

SECTION 7 - AGRICULTURAL DISTRICT

Subdivision 1. Purpose

The purpose of the Agricultural District is to preserve for farming those locations that have soils which, when properly managed, are capable of high crop yields, to prevent scattered non-farm growth, and to protect from deleterious influences those farms locations that have high investments in buildings, equipment or irrigation, and to stabilize increases in public expenditures for such public services as roads and road maintenance, police and fire protection, and schools.

All uses not listed as Permitted Uses, Conditional Use Permits or Interim Use Permits shall not be allowed within the Agricultural Zoning District.

Subdivision 2. Permitted Uses

1. Agricultural Uses
2. Communication Towers up to 200' in height (see Section 16.5)
3. Daycare, Family
4. Feedlots and/or Manure Storage Areas (Tier 1 – Tier 3) meeting the requirements of Section 17, Subd 16
5. Grading, Filling or Excavating Temporary
6. Home Occupation
7. Motor Sport Facilities, Private
8. Private and/or Commercial Kennels (see Ordinance No 134)
9. Parks, Open Spaces, Wild Life Refuges (Public)
10. Single-Family Homes

11. Slaughterhouse (see Section 16.1)
12. Windpower Management (Hobbyist)

Subdivision 3. Conditional Uses

Land in the Agricultural District may be used for any of the following purposes only with the issuance of a Conditional Use Permit. Refer to Section 16 for a description of the requirements for each of these Conditional Uses.

1. Aircraft Landing Strip, Private
2. Airport, Public
3. Aquaculture
4. Cemeteries
5. Churches
6. Communication Towers up to 200' in height (see Section 16.5)
7. Daycare, Commercial
8. Farm Related Business
9. Feedlots and/or Manure Storage Areas (Tier 4) meeting the requirements of Section 17, Subd 16
10. Game Refuge, Private
11. Historical Site
12. Nursery, Retail
13. PUD, Residential (must be located within R-PUD Overlay District A or B)
14. Permanent Government Structure
15. Personal Storage Structure
16. Riding Academies, Stables and Similar Uses
17. School Bus Service

18. Seasonal Storage
19. Second Farm Related Dwelling
20. Windpower Management, Commercial

Subdivision 4. Interim Uses

Land in the Agricultural District may be used for any of the following purposes only with the issuance of an Interim Use Permit. Refer to Section 16.2 for a description of the requirements for each of these Interim Uses.

1. Activities Requiring Rural Isolation
2. Asphalt & Concrete Mixing Plants, Portable
3. Auction Business
4. Bed and Breakfast
5. Campgrounds, Recreational
6. Contractors' Yard (Small)
7. Home Business in an Accessory Building
8. Manufactured Home, Farm Related (temporary seasonal)
9. Manufactured Home, Farm Related (temporary year-around)
10. Manufactured Home (temporary) for Parents, Grandparents, Sisters or Brothers by Blood or Adoption
11. Mining
12. Occasional Special Event
13. Planned Unit Development (Highway)
14. Recreational Activity
15. Slaughterhouse (see Section 16.1)
16. Solar Farm

17. Temporary Start-up Business
18. Temporary Tire and/or Waste Collection and/or Recycling Operations
19. Temporary Use by Government Entities
20. Yard Waste Composting

Subdivision 5. Accessory Uses

1. Home Occupations
2. Living quarters in the principal farm dwelling of persons employed on the farm
3. Other uses customarily incidental and subordinate to a Permitted Use, in the opinion of the Planning Commission.
4. Private Garages
5. Solar (Accessory) Energy System, Ground-Mount
6. Solar (Accessory) Energy System, Rooftop

Subdivision 6. Dimensional Regulations (All dimensions are measured in feet)

1. Minimum Lot Sizes:

Unplatted parcels: 1 parcel per 40 contiguous acres +/-.

In the Agricultural District when a portion of a property is rezoned and platted to either Commercial or Industrial, the remainder of the property not platted may continue to be metes and bounds provided that it stays in the Agricultural District and is at least twenty (20) acres.

Platted lots: 1 lot per 5 contiguous acres

Simple Plats consisting of one (1) lot with a residence existing prior to May 1, 2012 may be allowed without meeting any wooded requirement if the remaining unplatted parcel is 40+/- contiguous acres or larger.

Simple Plats consisting of two or three lots may be subdivided if each lot is wooded (see definition of “wooded”).

Housing Density: 1 single family residence per lot

2. Minimum Lot Dimensions:

Width: 300 (measured at the building setback line)
Depth: 300

3. Minimum Setbacks, Principal or Accessory Structures:

Unplatted parcels:

Front, Unplatted (from centerline):

Township Road: 100
County Road: 100
County State-Aid Highway: 130
Highways 24 or 25: 150
Highways 10 or 169: 200 of centerline of closest traveled lane or 80 from centerline of service road, whichever is greater

Side or rear, unplatted parcels abutting agricultural land:

50

Side: 10*, if lot in question and adjoining lot are 5 acres or less

Rear: 25, if lot is 5 acres or less and does not abut agricultural land

Side or rear from Sherburne County National Wildlife Refuge or publicly owned land in

The Sand Dunes State Forest: 100

County Ditch (from top of ditch bank) 50

A residence not located on the same property as a feedlot or manure storage area shall meet the minimum setbacks from a feedlot and manure storage area, as set forth in Section 17, Subd 15. However, a residence existing prior to November 8, 2014, that does not comply with the feedlot or manure storage area setbacks, may continue and may expand without being considered a non-conforming structure.

Platted Lots:

Front, Platted Lots (from right-of-way):

Township Road: 67

County Road:	50
County State-Aid Hwy.:	70
Highways 24 or 25:	80
Highways 10 or 169:	100

Interior Side: 10*

* *Author's note: If property owner is proposing to go closer than 20 feet from side lot line, applicant will either need a survey or a signed statement from a neighbor stating they both agree on the property line, then you may be only as close as 10 feet.*

Side or rear: 25, if not abutting agricultural land

Side or rear, non-farm housing
abutting agricultural land 100

Side or rear, accessory structures
abutting agricultural land: 50

Side or rear from Sherburne National
Wildlife Refuge or publicly owned land
in the Sand Dunes State Forest. 100

County ditch (from top of ditch bank) 50

Pipeline Easements/Right of Way 50

A residence not located on the same property as a feedlot or manure storage area shall meet the minimum setbacks from a feedlot and manure storage area, as set forth in Section 17, Subd 15. However, a residence established prior to [date of ordinance], that does not comply with the feedlot or manure storage area setbacks, may continue and may expand without being considered a non-conforming structure.

When a lot is located at the intersection of two or more roads or highway, there shall be a front yard setback on each road or highway side of the lot.

4. Maximum Building Heights:

Dwellings:	2-1/2 stories or 35 feet, whichever is less
Agricultural Structures:	No restriction
Accessory Structure	25' if on less than 5 acres
Accessory Structure	35' if 5 acres or more
Personal Storage Structure	25'

5. Maximum Building Depth Below Grade:
Set lowest floor at Lowest Floor Elevation (LFE) or minimum one (1) foot above mottling, whichever is higher. If no LFE is established, set lowest floor minimum one (1) foot above

mottling.”

Subdivision 7. Road Intersections

Road intersections and highway accesses shall conform to the Sherburne County Transportation Plan, *Table 11, “Rural and Developing Areas Access Spacing Guidelines”*.

Subdivision 8. Pre-Existing Non-Agricultural Activities.

A permit may be issued for expansion of uses located on parcels zoned for a use other than agriculture prior to the adoption of this Ordinance if there is no other provision under which such uses can operate. The permit shall provide for the expansion of existing uses, but shall not provide for a change to a different use.

Subdivision 9. General Regulations

Additional regulations for signs, septic systems, accessory buildings, fences, manufactured homes, site plan reviews and animals are presented in Section 17, General Development Regulations.