business and Operations Plan. A retail business licensed or authorized to sell cannabis and cannabis related products must prepare, maintain, and execute a business plan, which must include but is not limited to:

1) Hours of Operation - Hours of operations shall be limited to 10:00 AM to 9:00 PM Monday through Saturday and 11:00 AM to 6:00 PM Sunday. Unless otherwise altered by the Planning Commission.

2) Site Plan – A site plan detailing the size and layout of the facility, including size and layout of the retail facility.

(3) Ventilation and Filtration – Must be in accordance with M.S. § 342.24 Subd. 4, or successor statute.

(4) Building Conditions – Must be in accordance with M.S. § 342.27 Subd. 8, or successor statute.

(5) Security – Must be in accordance with M.S. § 342.27 Subd. 9, or successor statute.

(6) Lighting – Must be in accordance with M.S. § 342.27 Subd. 10, or successor statute.

(7) Deliveries – Must be in accordance with M.S. § 342.27 Subd. 11, or successor statute.

(8) Wastewater – Cannabis Mezzobusinesses must comply with M.S. § 342.28 Subd. 3, or successor statute.

(9) Solid Waste - A plan to destroy all cannabis plant material and cannabis byproduct to render it unusable. Waste material must be stored in a secure location.

(5) Cannabis cultivation, manufacturing and wholesale, and retail operations are not an agricultural, horticultural or commercial outdoor recreational use.

782.5. Revocation of State License – Any interim use permit granted under the provisions of this chapter shall be immediately revoked upon revocation of any state issued license to operate. Any request to renew the operation will

require a new interim use permit.

783. RESIDENTIAL BACKYARD CHICKENS

782.1. Purpose. This section establishes a minimum baseline for the keeping of backyard chickens on agricultural and residential parcels. It is not intended to conflict with or be more restrictive than the provisions in Wright County Ordinance Chapter 152 – Feedlots.

782.2. Conditions. All parcels in the R-1 (Urban/Rural Transition) that are greater than 20,000 sq. ft. in size are permitted to keep chickens, subject to the following provisions:

A. The property shall have a single-family dwelling

B. The owner of the chickens shall occupy the dwelling

C. No more than 12 hen chickens shall be allowed, unless otherwise established and allowed by Chapter 152 of this Code of Ordinance

D. The keeping of roosters shall be prohibited

782.3. Structure and Setback Requirements. Chickens shall be kept within a separate enclosed accessory structure and fenced outdoor containment area, subject to the following:

A. The accessory structure shall not exceed 120 sq. ft. and 8 ft. in total height.

B. Any fenced poultry run must be attached to the coop and be no larger than 120 square feet.

C. Structures and fenced chicken areas must be 15 ft. from all property lines or 25 ft. from a habitable structure on an adjacent property, whichever is greater, and be outside any recorded easements and rights-of-way.

D. In shoreland areas, structures must be located at least 200 ft. from a waterbody and must be outside of the floodplain.

E. The accessory structure shall be counted against the total accessory structure limitation, building coverage limitation, and impervious surface coverage calculation for the property.

782.4. Waste.

A. Feces, waste, and discarded feed shall be regularly collected and only stored temporarily on-site in a leak-proof container with a tight-fitting cover to prevent nuisance odors and the attraction of vermin.

B. Chicken feed shall be stored in leak-proof containers with a tight-fitting cover to prevent attracting vermin.

C. Dead chickens must be disposed as soon as possible, typically within 48 to 72 hours after death, according to the Minnesota Board of Animal Health rules.

782.5. Other Provisions.

A. Chickens shall remain in the accessory structure from sunset to sunrise each day.

B. If the keeping of chickens is discontinued for more than 12 consecutive months, any accessory structure and containment area must be removed, and the site restored. The accessory structure may not be repurposed for use as storage if the keeping of chickens is discontinued.

C. The slaughter of chickens on site is prohibited.

D. The raising of chickens for breeding purposes is prohibited.

E. No person shall permit any chickens of which they are the owner, caretaker, or custodian to be at-large. Any chickens shall be deemed at-large when they are off the premises owned or rented by its owner and unaccompanied by the owner or an agent or employee of the owner.

F. No chicken may be kept or raised in a manner as to cause injury or annoyance to persons or other animals on

other property in the vicinity by reason of noise, odor, or filth.

782.6. Revocation. The Zoning Administrator may prescribe general conditions for the keeping of chickens and specific conditions on a particular premises as in their judgment is necessary to safeguard public health and the general welfare. The Zoning Administrator may deny, revoke or take other authorized adverse action against any person or property allowed the keeping of chickens pursuant to this section if any condition or requirement is violated or if the keeping of chickens becomes a public nuisance or for other good cause.

SECTION 8. ENFORCEMENT

801. VIOLATIONS AND PENALTIES

801.1 Violations

(1) In the event of a violation or a threatened violation of this Ordinance, the Township Board, or any member thereof, in addition to other remedies, may request the Township Attorney to institute appropriate actions or proceedings to prevent, restrain, correct or abate such violations, or threatened violations.

(2) Any taxpayer or taxpayers of the Township may institute mandamus proceedings in the District Court to compel specific performance by the proper official or officials of any duty required by this Ordinance.

(3) Any person, firm, corporation or other entity who shall violate any of the provisions hereof or who shall fail to comply with any of the provisions hereof or who shall make any false statement in any document required to be submitted under the provisions hereof, shall be guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine and/or by imprisonment as set forth in Minn. Stat. 609.03. Each day that a violation continues shall constitute a separate offense.

(4) Any person, firm, corporation or other entity who aids, abets, counsels or assists another in the commission of any of the acts prescribed in (3), whether acting as an employee, servant, agent or otherwise, shall be guilty of a misdemeanor. Any property owner who permits any person, firm, corporation or other entity to commit any of the acts prescribed in (3) shall be guilty of a misdemeanor.

(5) When an ordinance violation is either discovered by or brought to the attention of the Zoning Administrator, the Zoning Administrator shall investigate the situation and document the nature and extent of the violation of the official control. In the case of violations of the Flood Plain Overlay District (Section 611.), as soon as is reasonably possible, this information will be submitted to the appropriate Department of Natural Resources' and Federal Emergency Management Agency Regional Office along with the Community's plan of action to correct the violation to the degree possible.

(6) The Zoning Administrator shall notify the suspected party of the requirements of this Ordinance and all other Official Controls and the nature and extent of the suspected violation of these controls. If the structure and/or use is under construction or development, the Zoning Administrator may order the construction or development immediately halted until a proper permit or approval is granted. If the construction or development is already completed, then the Zoning Administrator may either (1) issue an order identifying the corrective actions that must be made within a specified time period to bring the use or structure into compliance with the official controls, or (2) notify the responsible party to apply for an after-the-fact permit/development approval within a specified period of time not to exceed thirty (30) days.

(7) It shall be unlawful to use, occupy, or permit the use or occupancy of any building or premises or part thereof hereafter created, erected, changed, converted, altered, or enlarged in its use or structure unless the use of the building or land conforms to the requirements of this Ordinance.

(8) All permits, variances, Interim Use Permits and Conditional Use Permits issued on the basis of approved plans and applications authorize only the use, arrangement, and construction set forth in such approved

plans and applications, and no other use, arrangement, or construction. Any use, arrangement, or construction at variance with that authorized shall be deemed a violation of this Ordinance.

(9) Applications for any permit may be denied by the Zoning Administrator if the land upon which the permit application is made is subject to any of the following conditions:

(a) a nonconforming sewage treatment or disposal system exists on the property; this requirement is mandated in shoreland areas:

(b) the property is part of a subdivision or conveyance which does not comply with the provisions of this Ordinance or the Corinna Township Subdivision Regulations: or

(c) a nuisance, as specified within Section 714 of this Ordinance, exists on the property.

The Zoning Administrator shall provide the applicant with a written statement setting forth with reasons for said denial and the actions necessary to correct the problem. The applicant may appeal said denial to the Board of Adjustment.

801.2 Recording Conveyances

(1) A copy of all instruments which convey real estate where the land lies within the jurisdiction of this ordinance shall be submitted by the County Recorder to the Zoning Administrator for review after recording pursuant to Minnesota Statutes Section 394.37, Subdivision 1. The following conveyances need not, however, be submitted.

(a) The re-conveyance of a lot of record, as defined herein.

(b) The conveyance of any tract which does not involve or result in the subdivision of any existing tract.

(2) The Zoning Administrator shall examine those instruments of conveyance submitted by the County Recorder to determine whether the conveyance complies with this ordinance. If the conveyance does not comply with this ordinance, the Zoning Administrator shall notify the parties to the conveyance of the violation or potential violation and may institute appropriate action to enforce compliance. Failure of the Zoning Administrator to provide such notice shall not be construed to indicate approval of any conveyance.

801.3 Application to Township Personnel

The failure of any officer or employee (contract or on-staff) of the Township to perform any official duty imposed by this Ordinance shall not subject the officer or employee to a penalty imposed for violation unless a penalty is specifically provided for such failure.

801.4 Notice of violation

The Township shall provide a written notice to the property owner or to any person responsible for such violation, identifying the property in question, indicating the nature of the violation, and ordering the action necessary to correct it, including a reasonable time period to remedy the violation. Additional written notices may be provided at the discretion of the enforcement official or the Zoning Administrator. Where the violation involves work being done contrary to the provisions of this zoning ordinance, the Zoning Administrator may order the work stopped. No further work shall be undertaken while a stop-work order is in effect. Failure to comply with a stop-work order is a crime.

801.5 Enforcement without notice

Whenever the Township finds that an emergency exists in relation to the enforcement of the provision of the

zoning ordinance which requires immediate action to protect the health, safety or welfare of occupants of any structure, or the public, the Township may seek immediate enforcement without prior written notice, notwithstanding any other provision of this chapter.

801.6 Conditional use permit or interim use permit revocation

(A) In general. The zoning administrator shall have the authority to recommend revocation of a conditional use permit or interim use permit to the Planning Commission when the zoning administrator has determined that the terms of such approval have been violated, subject to subdivisions 801.4 and 801.5 above.

(B) Revocation hearing. The Planning Commission shall hold a public hearing to determine whether there has been a violation of the conditional use permit or interim use permit and whether the conditional use permit or interim use permit shall be revoked or amended. Not less than ten (10) days before such public hearing, the zoning administrator shall mail notice of the hearing to any person responsible for such violation, the owner(s) of record of the subject property, and all other person and entities as required in section 505. The failure to give mailed notice to individual property owners, or defects in the notice, shall not invalidate the proceedings, provided a bona fide attempt to comply with this section has been made.

SECTION 9. SEPARABILITY, SUPREMACY, AND EFFECTIVE DATE

901.1 Separability

Every Section, provision, or part of this Ordinance or any permit issued pursuant to this Ordinance is declared separable from every other Section, provision, or part thereof to the extent that if any section, provision, or part of this Ordinance or any permit issued pursuant to this Ordinance shall be held invalid by a court of competent jurisdiction, it shall not invalidate any other section, provision, or part thereof.

901.2 Supremacy

When any condition imposed by any provision of this Ordinance on the use of land or buildings or on the bulk of buildings is either more restrictive or less restrictive than similar conditions imposed by any provision of any other County Ordinance or regulation, the more restrictive conditions shall prevail.

This Ordinance is not intended to abrogate any easements, restrictions, covenants, relating to the use of land or imposed on lands within the County by private declaration or agreement, but where the provisions of this Ordinance are more restrictive than any such easement, restriction, or covenant, or the provision of any private agreement, the provisions of this Ordinance shall prevail.

901.3 Effective Date

This Ordinance shall be full force and effect from the date of its passage and publication according to law, whichever occurs first.

Adopted by the Corinna Town Board of Supervisors this 17th day of March 2026:

Board of Township Supervisors
Corinna Township, Minnesota

By:_____
John Dearing, Chairperson

Attest:

_____

Mary Barkley Brown, Clerk
Corinna Township, Minnesota

STATE OF _____)
)ss
COUNTY OF _____)

The foregoing instrument was acknowledged before me, a Notary Public, this _____ day of _____, 20____, by:

_____

_____
Notary Public

My commission expires, _____, 20___