Sherburne County HMP Planning Team Meeting #1
4/2/26 Meeting Summary & Documentation

Synopsis: On April 2, 2026 Sherburne County Emergency Management convened key county, city, and township representatives, as well as neighboring jurisdictions and other stakeholders to participate in the 1st Planning Team Meeting for the update of the Sherburne County Hazard Mitigation Plan (HMP). The meeting was held via Zoom webinar video conference and was facilitated by Stacey Stark and Bonnie Hundrieser of the U-Spatial@UMD project team.

The purpose of the meeting was to present on the update of the Sherburne County HMP update and gather stakeholder feedback on several key discussion items, including:

1) Prioritization of the natural hazards to be profiled in the plan,

2) Identification of local vulnerabilities (i.e., infrastructure and populations),

3) Ideas for local mitigation actions for implementation, and

4) Review of FEMA Hazard Mitigation Assistance grant funding opportunities.

Stakeholder Invitations: Sherburne County Emergency Management invited all stakeholders included on the county's HMP Update Jurisdictional Contact List, which includes the key County Contacts, City Contacts, Township Contacts, Other Stakeholder Contacts, and Neighboring Jurisdiction Contacts identified to be invited to participate in the plan update process. Stakeholders were encouraged to engage additional staff or to send someone in their stead if they could not attend.

Presentation Overview: The Power Point presentation covered the following items:

- Welcome & Introductions
- Meeting Purpose & Agenda
- Overview of HMP Key Points
- Overview of Plan Content (Hazard Identification, Risk Assessment, Vulnerability Analysis, Update of Hazard Prioritization)
- Overview of Mitigation Actions and FEMA Grants
- Overview of Mitigation Strategies for the development of mitigation actions
- Discussion of ideas for local mitigation ideas
- Overview of Next Steps following Planning Team Meeting #1

Documentation:

The following meeting summary includes documentation of the jurisdictional and other related stakeholders that participated in the meeting, poll results, list of updated prioritization of hazards, other meeting discussion, and information on the FEMA Hazard Mitigation Assistance Grant Program.

A copy of the meeting invitation and a handout of the Power Point presentation slides accompany this meeting summary.

Meeting Participants (41)

Following is a list of representatives that participated in Planning Team Meeting #1. These individuals will be noted as part the formal planning team recorded in the Sherburne County HMP Update.

Name	Agency/Organization	Participant Title
Derek Baas	Sherburne County Emergency Management	Emergency Management Director
Kyle Breffle	Sherburne County Emergency Management	Deputy Director of Emergency Management
Drew Nelson	Sherburne County	Director of IT
Loraine Rupp	Sherburne County	Auditor/Treasurer
Dan Weber	Sherburne County	Assistant County Administrator
David Unze	Sherburne County Sheriff's Office	Communications Media Specialist
Tanner Anderson	Sherburne County	Hwy Maintenance Superintendent
Andrew Witter	Sherburne County Public Works	Public Works Director and County Engineer
Kara Zoller	Sherburne County Health & Human Services	Public Health Supervisor
Gary Gray	Sherburne County	County Commissioner District 4
Nicole Ruhoff	Sherburne County	Public Health Manager
Lynn Waytashek	Sherburne County Planning & Zoning	Planning & Zoning Administrator
Scott Case	City of Baldwin Fire Department	Fire Chief
Chris Lisson	City of Becker	Public Works and Parks Assistant Director
Greg Lerud	City of Becker	City Administrator
Sam Olson	City of Big Lake Police Dept.	Chief of Police
Thomas Kucala	City of Big Lake Police Dept.	Captain
Mark Dickinson	City of Elk River	Fire Chief & Director of Emergency Management
Justin Femrite	City of Elk River	Public Works Director
Joe Hale	City of Elk River	Environmental Services and Projects Specialist
Tom Geiser	City of Elk River Utilities	Operations Director
Todd Frederick	City of Princeton Police Dept.	Chief of Police / Assistant Emergency Manager
Steven Zumberge	City of Princeton Fire Dept.	Fire Chief
Luke Langner	City of St. Cloud	Public Services Director
Peter Kedrowski	City of St. Cloud Fire Dept.	Deputy Fire Chief
Randy Piasecki	City of Zimmerman, MN	City Administrator
Ryan Maloney	City of Zimmerman/Livonia Fire District	Fire Chief / Emergency manager
Lucinda Messman	Becker Township	Clerk

Brenda Maas	Town of Big Lake	Clerk
Bud Stimmler	Clear Lake Township	Board Chairman
Steve Demeules	Palmer Township	Township Supervisor
Terrance VanderEyk	Clear Lake Township	Town Engineer
Jeremy Schmidt	Becker Public Schools	Superintendent
Nicole Stottlemyre	ISD 728	Coordinator of Prevention and Safety
Jon Dotterer	HSEM	Regional Program Coordinator
Michael Palmer	MN DNR	Regional Firewise Specialist
Edgardo Castro-Garcia	Fairview HealthCare	Manager - Security & Emergency Management
Bill Peterson	US Fish and Wildlife Service at Sherburne National Wildlife Refuge	Project Leader
James Bedell	MN DNR	Area Hydrologist
Michelle Schmitz	Xcel Energy	Manager, Community Relations
Francine Larson	Sherburne SWCD	District Manager

Discussion Polls

The presentation included several polling questions to generate discussion and gather specific feedback from participants that would be used to support public outreach, identify local vulnerabilities, and determine the updated prioritization of hazards for inclusion in the plan. Following are the polling questions and participant responses.

Poll 1, Question 1

Are there any factors in your community that may have increased the community's vulnerability? (e.g. new development, increasing unhoused population, recent wildfire, loss of a major employer, recent drought, aging infrastructure).

Loraine Rupp	Many communities have added large multi family housing.	
Terrance VanderEyk	Aging population	Clear Lake Township
Randy Piasecki	nothing has increased	Zimmerman
Steve Demeules	Flooding is a concern but does not happen as a fast event so we are able to deal with it.	Palmer Township
Michelle Schmitz	Data Center interests	Becker
Jeremy Schmidt	I am not aware of any drastic or major changes.	Becker
Thomas Kucala	No	Big Lake

Drew Nelson	The shuttering of the Becker Coal Plant, and the coal ash on site may be one. While not in Sherburne, this could also apply to the Monticello Nuclear plant in Wright County	
Bud Stimmler	How about large solar farms	
Lucinda Messman	yes	Becker Township
Chris Lisson	Potential tax base loss due to the eventual closing of the Sherco Coal Power Plant.	City of Becker
Steven Zumberge	Aging infrastructure with no available outside funding for improvement (funding is tied to job creation).	Princeton
Luke Langner	Yes. Increase of unhoused population, aging infrastructure, housing affordability and new development.	St. Cloud
Gary Gray	Closing of the Xcel coal fire power plant and the increase of solar generation	Sherburne County District 4
Scott Case	New Developments	Baldwin
Greg Lerud	Yes. Closure of the Sherco Power Plant by 2030. Major employer and tax payer.	City of Becker
Andrew Witter	Shoreline (housing) development along the Miss River. Weather event are more localized and more severe.	
Francine Larson	Community vulnerability has grown due to aging water systems, drought, changing rainfall, loss of wetlands and trees, invasive species, higher resource demand, and stronger severe weather. (Countywide)	

Poll 1, Question 2

Are there places or parts of your community that you think are especially at risk from future natural disasters? This could include important buildings and services, roads or utilities, new development, community gathering places, or groups of people who may need extra support.

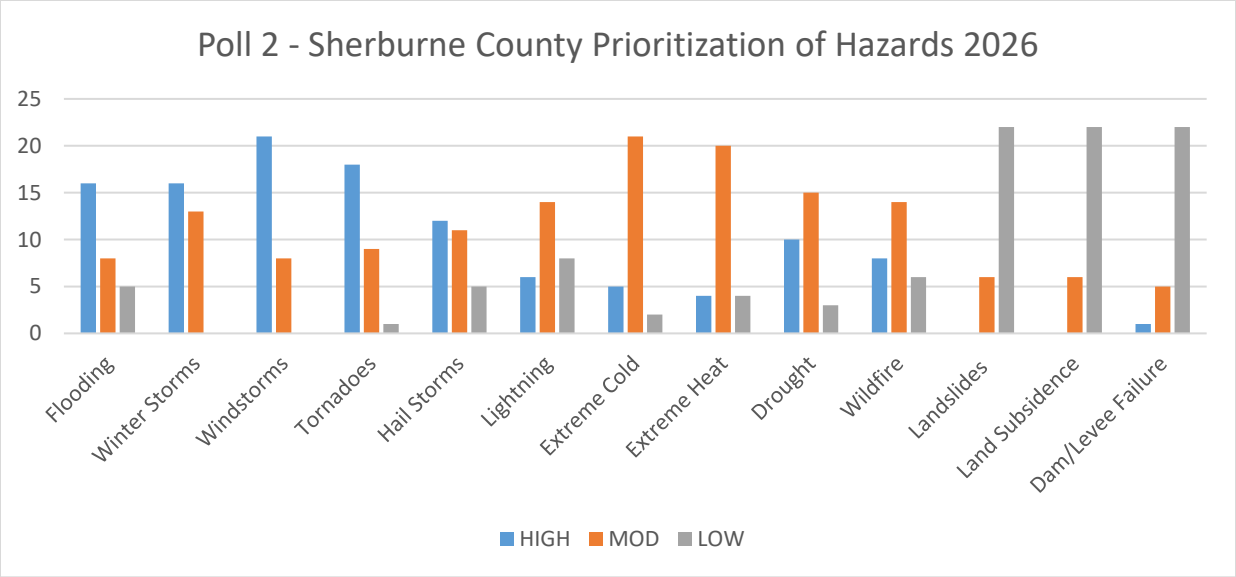
Terrance VanderEyk	Two travel trailer parks	Clear Lake Township
Randy Piasecki	Developed areas surrounding the Fremont Wildlife Management Areas could be at risk of grass/wildfire incidents in dry/drought conditions.	Zimmerman
Steve Demeules	Nothing that comes to mind	Palmer Township

Sam Olson	Multiple apartment buildings. One mobile home park	Big Lake
Michelle Schmitz	Sherco and Sherco Solar	Becker
Jeremy Schmidt	I am not aware of any related to a natural disaster, with the exception to drastic events such as tornado or weather-related abnormalities. That would not be good for solar panels or energy creation.	Becker
Thomas Kucala	no	Big Lake
Lynn Waytashek	East side of Big Elk Lake due to flooding at confluence of Elk River & Elk Lake.	Located in Palmer Twp
Bud Stimmler	Again solar farms	
Lucinda Messman	yes	Becker Township
Chris Lisson	Water supply and finding new municipal wells to provide for a growing population.	City of Becker
Luke Langner	Old infrastructure and protection of Water and Wastewater services.	St. Cloud
Gary Gray	The Rural area, great distance from emergency services	Sherburne County District 4
Scott Case	City Hall and Fire Station	Baldwin
Greg Lerud	Shepherd of Grace nursing home.	City of Becker
Michael Palmer	The wildland urban interface is increasing here and statewide, so wildfire risk mitigation will also need to increase.	Sherburn county as a whole
Francine Larson	Low-lying flood zones, dense forest areas at wildfire risk, and places with aging water or utility systems are most vulnerable, along with new development near sensitive habitats.	Countywide

Poll 2 – Prioritization of Hazards

Meeting participants were asked to rank their perceived priority of the following natural hazards as being High, Moderate, or Low/Not Applicable. Considerations are based on likelihood of occurrence (probability) and resulting impacts (severity) to structures, critical infrastructure, and life safety.

Chart of Poll 2 Results:



Poll 2 Discussion:

Andrew Witter - Would shoreline erosion along the Mississippi River be classified as Coastal Erosion? Or would that default to Flooding issues?

> Stacey Stark – We would address this under the hazard of flooding, especially if it is putting structures at risk, then we would want to look at in more detail. Coastal Erosion as a hazard pertains to counties adjacent to Lake Superior.

Jeremy Schmidt - I put extreme cold and extreme heat as high. They don't occur often, but seem to have the ability to be more extreme than ever before.

> Stacey Stark – That is certainly true for extreme heat. As part of our analysis tools we are looking at extreme heat and days above 90F. While # of days may not seem extreme, it is that fact there are often successive days of heat with not enough cool down.

Loraine Rupp - Do we need to consider the addition of so many solar farms when looking at our Hazard Responses? / Lucinda Messman - There are over 2400 acres in two townships alone.

> Stacey Stark – If there are a lot of solar farms that are considered as critical infrastructure and being impacted is a vulnerability, then yes, that would be a good consideration for your hazard priorities.
>
> Gary Gray, County Commissioner - Sherburne County will have about 6500 acres of utility grade solar by 2027 and has about 1000 acres of community solar gardens, so solar is a major concern when discussing a hazard mitigation plan. Utility grade is developed by Xcel Energy and hooks directly to the transmission system and community solar gardens hook up directly to distribution lines locally.

Kyle Breffle/Derek Bass – Wildfire was felt to remain a moderate priority. We do have a wildlife refuge in Sherburne County, however it is federally managed has its own wildfire mitigation measures.

Michael Palmer, MN DNR Firewise: This is a good online tool for folks to use to see wildfire occurrences over time (link)

Sherburne County 2026 HMP Update Prioritization of Hazards:

The Sherburne County 2026 Hazard Mitigation Plan update will address the hazards deemed to be of **moderate to high** priority. The following prioritization of hazards is as follows, based on planning team feedback and review by the Sherburne County Emergency Management Director:

HAZARD	Sherburne County 2026
Windstorms	High
Tornadoes	High
Flooding	High
Winter Storms	High
Hail	High
Extreme Cold	Moderate
Extreme Heat	Moderate
Drought	Moderate
Wildfire	Moderate
Lightning	Moderate
Landslides	Low
Land Subsidence	Low
Dam/Levee Failure	Low

FEMA Hazard Mitigation Assistance Grant Programs:

To learn more about FEMA's Hazard Mitigation Assistance Grants, download a copy of the HMA Program and Policy Guide, effective January 20, 2025.

To submit comments or questions regarding this meeting summary, please contact:
Derek Baas, Sherburne County Deputy Director of Emergency Management
763-765-3508 | Derek.Baas@co.sherburne.mn.us

Outlook

Sherburne County HMP Meeting "REVISED"

From Derek Baas <Derek.Baas@co.sherburne.mn.us>

Date Tue 2/24/2026 9:12 AM

To Kyle Breffle <Kyle.Breffle@co.sherburne.mn.us>; Derek Baas <Derek.Baas@co.sherburne.mn.us>; Ben Zawacki <Ben.Zawacki@co.sherburne.mn.us>; Dan Weber <Dan.Weber@co.sherburne.mn.us>; David Unze <David.Unze@co.sherburne.mn.us>; Michelle Moen <Michelle.Moen@co.sherburne.mn.us>; Loraine Rupp <Loraine.Rupp@co.sherburne.mn.us>; Nicole Ruhoff <Nicole.Ruhoff@co.sherburne.mn.us>; Cody Engelhaupt <Cody.Engelhaupt@co.sherburne.mn.us>; Drew Nelson <Drew.Nelson@co.sherburne.mn.us>; Gina Hugo <Gina.Hugo@co.sherburne.mn.us>; Lynn Waytashek <Lynn.Waytashek@co.sherburne.mn.us>; Andrew Witter <Andrew.Witter@co.sherburne.mn.us>; Tanner Anderson <Tanner.Anderson@co.sherburne.mn.us>; Andrew Hulse <Andrew.Hulse@co.sherburne.mn.us>; Raeanne Danielowski <Raeanne.Danielowski@co.sherburne.mn.us>; Gregg Felber <Gregg.Felber@co.sherburne.mn.us>; Gary Gray <Gary.Gray@co.sherburne.mn.us>; Brad Schumacher <Brad.Schumacher@co.sherburne.mn.us>; city.clerk@baldwinmn.gov <city.clerk@baldwinmn.gov>

Cc Bonnie K Hundrieser <hundrieserconsulting@outlook.com>; Stacey Stark <slstark@d.umn.edu>

SHERBURNE COUNTY

HAZARD MITIGATION PLAN UPDATE – MEETING INVITATION

Greetings,

Your presence is requested at a Planning Team Meeting for the update of the **Sherburne County Hazard Mitigation Plan (HMP)**. You are requested to participate in this meeting because you have a position of administrative or departmental responsibility within the county, a municipal government, or are a key stakeholder related to the planning process. Emergency Managers from neighboring jurisdictions are also encouraged to attend.

We will be holding the meeting virtually using Zoom conferencing:

REVISED DATE & TIME
Date: Thursday, April 2nd, 2026
Time: 10:00-11:30 a.m.
Register here for the meeting

The purpose of this meeting is to present on the Sherburne County HMP update and gather feedback on several key discussion items that are required by the Federal Emergency Management Agency (FEMA). The plan addresses the natural hazards that post risk to Sherburne County and will result in the development of mitigation actions that will help to reduce the impact of future hazard events. We will also discuss the types of projects that may be eligible for FEMA Hazard Mitigation Assistance (HMA) grant program funding.

Your participation in this meeting is important and we value your feedback. Representatives from Sherburne County, city and township governments, and other stakeholder agencies/organizations **must** have documented participation in the planning process in order to adopt the plan and be eligible to apply for future FEMA HMA grant funding.

When you register, you will be placed on an RSVP list and will be sent an email confirmation with a link to participate in the meeting. If you are not able to attend, please seek to send another representative.

Thank you,

Derek Baas
Deputy Director of Emergency Management

Sherburne County Sheriff's Office
13880 Business Center Drive NW
Elk River, MN 55330
p 763-765-3508

"Commitment to Service with Integrity and Pride"

https://www.co.sherburne.mn.us/296/Sheriff
Facebook: @SherbCoSheriff

Sherburne County
Hazard Mitigation Plan Update 2026
Planning Team Meeting #1

April 2, 2026

SHERBURNE COUNTY

U-SPATIAL
UNIVERSITY OF MINNESOTA

Welcome & Introductions

U-Spatial@UMD Project Leads



Stacey Stark
Project Manager
U-Spatial, UMD



Jane Lindelof
Project Coordinator, Communications Specialist
U-Spatial, UMD



Bonnie Hundrieser
HM Planning Specialist
Hundrieser Consulting LLC

Sherburne County Project Leads

- Kyle Breffle, Sherburne County Emergency Management Director
- Derek Baas, Deputy Director of Emergency Management



Please type your name and representation in the CHAT – so others know who is here

PRESENTER: STACEY STARK

Meeting Participation

PLEASE REMAIN MUTED AND VIDEO OFF SO EVERYONE CAN HAVE THE BEST EXPERIENCE.

USE CHAT:



- Send a message to everyone
- Send a message to individuals or the presenters
- Send a message to host to ask for help or ask a question that isn't for the whole group.



ASK TO SPEAK:



PRESENTER: STACEY STARK

Meeting Purpose & Agenda



The purpose of this meeting is to formally convene the Sherburne County HMP Planning Team for a presentation on the plan update and to discuss key items required for the plan update.

Agenda

- Overview of HMP Key Points
- Review of Past Plan Hazard Risk Priorities, Hazard Profiles, and Current Hazard Prioritization
- Overview of Mitigation Strategies
- Overview of FEMA HMA grant program
- Discuss local mitigation ideas
- Overview of Next Steps

PRESENTER : STACEY STARK





Overview of HMP Key Points

Bonnie Hundrieser

What is Hazard Mitigation?

Hazard Mitigation is any action taken to reduce or eliminate long term risk to people and property from natural disasters.

- HM increases resilience to withstand future disaster events.
- HM breaks the cycle of disaster damage and reconstruction
- HM efforts are cost effective ($6 saved for every $1 spent)



PRESENTER: BONNIE HUNDRIESER

Plan Requirement



The Hazard Mitigation Plan (HMP) is a requirement of the Federal Disaster Mitigation Act of 2000 (DMA 2000).

- A FEMA-approved, locally-adopted HMP is required to be eligible for FEMA HMA grant programs.
- HMPs must be updated every 5 years.
- Must address all jurisdictions and engage key stakeholders + the public

Sherburne County HMP Update 2026

- Last plan was adopted in **2020**.
- The updated plan will cover a 5-year window for implementation and grant program eligibility (2027-2032)
- Participating jurisdictions **must** have documented engagement in the planning process and adopt the final plan.

Plan Purpose



The purpose of the HMP is to:

- **Conduct risk assessment** (history, future probability, impacts of natural hazards)
- **Conduct vulnerability assessment** (at-risk critical infrastructure and populations)
- **Conduct capabilities assessment** (plans, programs, policies, partnerships, funding, etc in place or that are lacking)
- **Develop plan of action** (strategies and mitigation actions for implementation).

Who the Plan Covers

This is a **multi-jurisdictional plan** that covers Sherburne County, including all cities and townships within the county.

The plan also takes into consideration the needs and concerns of other stakeholders such as schools, watershed districts, and agencies or organizations involved in mitigation or services to vulnerable populations within the county.



Who Participates



Key Stakeholders

Local government as well as related non-governmental agencies & organizations must participate.

- 2 planning team meetings
- Help with public outreach
- Provision of information (LMS forms, other data)
- Mitigation Action Charts
- Final plan review

The Public

The public must have an opportunity to learn about and provide input to the plan update.

- Use of news releases, social media, local bulletin boards, and public meetings or events.
- Must document local-level concerns and mitigation ideas
- Consider how to engage with underserved communities and vulnerable populations.

First News Release



1. What are the natural hazards you feel pose the greatest risk to your community?
2. Are there specific populations or assets in your community that you feel are more vulnerable to future storm events?
3. What concerns do you have, and what sorts of actions do you feel would help to reduce damages of future hazard events in your community or the county as a whole?
4. Do you have any other comments or concerns regarding hazard mitigation in your community?



Overview of Plan Content

Plan Content
Hazard Identification

- The HMP addresses the **natural hazards** that pose risk to the county and its jurisdictions.
- Manmade hazards are not required to be addressed (per the DMA 2000).
- Hazards that are deemed to be of low risk may be omitted from the plan.
- Hazard risk may differ in cities and the county overall.

Flooding	Hail	Drought
Dam/Levee Failure	Lightning	Extreme Heat
Wildfire	Winter Storms	Extreme Cold
Windstorms	Landslides	Earthquakes
Tornadoes	Sinkholes & Karst	Coastal Erosion

Natural hazard categories as per the State Hazard Mitigation Plan

Plan Content
Risk Assessment





- History of events
- Probability of occurrence
- Severity
- Climate Change
- Identify if and how risk priorities have changed since the last plan. (Increased / Decreased)

Plan Content
Vulnerability Analysis





- Inventory critical infrastructure locations.
- Identify specific, local-level impacts and vulnerabilities.
- Include local-level capabilities assessment that supports mitigation or identifies gaps
- Identify any factors (e.g. new development) that may have increased the community's vulnerability.
- Review social vulnerability factors.

POLL #1

Timeframe for development & Plan Format

Timeframe:

The planning process generally occurs over the course of 14-18 months from start to finish.

The Sherburne County Plan is expected to be completed in **2026**.

Format:

- PDF document (paper version)
- Interactive website companion
- Developed and hosted by U-Spatial at UMD



Each HMP website will be customized with the county's logo & social media

Hazard Prioritization

REVIEW OF THE HAZARD RISK PRIORITIES FOR SHERBURNE COUNTY

Sherburne County Past Prioritization of Hazards

This is at a county level

HAZARD	Sherburne 2020
Flooding	High
Winter Storms	High
Windstorms	High (grouped)
Tornadoes	
Hail	
Lightning	
Extreme Cold	Moderate
Extreme Heat	Moderate
Drought	Moderate
Wildfire	Moderate
Erosion/Landslides	Moderate
Dam Failure	Low

Sherburne County 2026 Update of Hazard Prioritization

Considerations:

- Increase/Decrease of events
- Local vulnerabilities (impacts)
- New development/population growth

POLL #2

HAZARD	Sherburne County 2026
Flooding	
Winter Storms	
Windstorms	
Tornadoes	
Hail	
Lightning	
Extreme Cold	
Extreme Heat	
Drought	
Wildfire	
Landslides	
Coastal Erosion	
Land Subsidence	
Dam/Levee Failure	

Comments or Questions?

Overview of Mitigation Actions & FEMA grants

DEVELOPMENT OF MITIGATION ACTIONS AND ACTIVITIES ELIGIBLE FOR FEMA HAZARD MITIGATION ASSISTANCE GRANT FUNDING

Mitigation Action Charts



MACs reflect each jurisdiction's plan of action to reduce the impacts of future natural hazard events. They are based on the information gathered from each community during the planning process.

- **Must** address hazards of moderate to high priority.
- **Must** address identified local vulnerabilities.
- **Must** identify priority, status, timeframe, responsibility, how incorporation/implementation will occur, and possible funding.
  - ★ Eligible FEMA HMA grant activities **must** be identified in the risk assessment and plan of action.

City of Hilltop — Mitigation Action Chart

#	Hazard	Mitigation Strategy	Mitigation Action	Status Priority Timeframe	Responsibility	Comments on Implementation & Integration	Possible Funding
7	Severe Summer Storms	Mitigation Preparedness & Response Support	Ensure that the city's outdoor warning siren is maintained and functioning.	Existing High 2026-2031	City EM	We test our outdoor warning siren monthly in coordination with the Anoka County Sheriff's Office. The siren is maintained on a regular basis.	Internal: City Gen. Operating Budget
8	Severe Summer Storms	Local Planning & Regulations / Structure & Infrastructure Projects	Continue to apply for external funding to construct the city's new Storm Shelter.	Ehs High 2026-2031	City Admin / City EM	Fulfilling the city's tornado safe room project is our #1 priority. Extensive additional funding must be secured, which has been extremely difficult. The city has been working to advance our plans to build a new storm shelter in the basement of City Hall. The new 6000-foot building will triple the storm shelter capacity of the existing City Hall building.	Internal: City CIP Budget External: FEMA HMGP safe room grant
9	Severe Summer Storms	Education & Awareness Programs	Encourage residents to be aware of severe windstorms and tornado weather, to understand warning siren alerts, and to be aware of the city's existing storm shelter.	Existing High 2026-2031	City Admin / City EM	The city actively shares information on our city website for tornado awareness and preparedness. The basement of City Hall is the designated shelter for mobile home park and city residents. The shelter is only open when a tornado warning has been issued and sirens have been activated.	Internal: City Gen. Operating Budget
10	Severe Summer Storms	Local Planning & Regulations / Structure & Infrastructure Projects	Work directly with the Mobile Home Park owners to share information with residents on severe weather safety.	Existing High 2026-2031	City Admin / City EM in coordination with MHPs	There are 3 mobile home parks in the city of Hilltop. The city does outreach to the MHP's directly to communicate on awareness and sheltering plans. 2 out of 3 MHP's have their own newsletter – we will work to share information that can be included in those newsletters regarding tornado weather and safety.	Internal: City Gen. Operating Budget

FEMA Mitigation Grant Funding

FEMA's hazard mitigation assistance provides funding for eligible long-term solutions that reduce the impact of future disasters.

- All applicants **must** be covered by an approved HMP and have formally adopted the plan.
- Projects **must** be addressed in the risk assessment and be identified in the plan of action.

Examples of eligible grant activities:

- Property Acquisition
- Tornado Safe Rooms
- Bury Overhead Powerlines
- Wildfire Mitigation
- Soil Stabilization
- Flood Risk Reduction
- Green Infrastructure
- Other projects may be eligible (e.g. tornado warning sirens, generators for critical facilities)

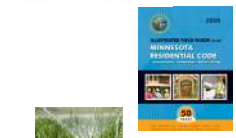
Overview of Mitigation Strategies

THE FOLLOWING STRATEGIES ARE RECOMMENDED GUIDANCE IN THE DEVELOPMENT OF LOCAL MITIGATION ACTIONS

Strategy #1 - Local Planning & Regulations

Examples:

- Enforcement of ordinances that reduce impacts of high rain events
- Development of stormwater plans and transportation improvement plans
- Coordination with watershed districts on local flood mitigation
- Enforcement of state or local regulations for new development.
- Establishing watering restrictions during periods of extreme drought





Strategy #2 - Structure & Infrastructure Projects









Examples:

- Installation of new outdoor warning sirens
- Safe Room Construction
  - MHPs, schools, campgrounds, etc.
- Utility retrofit projects (e.g. burying power lines)
  - Municipal & Rural Electric Cooperatives
- Property buyouts for flooding
- Minor Localized Flood Risk Reduction Projects (e.g. stormwater management, upsizing culverts)

Strategy #3 - Natural Systems Protection







Examples:

- Vegetation management along roads to reduce the risk of downed trees and branches resulting from heavy snow, ice, or high winds.
- Planting Living Snow Fences to reduce snow drifting
- Installing Rain Gardens to reduce impacts of high rain events
- Creation of defensible space for wildfire

Strategy #4 - Education & Awareness Programs











Examples:

- Promoting sign-up for the county's emergency notification system.
- Participation in the NWS Severe Weather Awareness Weeks and Skywarn Storm Spotter Training
- Extreme Cold Preparedness
- Sharing information via websites & social media, community bulletin boards, local newspapers, public meetings, or other in-person events.

Strategy #5 - Mitigation Preparedness & Response Support







Examples:

- Obtaining generators for backup power
- Update of county EOP
- Local Shelter planning
- Planning assistance to schools and LTC Facilities for vulnerable populations
- Testing of outdoor warning sirens.
- Participation in regional EM planning, training, and exercising

Comments or Questions?

Do you have any ideas for specific mitigation activities for implementation?

PRESENTER: BONNIE HUNDRIESER

Following Meeting #1

Local Mitigation Survey (LMS) Form

Representatives from Sherburne County and each city jurisdiction will participate in filling out an online "LMS" form. The form is used to collect local information that is required for the plan update. Additional stakeholders may also be requested to participate.

The LMS form is a critical part of the plan update.

PRESENTER: BONNIE HUNDRIESER

Questions?

What questions do you have for U-Spatial@UMD about development of the HMP or next steps?

PRESENTER : STACEY STARK

Upcoming HMP Webinars

https://z.umn.edu/hmp-events

Tomorrow! April 3, 12:00 pm

Weather and Wildfire: the Changing Risks in Minnesota

Sam Porter, University of Minnesota Climate Adaptation Partnership

April 17, 12:00 pm

Planning for Heat: Minnesota Tools and Resources

Hannah Siegel, Minnesota Department of Health and Ian Cummings, U-Spatial

May 1, 12:00 pm

Hazard Mitigation Funding: Intro to DNR and FEMA Resources

Matt Bauman, MN DNR, and Jenna Clark and Doug Leung, MN Homeland Security and Emergency Management.

PRESENTER : JANE LINDELOF

Contact Information

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U-SPATIAL
UNIVERSITY OF MINNESOTA

PRESENTER : STACEY STARK

SHERBURNE
COUNTY

Loraine Rupp
Auditor-Treasurer
Sherburne County Government Center
13880 Business Center Drive NW Suite 100
Elk River, MN 55330-1692
auditor@co.sherburne.mn.us
(763) 765-4351

March 19, 2026

To: Township Clerks

Re: Resolution No. 031726-AD-3278 - Gopher Bounty effective for 2026

Dear Township Clerks,

On March 17th, 2026 the Sherburne County Board of Commissioners voted to reimburse the Townships $1.00 (one dollar) per ground squirrel and gopher destroyed in the calendar year for 2026. Pursuant to Minnesota Statute 348.13.

All requests for the 2026 bounties must be presented to the County Auditor **no later than March 1, 2027**. No 2026 bounties shall be paid for any bounties presented to the Auditor's office after March 1, 2027.

Enclosed with this notice is a copy of the passed Resolution No. 031726-AD-3278, please keep with your files for further reference.

If you have any questions, please feel free to contact my office.

Sincerely,

Loraine Rupp

Loraine Rupp
Sherburne County Auditor-Treasurer

BOARD OF COUNTY COMMISSIONERS

Sherburne County, Minnesota

Date: March 17 -2026 Resolution No. 031726-AD-3278

WHEREAS, Sherburne County Board of Commissioners has the authority to offer bounties for the destruction of gopher and ground squirrels, pursuant to Minnesota Statute Section 348.12;

WHEREAS, Sherburne County Board of Commissioners has authorized such bounties in previous years:

NOW, THEREFORE, BE IT RESOLVED, the County Board of Commissioners of the County of Sherburne approves the following:

1. The Sherburne County Auditor/Treasurer shall pay $1.00 (one dollar) per ground squirrel and gopher that is properly presented to a Sherburne County Township, pursuant to Minnesota Statue 348.13, for bounties for gophers and ground squirrels destroyed in the calendar year 2026. The bounties shall only be paid directly to the Township.

2. Any request for 2026 bounties must be presented to the County Auditor not later than March 1, 2027. No 2026 bounties shall be paid for any bounties presented to the County Auditor after March 1, 2027.

On March 17, 2026, Commissioner Hulse moved the adoption of the above resolution: Commissioner Schumacher seconded the motion to adopt said resolution, and thereupon the same was put to a vote with the following result:

	Aye	Naye
Commissioner Hulse	✓	
Commissioner Felber	✓	
Commissioner Schumacher	✓	
Commissioner Danielowski	✓	
Commissioner Gray	✓	

ATTEST:

Raeanne Danielowski
Raeanne Danielowski
Chairperson

Bruce Messelt DAN Weber
Acat County Administrator (Seal)

SHERBURNE COUNTY ADMINISTRATOR OFFICIAL SEAL

Haven Township
Where City, Country
& County Meet

Haven Township Website: Haventwp.org

Haven Township News

Volume 1, Issue 1

April, 2026

Did You Know…
Sudden Cardiac Arrest (SCA)
Kills 1,000 people per day or one person every 2 minutes...
See inside how we can help to
Save a Life...



Monthly Meetings

The Monthly Meetings are held at the Haven Township Hall on the 3rd Monday of the Month at 7:00 p.m. January & February are the 3rd Tuesday, due to Holidays. Any Person wishing to be placed on the agenda should contact the Clerk ahead of time.

Gopher Bounty

If you have any gopher feet (front feet) you need to be paid for, please bring them to a monthly meeting at 6:45 p.m. We will get your name and address and mail you out a check. Questions? Contact the Clerk



HAVEN DIRECTORY

To Connect with any Haven Township Representative
Supervisor / Clerk / Treasurer
Contact by Telephone
Call: (320) 743-3717

Haventwp.org
Stay Connected
Go to the Site & Sign-Up to Receive Notifications on What is Happening Within Haven Township

Supervisor Committee Assignments

Zoning
Kari Watkins/Eric Meyer
Mining/Mining Restoration Plan
Sherburne County Planning Commission
Wild & Scenic River
33rd Street Bridge Updates (APO)
Haven Township Planning Commission

Budget
Randy Linn/Joseph Sexton/Treasurer
Audit, Budget & Accounting
Franchise Agreements
Bonding
Banking Accounts
Fiber Pipe
Treasurer Compliance
Expensive Reports
Income from Taxes
Sauk Rapids Fire Service Contracts & Billing

Agriculture
Joseph Then/Joseph Sexton
Sherburne County Soil & Water
Haven Township Weed Inspector
Haven Township Annual Clean-Up Day
St. Cloud Regional Airport Updates

All Board Supervisors
Sherburne County Association of Townships
Haven Township Zoning Board of Adjustments
Haven Township Animal Control Warden
Haven Township Zoning/Platting Administration

Technology
Kari Watkins/Eric Meyer/Clerk
Website/Virtual
Community Outreach
Records Retention
E-File Storage
Safety Director
Township Association Training

Transportation
Joseph Then/Eric Meyer
Area Planning Organization
Haven Township Roads
Fiber Plan
Right-of-Way / Driveway Permits
Highway 10 TAC Planning
Contractor Supervisor

Supervisor Eric Meyer (Chairperson)
supervisormeyer@haventwp.org
Supervisor Randy Linn (Vice Chairperson)
supervisorlinn@haventwp.org
Supervisor Joseph Then
supervisorthen@haventwp.org
Supervisor Joseph Sexton
supervisorsexton@haventwp.org
Supervisor Kari Watkins
supervisorwatkins@haventwp.org
Treasurer Viki Monroe
treasurer@haventwp.org
Clerk Tammy Schefers
clerk@haventwp.org

Need a New Mailbox Post

Purchase a Break-away Post for your mailbox. There is an installation fee. A Mailbox is not included. Contact the Clerk's Office if interested. Please be informed that if your mailbox is damaged, Haven Township is not liable for replacement or repair.

Township Dogs & Domestic Animals

This is a friendly reminder that although you live in a rural area, Haven Township does have a dog and domestic animal ordinance. The ordinance expressly prohibits dogs from running at large and barking uncontrolled. If you would like a copy of the ordinance, it is located on the Haven Township website: **Haventwp.org**



Automated External Defibrillator (AED) Outdoor Smart Cabinet



The Township currently has 10 AED Smart Cabinets located throughout the Township. The current locations are: Haven Township Hall; Sherwood Shores East; Sherwood West; River Haven; Haven Road; Valley View Addition; Deer Haven and 3 in Prairie Woods Addition.



MINNESOTA POLLUTION CONTROL AGENCY



MINNESOTA POLLUTION CONTROL AGENCY



FREE Nitrate Water Testing

How many Nitrates are in your Drinking Water?
Take a Sample to Find Out...
All you need to do is run cold tap water for 1 minute then collect 1 cup in a plastic bag or glass jar and bring it to Haven Township Hall for it to be tested. Testing will be available for Haven Residents on Clean-Up Day
Saturday, May 2nd from 8:00 a.m.—Noon
On-Site Results are Available



Provided by Sherburne Soil & Water Conservation District

Nursery Plastic Recycling

Sherburne County Master Gardeners will accept nursery plastic for recycling at our Township Clean-Up Day.
They can only accept the plastic pots, trays and baskets.
Dirt, rocks and metal **must** be removed from these items. They **can not** accept household plastics or the small 4-6-8 packs.
Thank-You for Recycling!



Collecting Bikes: This Year Haven Township will be collecting any bikes and donating them to **Bikes 4 Kids** where they refurbish the bikes for children and people in need.



Township Burning



Let's Keep Our Township Happy & Safe!

All open burning requires a burning permit. The permits are issued for burning after 6 p.m. and all fires must be put out by 8:00 a.m. the following morning. Also, please contact the **Sauk Rapids Fire Department thru Benton County Dispatch at (320-968-7201) before you light your fire,** to let them know about your plans to burn. This will prevent the Fire Department from coming out if your neighbor or anyone reports seeing smoke!

Note: If your fire gets out of control without a permit, the charge for the fire call will become the property owners responsibility.

Department of Natural Resources (DNR): For a small fee you may get a burning permit on-line through the DNR website: ***www.dnr.state.mn.us/firewise***

Haven Township Annual Clean-Up Day

Please DO NOT Drop-Off Items Prior

No Item Exchanging on Township Property

If needed—There will be Workers to Help Unload Your Items
The Township Needs to Keep a Tally of All Items that are Collected; If Possible, Please Make a List with Your Name, Address & All Items You Brought– This will Help the Check-In Go Faster

Collection Site:
Haven Township Hall
4230 45th Avenue SE
St. Cloud, MN 56304

When: Saturday, May 2, 2026
Time: 8:00 a.m.—12:00 p.m.

Help Keep the Township Ditches Clean! Please Put Trash in its Proper Spot. Thank-You for Caring About Haven Township!

ACCEPTABLE ITEMS

Tires: Car/Light Truck: 4 FREE—Additional $5.00 each—$10.00 each on rims
Tractor/Large Truck: 1 FREE—Additional $15.00 each
NO Tractor/Large Truck Tires on Rims or NO Extra Large Tires



Large Appliances: Ranges; Refrigerators; Washer/Dryers; Water Heaters; Air Conditioners; Microwaves; etc…
(Must Be Cleaned Out): 1 FREE—Additional $20.00 each



Furniture; Carpet; Box Spring; Sofas; Chairs; Mattresses:
1 FREE—Additional $ 15.00 each



Electronics: Televisions; Computer; Computer Monitors; Computer Towers; Computer Mouse & Keyboards; Computer Printers; Audio & Video Equipment; Telephones; Answering Machines; Cellular Phones; Cordless Rechargeable Equipment; Small Appliances: Hand Mixers; Can Openers; Anything with a Circuit Board in it, that is an Electronic: 1 FREE—Additional $10.00 each



FREE: Car Batteries; Grills; Wagons; Bikes; Any Scrap Metal
-Please Separate Metal From Other Materials–



FREE: Mowers & Tillers
Must be drained of ALL Fluids & Fuel $10.00 Charge if not (per item)



—— NOT ACCEPTABLE ITEMS ——

Household Garbage — Building Materials — Gas Refrigerators
Hazardous Wastes — Paints / Chemicals — Solvents
Call Solid Waste Office at 1-800-438-0578 for the above Items
No Concrete — No General Garbage — No Propane Tanks
No RV / Gas Refrigerators: Contact Sherburne County Zoning
Additional Charges May Be Imposed for Items Not Listed



NO



NO



NO



MINNESOTA POLLUTION CONTROL AGENCY

Haven Township Clerk
P.O. Box 339
St. Cloud, MN 56302-0339

Haven Township
Where City, Country & County Meet

Website:
http://haventwp.org

Make a List of Items Brought to Clean-Up Day

- NO ITEM EXCHANGING ON TOWNSHIP PROPERTY -

Protect Your Privilege to Ride!

ATV's are powerful motorized vehicles. Be sure that you know the rules and regulations for their use.



- You may not drive an ATV with-in the right-of-way (ditch) of a state, county or township road from April 1st—Aug 1st in agricultural or residential zones.
- Numbers and decals must be displayed, so they are easily visible.
- You may not operate an off-highway vehicle in a careless, reckless, or negligent manner that endangers the rider, another person or property.
- You may not enter or leave lands by cutting wire or tearing down fences.

Clean-Up Day; To Help Check-In Go Faster; Please Bring Your Name, Address and a List of Items You are Recycling
The Township Keeps a Tally of What is Being Recycled
There will be Workers to Guide You
More Details… See Inside Newsletter

Please Help Control the "Noxious Weeds" in Haven Township

Did you know that there are about 48 plant species regulated as noxious weeds in Minnesota?

For full details on the Noxious Weed List from the state of Minnesota please check out this site:

http://www.mda.state.mn.us/weedcontrol





SHERBURNE COUNTY

Planning & Zoning Administration

Sherburne County Government Center
13880 Business Center Drive
Suite 100
Elk River, MN 55330-4668
zoning@co.sherburne.mn.us
(763) 765-4450
1-800-438-0578

NOTICE OF PUBLIC HEARING

The Sherburne County Board of Adjustment will hold a Board of Adjustment Meeting at **6:00 P.M.** on **April 9, 2026** at the Sherburne County Government Center, 13880 Business Center Drive, Elk River, Minnesota to consider the following applications. A hearing will not begin before the time set.

PAUL ZASTROW: Requesting a variance to the Shoreland Ordinance Section 14, Subdivision 8.42A which states "Impervious surfaces of lots must not exceed 25 percent of the lot area". Address: 7041 41st Ave SE, Clear Lake, Mn Legal: Scenic View Lot 16 Sec 4, Twp 34, Rge 30 .42 Acres Clear Lake Township Agricultural District and within the Recreational Development Lakeshore District of Long Lake.

PAUL ZASTROW: Requesting a 39' variance in setback from the OHWL of Long Lake to construct a roof over an existing deck. Required setback from a Recreational Development Lake is 100'. Address: 7041 41st Ave SE, Clear Lake, Mn Legal: Scenic View Lot 16 Sec 4, Twp 34, Rge 30 .42 Acres Clear Lake Township Agricultural District and within the Recreational Development Lakeshore District of Long Lake.

PAUL ZASTROW: Requesting a 30' variance in setback from the right of way of 41st Ave SE to construct a roof over an existing deck. Required setback from the right of way is 67'. Address: 7041 41st Ave SE, Clear Lake, Mn Legal: Scenic View Lot 16 Sec 4, Twp 34, Rge 30 .42 Acres Clear Lake Township Agricultural District and within the Recreational Development Lakeshore District of Long Lake.

CRAIG SCHOENBERG: (Property Owner: Joseph & Jasmine Latterell)
Requesting a 3.1' variance in setback from the side property line to construct an addition on existing house. Required setback from the side property line is 10'. Address: 5750 16th Ave SE, St Cloud, Mn Legal: River Haven Lot 3, Block 1 Sec 31, Twp 35, Rge 30 .62 Acres Haven Township Scenic River District and within the Scenic River District of the Mississippi River.

CRAIG SCHOENBERG: (Property Owner: Joseph & Jasmine Latterell)
Requesting an 83' variance in setback from the OHWL of the Mississippi River to construct an addition on existing house. Required setback from the OHWL of a Scenic River is 150'. Address: 5750 16th Ave SE, St Cloud, Mn Legal: River Haven Lot 3, Block 1 Sec 31, Twp 35, Rge 30 .62 Acres Haven Township Scenic River District and within the Scenic River District of the Mississippi River.

HAUS CONSTRUCTION, INC (Jeff Haus): (Property Owner: James & Ann Mazzuca) Requesting a 60' variance in setback from the OHWL of Unnamed Lake #71-148 for an addition to an existing nonconforming structure. Required setback from the OHWL of a Natural Environment Lake is 150'. Address: 7604 70th Ave SE, Clear Lake, Mn Legal: E 694' of S ½ of S ½ of SW ¼ . . . (full legal on file) Sec 1, Twp 34, Rge 30 10 Acres Clear Lake Township Agricultural District and within the Natural Environment Lakeshore District of Unnamed Lake #71-148.

Board Member Roger Johnson will be attending the meeting remotely.

Members of the public who would like to attend the meeting remotely can contact the Planning & Zoning Office or by scanning the QR code shown below.	The application may be viewed at https://www.co.sherburne.mn.us/364/Board-of-Adjustment or by scanning the QR code shown below. Public Hearing items will be available one week prior to the meeting.

The above hearings are open to you and any interested person, in opposition to or support of the request. The hearing of this request is not limited to those receiving copies of this notice, and if you know of any neighbor or affected property owner who for any reason has not received a copy, it would be appreciated if you would inform them of this hearing. Lynn Waytashek, Planning & Zoning Administrator

SP 7103-66 Hwy 10 Prelim Design

TAC Meeting

Meeting Details

Date	04/07/2026 10:00 AM
Attendee List	**MnDOT** Tom Cruikshank Thomas.Cruikshank@state.mn.us Russell Fellbaum russell.fellbaum@state.mn.us Zach Whitley zachary.whitley@state.mn.us Stephanie Castellanos Stephanie.Castellanos@state.mn.us **Local Agency** Matt Glaesman Matt.Glaesman@ci.stcloud.mn.us Zachary Borgerding Zachary.Borgerding@ci.stcloud.mn.us Brian Gibson gibson@stcloudapo.org Andrew Witter Andrew.Witter@co.sherburne.mn.us David Roedel David.Roedel@co.sherburne.mn.us Joe Then thenj1@msn.com **Consultant** Chad Erickson cerickson@gsambatek.com Cari Hoverson Cari.Hoverson@kljeng.com Tom Nixon tom.nixon@kljeng.com Ryan Sundberg ryan.sundberg@kljeng.com Elishia Porter eporter@zanassoc.com Tessa Schuenke Tessa.schuenke@kljeng.com

Meeting Minutes

Note: see attached PowerPoint presentation.

1. **March TAC Feedback**
    a. Recommendation: Alt 3B - midway compact diamond with roundabouts
        i. Highest scoring
        ii. Impacts Juba Car property
    b. **Consultant to schedule meeting with Zach Whitley - clarify changes in screening/scoring.**
        i. Previous screening would not change recommendation.
    c. Pedestrian Bridge at 15th
        i. MnDOT does not identify a pedestrian bridge as a need right now. MnDOT focus is safety, mobility, access.
        ii. City wants this process to determine if a pedestrian bridge is warranted based on future developments (multi-family housing) and proximity to interchange based on preferred alternative location. Responsibility can be a future discussion.
        iii. Interchange design should not preclude incorporation of pedestrian bridge in the future. Pedestrian bridge could be a standalone project.

2. **5/13 City Council Workshop**
    a. Workshop scheduled for this project and corresponding study to the north.
    b. Intent is to provide project history, alternatives, and screening for consensus from agencies on preferred alternative.
    c. City and County staff will be in attendance, elected officials will not be in attendance.

d. Matt to coordinate special meeting with City Council 5/18, 4:00-6:00.
    i. Next public meeting would be scheduled 6-8 weeks after agreed upon recommendation.

3. U-Turn Truck Event

a. Chad to coordinate (end of April)
b. Recent MnDOT study showed no improvement to truck crashes with RCIs.
c. Interest from CO and geometrics.
d. Proposed dates have been sent to Knife River.
    i. Review left in, crossings, left out.
    ii. Potential locations: CR 65, CR 61, crossing at 32nd, inside left turn accel at Knife River facility
e. Operations and safety plans submitted to MnDOT staff and State Patrol. Comments received from Max Moreland (Office of Traffic Engineering).

4. Action Items

DATE INITIATED	RESPONSIBLE	ACTION ITEM	DATE CLOSED
2/3/2026	City of St. Cloud	Matt to provide planned future land use from comp plan to understand future pedestrian crossings at 15th.	
2/3/2026	Consultant	Review future land use from comp plan to understand future pedestrian crossings at 15th.	
4/7/2026	City of St. Cloud	Matt to coordinate special meeting with City Council 5/18, 4:00-6:00.	
4/7/2026	Consultant	Schedule meeting with Zach Whitley to discuss changes to screening/scoring.	

DEPARTMENT OF TRANSPORTATION

US 10 Corridor – St. Cloud Area

Preliminary Design Project

April 2026

Agenda

March TAC Recap

5/13 City Council Workshop Presentation

Truck U-Turn Assessment

March TAC Recap

Category	Metric	Performance Measure	No-Build	Alternatives			
				1A (15th Ave) Diamond Interchange with Roundabouts	2-1F (12th St) Modified Compact Diamond with Roundabouts	3B (Midway) Modified Compact Diamond with Roundabouts	3-2B (Midway) Buttonhook Interchange w/ Overpass
Vehicle Mobility	Intersection Performance	VISSIM- LOS	C	A	A	A	A
	Mainline Congestion	VISSIM – Spot Speed	41	48	50	52	56
	Subtotal (Average of Category / Max Subtotal)		1.5/3	2/3	2.5/3	2.5/3	3/3
Vehicle Safety	Conflict Points	Total Intersection Conflict Points (Effective Interchange Area)	34	18	12	12	72
	Intersection Performance	Average Crash Modification Factor (CMF) Across Network	1	0.89	0.72	0.78	0.70
	Subtotal (Average of Category / Max Subtotal)		1/3	1.5/3	2.5/3	2.5/3	1.5/3
Pedestrian Safety	Lanes Crossed per Stage	Average Number of Lanes Crossed per Crossing Stage	4	2	1	1	1
	Conflicting Speeds	Vehicle Speeds at Crossings (mph)	60	20	20	20	30
	Travel Indirection	Net Change in Pedestrian Travel Distance from Existing Crossing (mi)	0	0.02	1.12	0.81	0.00
	Subtotal (Average of Category / Max Subtotal)		1.67/3	2.67/3	2.33/3	2.67/3	2.67/3

Category	Metric	Performance Measure	No-Build	Alternatives			
				1A (15th Ave) Diamond Interchange with Roundabouts	2-1F (12th St) Modified Compact Diamond with Roundabouts	3B (Midway) Modified Compact Diamond with Roundabouts	3-2B (Midway) Buttonhook Interchange w/ Overpass
Additional Considerations	Maintenance Impacts	Additional Lane Miles	0	1.5	2.4	2.4	2.3
		Bridge Square Footage	0	8,000	15,700	15,700	13,900
		Retaining Wall Square Yards	0	2,900	0	0	2,900
	Regional Connectivity	Net Change in Distance to Access Regional Roadways (miles)	0	1.6	2.5	2.6	3.6
	Cost	Estimated Construction Cost Range ($)	0	$28,797,324.00	$22,153,848.00	$20,448,120.00	$34,986,120.00
	Subtotal (Average of Category / Max Subtotal)		**3/3**	**2.22/3**	**2.22/3**	**2.22/3**	**1/3**
Social, Economic, and Environmental (SEE)	Right of Way	Number of Accesses Modified	0	13	18	15	16
		Number of Structures Impacted	0	2	0	2	0
		Number of Parcels Impacted	0	13	18	18	18
	Farmland Impacts	Type of Farmland Impacted	No impacts	Farmland of Statewide Importance	Farmland of Statewide Importance	Farmland of Statewide Importance	Farmland of Statewide Importance
	Historic/Archaeological	Number of Potentially Impacted MnSHIP Resources	0	4	5	3	4
	Water Resources	Additional Impervious Surface (acres)	0	4.2	4.2	3.1	6.2
		Stormwater Treatment Pond (acre-feet)	0	0.4	0.4	0.3	0.6
	Subtotal (Average of Category / Max Subtotal)		**3/3**	**2/3**	**1.67/3**	**1.92/3**	**1.67/3**
Total	**Total Score**		**10.17**	**10.39**	**11.22**	**11.81**	**9.83**

March TAC Recap

- Close Scoring
  - Similar benefits, similar impacts, similar broad cost and impact ranges
  - FHWA/TPDP preferred 3-point scoring keeps similar projects in similar scores
- 3B – Midway Compact Diamond with Roundabouts
  - Highest Score for Addressing Needs
  - Higher than 2-1F - 12th St only due to closer proximity to existing crossing
  - Lower than 1A – 15th Ave in SEE impacts
  - ROW impacts included – but cost not factored (taking of Holiday with major Sysco and Storage Link impacts vs taking of Juba Car vs taking of Park and Ride)

City Council Workshop

- Scheduled 5/13
- Using March TAC presentation as a baseline
- Attendees?
  - Staff?
  - Elected?

Truck U Turn Assessment

- Coordinating with Knife River
  - Monday 4/20
  - Friday 4/24 (not ideal due to increased traffic)
  - Monday 5/4
  - Monday 5/11
  - Friday 5/15 (not ideal due to increased traffic)
  - Friday 5/29 (not ideal due to increased traffic)
- Draft Methodology and Safety Plan
  - Haven Township Hall

Questions



ROARING FORWARD REFERENDUM

OPEN HOUSE

Hear About the May 12 Special Election

Stop by an open house to learn about the upcoming May 12, 2026 Special Election for ISD 477. District leaders along with construction, architectural, and financial experts will be on hand to answer your questions.

You're Invited

Tuesday, April 14, 2026
7:00-9:00 P.M.

Baldwin City Hall
30239 128th Street NW

The evening will start with an open house format, followed by a presentation and Q&A at 8:00.



MORE INFO:

763-389-7257

www.isd477.org/referendum

election@isd477.org

Planning and Zoning Administration
Sherburne County Government Center
13880 Business Center Drive, Suite 100
Elk River, MN 55330-4668
zoning@co.sherburne.mn.us
(763) 765-4450

April 1, 2026

Erik Brandt
3112 54th Ave SE
St Cloud, MN 56304

Sent by email to: ebrandt711@hotmail.com

Re: Variance request on PID #25-00015-1410

Dear Erik Brandt,

This letter is regarding the 66 foot variance at 3112 54th Ave SE in Haven Township to construct a 64' x 40' accessory building with a 10 foot lean-to 34 feet from the road centerline. The required setback to the road centerline for a township road in the Agricultural District is 100 feet.

At this time your variance application is incomplete. In order for the application to be deemed complete, the Zoning Department requires the following:

1. Township comments from the Haven Town Board are needed. Please contact Tammy Schefers, the Haven Township Clerk, at 320-743-3717 and clerk@haventwp.org to be placed on their next agenda for comments. I will forward this letter and all information submitted to the Town Board.
2. Additional changes or information may be required once the Zoning Office has received comments from other offices/organizations.

To discuss the items needed to move your application forward please contact me at 763-765-4462 or by email at kailee.vik@co.sherburne.mn.us

Once the required information has been submitted for your project you can be scheduled for the next available public hearing with the County Board of Adjustment. Please be aware it is up to you to show the Board of Adjustment the practical difficulty in requesting this variance. For your information, I have enclosed a copy of the eleven questions used by the Board to determine if an applicant has established a practical difficulty. *Note that the final decision on these variances will be made by the seven members of Board of Adjustment*. Sherburne County reserves the right to postpone this hearing, pursuant to the provisions of MN Statute Section 15.99.

Please Note:

1. Board of Adjustment members may stop at the property prior to the meeting to inspect current property conditions and the proposal. ***Please stake or otherwise identify the proposal so that the Board of Adjustment members can clearly locate it when on site.***
2. Incomplete applications shall be considered denied one (1) year from the date of the application if the proposal has not obtained the required approvals. The Zoning Administrator may grant one 6-month extension if the Zoning Administrator determines that continuous progress has been made to keep the application moving toward approval.
3. Should the variance be approved, you will need to obtain a building permit to construct the accessory building.

Sincerely,



Kailee Vik
Sherburne County Planner

Cc:

City of at St Cloud
Sherburne County SWCD
Sherburne County Public Works
Sherburne County Attorney's Office

Site Photos



Looking north at the proposed building location.



Looking northwest at the proposed building location.

In Accordance with Sherburne County Zoning Ordinance Section 18 Subdivision 3.7 Variances shall only be permitted if all the following criteria are met:

1. Granting the variance will not be in conflict with the comprehensive plan.

2. Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same district, and result from lot size or shape, topography, or other circumstances over which the owners of property since enactment of the relevant Ordinance have had no control.

3. The literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance.

4. The exceptional or extraordinary circumstances do not result from the actions of the current or previous owner(s) under the current Ordinance or State law.

5. The variance requested is the minimum variance which would alleviate the practical difficulty.

6. The variance, if granted, will not alter the essential character of the locality and there would be no significant effect on the surrounding properties.

7. Adequate sewage treatment systems can be provided if the variance is granted.

8. Granting the variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because the driveway is inadequate length or width.

9. If a shoreland variance, it will not be a greater height or lesser shoreline setback than what is typical for the area immediately surrounding the development site.

10. The variance will not increase loss of sunlight, views or privacy of the neighboring properties of the residence were built according to the applicable regulation and height of structure.

11. Economic considerations or circumstances shall not be considered so long as a reasonable use of the property exists under the terms of the Ordinance.

Brandt - Variance



N

0 25 50 75 100 Meters

0 125 250 375 Feet

TOWNSHIP COMMENT FORM

Sherburne County Planning & Zoning Department
13880 Business Center Drive NW, Suite 100
Elk River, MN 55330

Date Paid: //
Receipt No:
Permit No: 26-344

763-765-4450 Fax: 763-765-4467
zoning@co.sherburne.mn.us

APPLICATION IS HEREBY MADE FOR: Variance

APPLICANT:
Erik Brandt
3112 54th Ave SE
Saint Cloud, MN 56304
OWNER: BRANDT, ERIK
3112 54TH AVE SE
SAINT CLOUD MN 56304

PHONE: 612-597-4906
E-MAIL: ebrandt711@hotmail.com

OTHER CONTACTS:

SHERBURNE COUNTY, MINNESOTA

PID: 25-00015-1410
PLAT NAME:
LEGAL:
THAT PART OF SE 1-4 OF NE 1-4 DESC AS FOLL:

OTHER PARCELS:
DEEDED ACRES: 5.0

TOWNSHIP NAME: HAVEN
SECTION: 15
TOWNSHIP: 35
RANGE: 30
OVERLAY ZONING DISTRICT:
ZONING DISTRICT: Agricultural

PROPERTY ADDRESS: 3112 54TH AVE SE
SAINT CLOUD MN 56304

SHORELAND:
NON-RIPARIAN:

MISCELLANEOUS NOTES:

EXPLANATION OF REQUEST:
Requesting a 66 foot variance to the road centerline of 54th Ave SE to construct an accessory building. The required setback to the road centerline for a township road in the Agricultural District is 100 feet.

TOWNSHIP COMMENTS:

_____

_____

_____

_____

_____

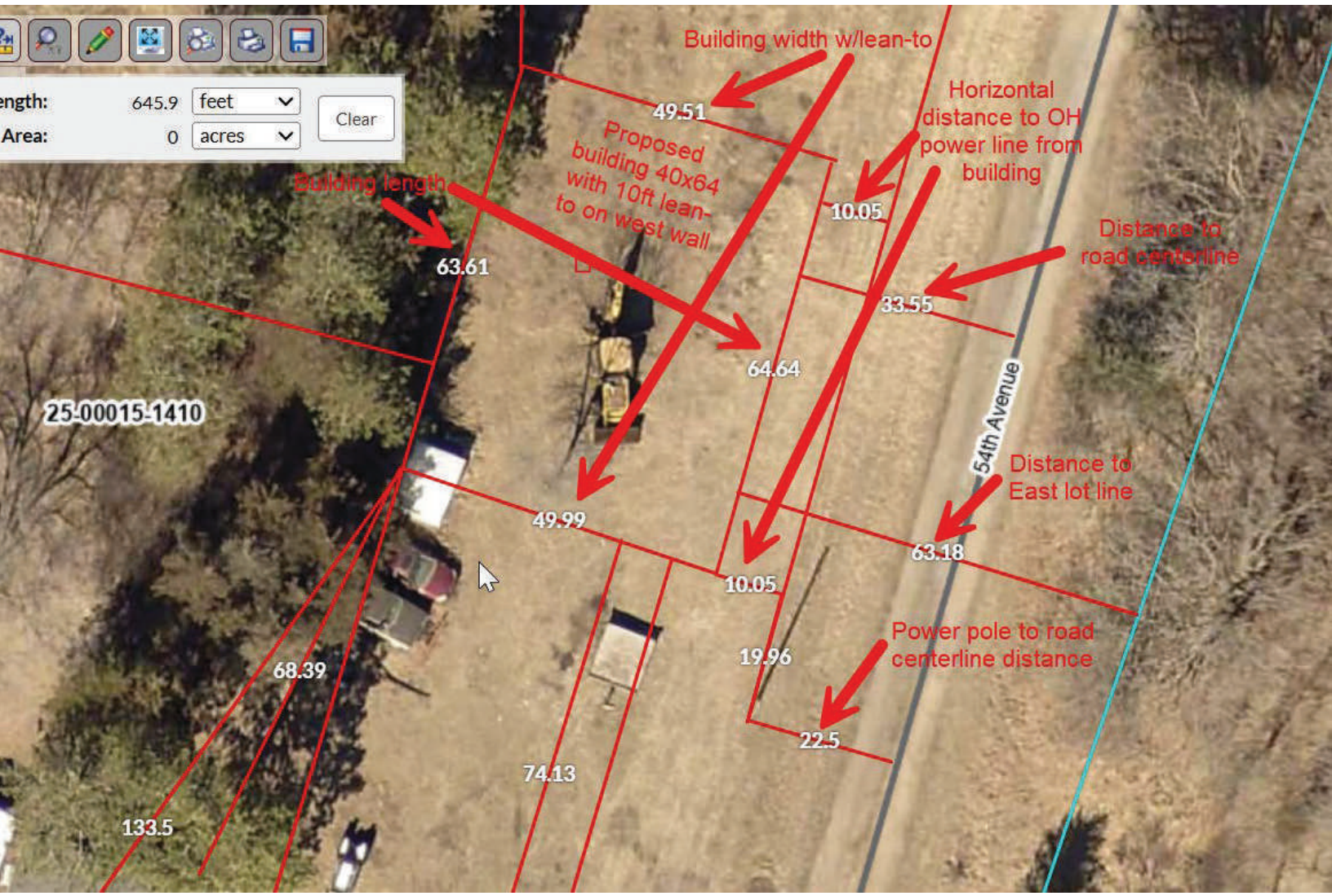
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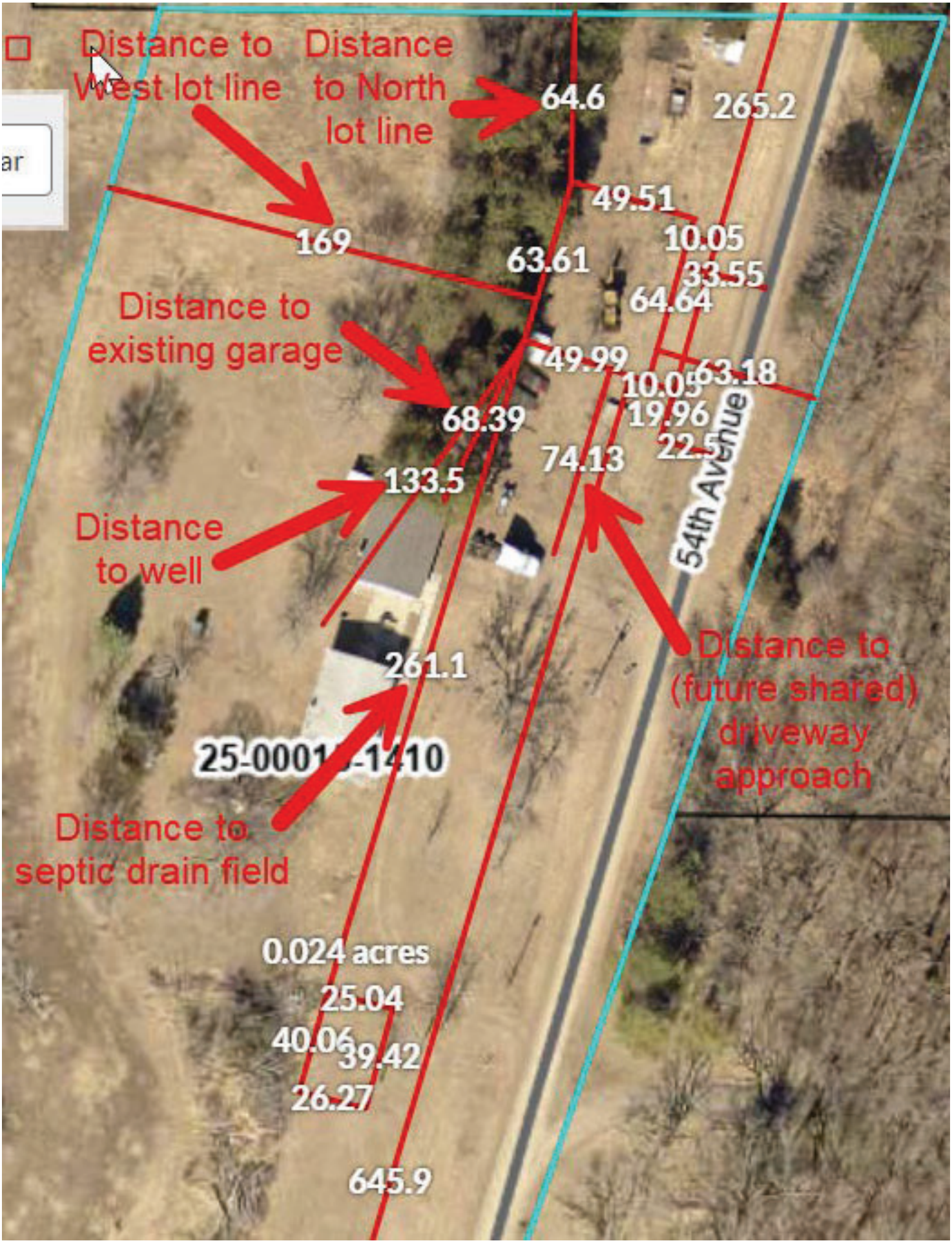
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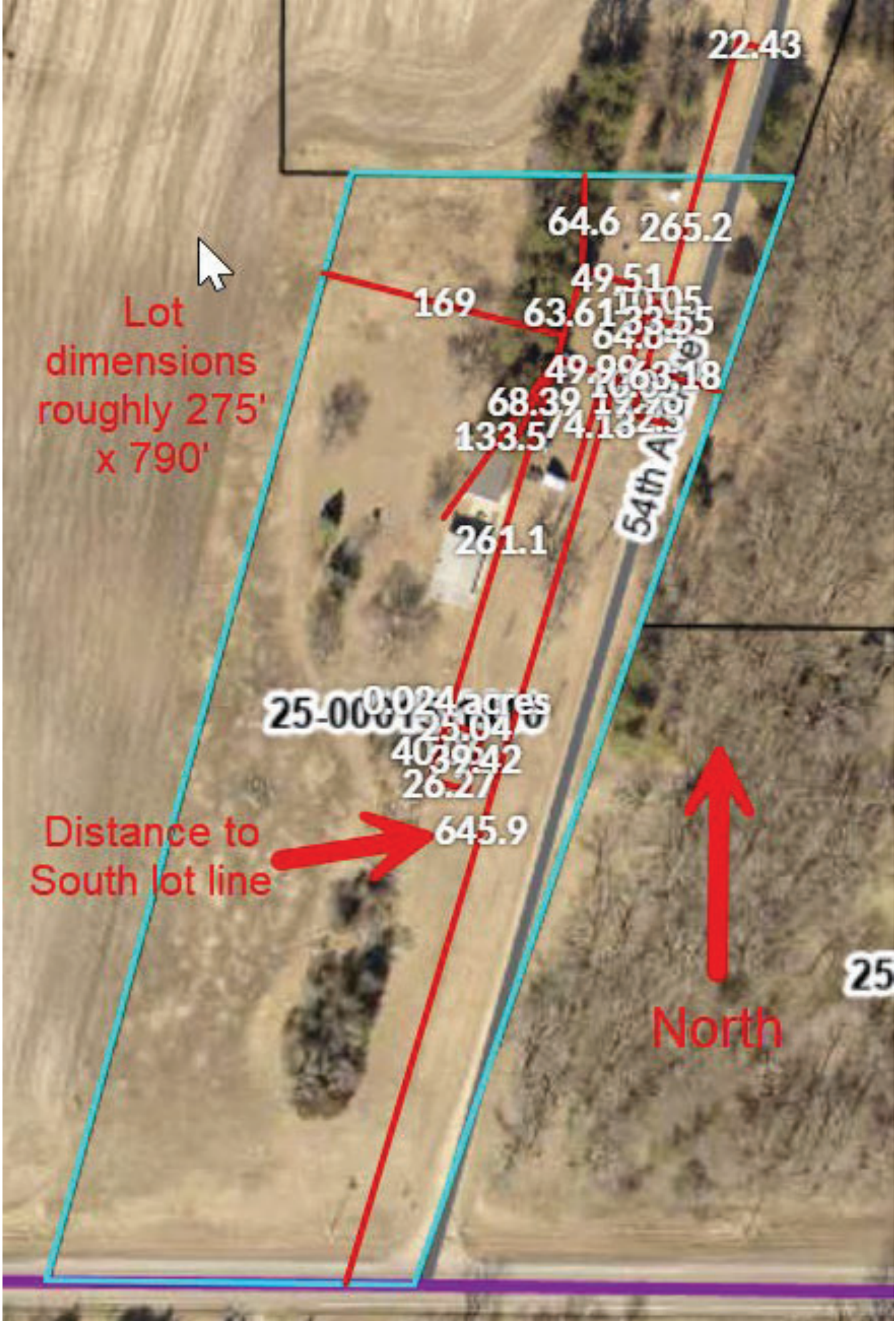
_____

APPLICATION IS: **APPROVED:** ☐ **DENIED:** ☐ **OTHER:** _____

SIGNATURE OF TOWN BOARD: _____ **DATE:** _____


ength: 645.9 feet
Area: 0 acres
Clear
Building width w/lean-to
49.51
Horizontal distance to OH power line from building
Proposed building 40x64 with 10ft lean-to on west wall
Building length
63.61
10.05
Distance to road centerline
33.55
64.64
25-00015-1410
54th Avenue
Distance to East lot line
49.99
63.18
10.05
Power pole to road centerline distance
19.96
68.39
22.5
74.13
133.5


Distance to West lot line
Distance to North lot line
64.6
265.2
49.51
169
10.05
63.61
33.55
64.64
Distance to existing garage
49.99
63.18
10.05
19.96
68.39
22.5
74.13
133.5
54th Avenue
Distance to well
Distance to (future shared) driveway approach
261.1
25-0001
1410
Distance to septic drain field
0.024 acres
25.04
40.06
39.42
26.27
645.9


22.43
64.6
265.2
49.51
169
63.61
64.84
49.99
68.39
133.5
261.1
54th Ave
0.024 acres
25.04
40.42
26.27
645.9
Lot dimensions roughly 275' x 790'
Distance to South lot line
North
25

Date: 03/22/2026 - 8:24 PM
Design Name: Post Frame Final 4/12 64x40
Design ID: 301553444308

Estimated price: $53,129.63*

*Today's estimated price, future pricing may go up or down. Tax, labor, and delivery not included.

MENARDS
Design & Buy™
POST FRAME

How to recall and purchase a saved design at home

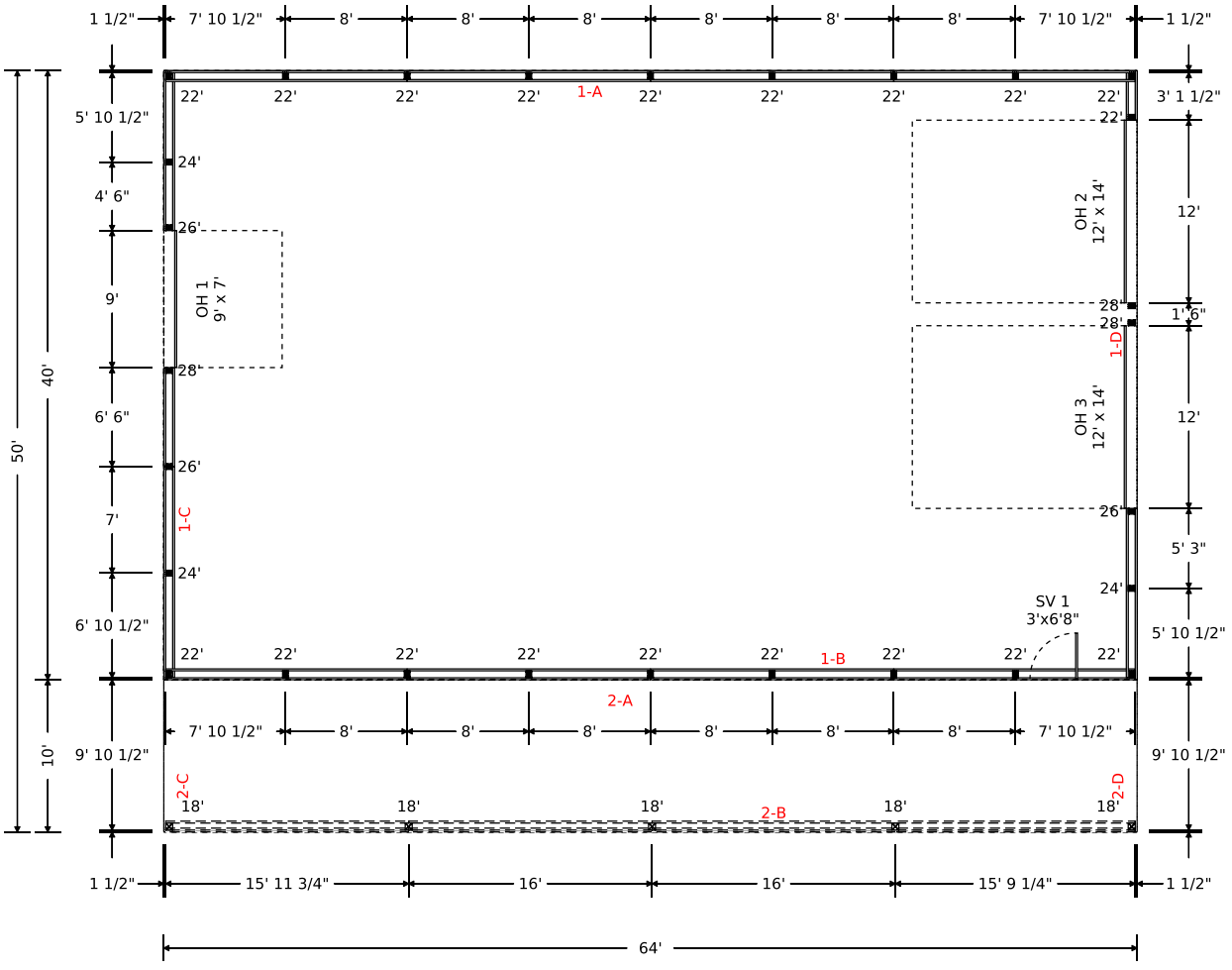
OR

1. On Menards.com, enter "Design & Buy" in the search bar
2. Select the Buildings Designer
3. Recall your design by entering Design ID: 301553444308
4. Follow the on-screen purchasing instructions

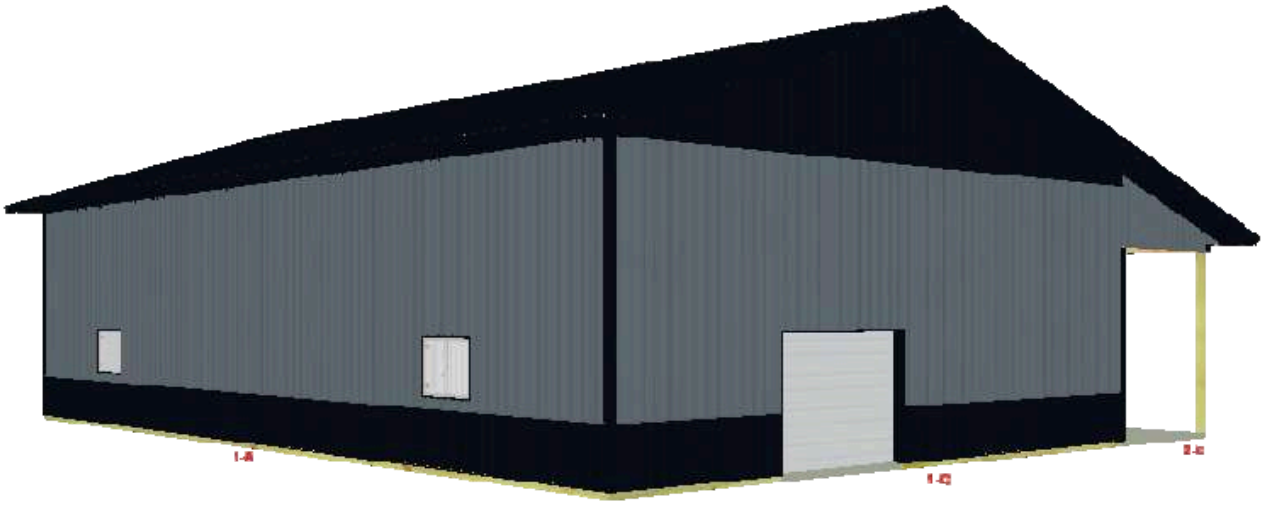
How to purchase at the store

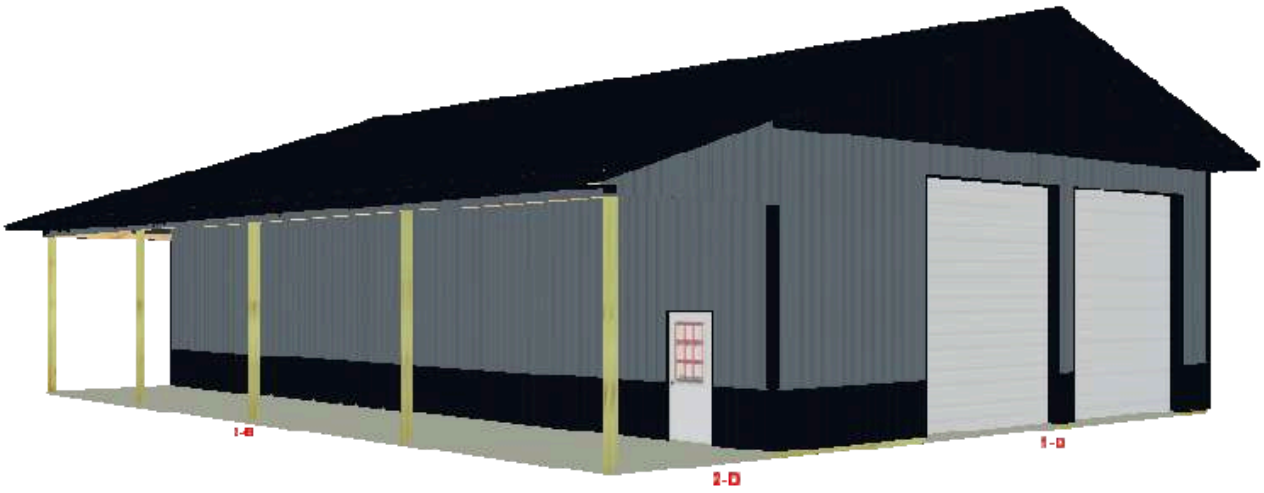
1. Enter Design ID: 301553444308 at the Design-It Center Kiosk in the Building Materials Department
2. Follow the on-screen purchasing instructions.

FLOOR PLAN



Elevation Views





Congratulations, you have taken the first step towards making your new post frame building a reality!

- You have selected Menards to provide you with superior products produced by Midwest Manufacturing that will meet your needs. For a more detailed look at these premium products visit us on the web at www.midwestmanufacturing.com (http://www.midwestmanufacturing.com).

*Delivery charge is not included in price. Items ordered to complete your building from vendors other than Midwest Manufacturing are not available for pickup from the plant.

Building Information

1. Building Use:	Code Exempt
2. Width:	40 ft
3. Length:	64 ft
4. Inside Clear Height:	16 ft
5. Framing Type:	Post Framing
6. Floor Finish:	Concrete
7. Floor Thickness:	4 in
8. Post Foundation:	Post Embedded
9. Post Embedment Depth:	4 ft
10. Footing Pad Size:	14 in x 4 in (Pre-cast)

Wall Information

1. Post Spacing:	8 ft
2. Post Type:	Columns
3. Girt Type:	Double
4. Exterior Wall Panel:	Pro-Rib
5. Exterior Wall Color:	Charcoal Gray
6. Trim Color:	Midnight Black
7. Wainscot Size:	36 in
8. Wainscot Color:	Midnight Black
9. Sidewall A Wainscot:	Yes
10. Sidewall B Wainscot:	Yes
11. Endwall D Wainscot:	Yes
12. Endwall C Wainscot:	Yes
13. Gable Accent:	Yes
14. Gable Accent Color:	Midnight Black
15. Endwall C Gable Accent:	Yes
16. Endwall D Gable Accent:	Yes
17. Sidewall A Eave Light:	None
18. Sidewall B Eave Light:	None
19. Wall Fastener Location:	In the Flat
20. Bottom Trim:	Yes
21. Gradeboard Type:	2x8 Treated Gradeboard

Interior Finish

1. Wall Insulation Type:	4' Wide Roll
2. Wall Liner Type:	Dura Panel
3. Wall Liner Color:	White
4. Roof Condensation Control:	Reflectix Single Bubble Insulation

Roof Information

1. Pitch:	4/12
2. Truss Spacing:	8 ft
3. Roof Type:	Pro-Rib
4. Roof Color:	Midnight Black
5. Ridge Options:	Universal Ridge Cap
6. Roof Fastener Location:	On the Rib
7. Endwall Overhangs:	2 ft
8. Sidewall Overhangs:	2 ft
9. Fascia Size:	6 in Fascia
10. Soffit Color:	Midnight Black
11. Skylight Size:	None
12. Ridge Vent Quantity:	None
13. Ceiling Liner Type:	Dura Panel
14. Purlin Placement:	On Edge
15. Ceiling Liner Color:	White
16. Ceiling Insulation Type:	13" Fiberglass Blow In (R-38)

Accessories

1. Outside Closure Strip:	Premium Vented
2. Inside Closure Strip:	Standard
3. Gable Vent Type:	None
4. Cupola Size:	None
5. Gutters:	No
6. End Cap:	Yes
7. Mini Print:	Email Only

Leans

Building 2	
Attaching wall:	B
Endwall overhang length:	2 ft
Sidewall overhang length:	2 ft
Add snow guards:	No
Remove every other post:	Yes
Length:	64 ft
Depth:	10 ft
Drop Distance From Roof:	0 ft
Position From Left:	0 ft
Approximate Clear Height:	11 ft 8 in
Open interior wall:	No
Open exterior walls:	Side And End Walls
Remove every other interior wall post:	No

Doors & Windows

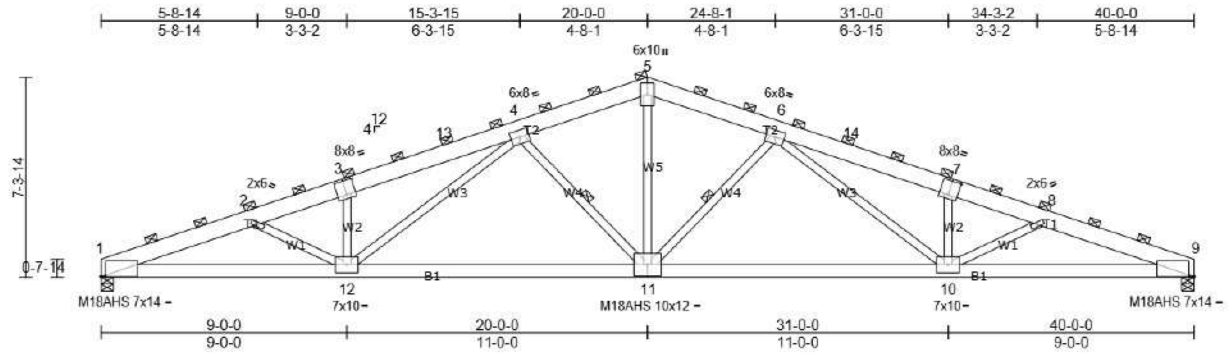
Name	Size	Wall
Window	48"x36"	1-A
Window	48"x36"	1-A
Service Door	36"x80"	1-B
Overhead Door	9' x 7'	1-C
Overhead Door	12' x 14'	1-D
Overhead Door	12' x 14'	1-D

Lean Open Walls

Wall	Every Other Post Removed
2-B	Yes
2-C	Yes
2-D	Yes

Job	Truss	Truss Type	Qty	Ply	
QTREC0905837	P4035NEW	Common	1	1	Job Reference (optional)

Midwest Manufacturing, Eau Claire, WI — Run: 8.8 S 0 Feb 12 2024 Print: 8.800 S Feb 12 2024 MiTek Industries, Inc. Thu May 08 16:31:55 — Page: 1
ID:pVJKfJ9_vtUKpQHYIOx80szUNIb-evP34pwwZLe91W2FvECyFi7tDGyGSSWaK1wzcQzIVmo



Scale = 1:66.1

Plate Offsets (X, Y): [1:0-2-4,0-0-0], [3:0-4-0,0-6-4], [7:0-4-0,0-6-4], [9:0-2-4,0-0-0]

Loading	(psf)	Spacing	8-0-0	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL (roof)	30.0	Plate Grip DOL	1.15	TC	0.96	Vert(LL)	-0.79	11-12	>603	240	MT20	197/144
Snow (Ps/Pg)	28.4/50.0	Lumber DOL	1.15	BC	1.00	Vert(CT)	-1.09	11-12	>434	180	M18AHS	186/179
TCDL	4.0	Rep Stress Incr	NO	WB	0.87	Horz(CT)	0.36	9	n/a	n/a		
BCLL	0.0	Code	IBC2018/TPI2014	Matrix-S								
BCDL	5.0										Weight: 278 lb	FT = 0%

LUMBER
TOP CHORD 2x8 SP 2400F 2.0E
BOT CHORD 2x6 SP 2400F 2.0E
WEBS 2x4 SPF No.2 *Except* W5:2x4 SPF 1650F 1.5E, W2,W1:2x4 SPF Stud

BRACING
TOP CHORD 2-0-0 oc purlins (2-0-14 max.).
BOT CHORD Structural wood sheathing directly applied or 5-10-13 oc bracing.
WEBS 1 Row at midpt 6-11, 4-11

REACTIONS (lb/size) 1=5908/0-5-8, (min. 0-5-2), 9=5908/0-5-8, (min. 0-5-2)
Max Horiz 1=-283 (LC 14)
Max Uplift 1=-1232 (LC 7), 9=-1232 (LC 8)
Max Grav 1=6169 (LC 2), 9=6169 (LC 2)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
TOP CHORD 1-2=-15163/3029, 2-3=-14421/2816, 3-13=-14528/2997, 4-13=-14250/3018, 4-5=-9857/1987, 5-6=-9857/1987, 6-14=-14250/3017, 7-14=-14528/2996, 7-8=-14421/2817, 8-9=-15163/3035
BOT CHORD 1-12=-2905/13998, 11-12=-2002/11098, 10-11=-1807/11098, 9-10=-2716/13998
WEBS 5-11=-911/4876, 6-11=-3611/971, 6-10=-747/3339, 7-10=-1500/562, 8-10=-708/382, 4-11=-3611/969, 4-12=-750/3339, 3-12=-1500/567, 2-12=-708/370

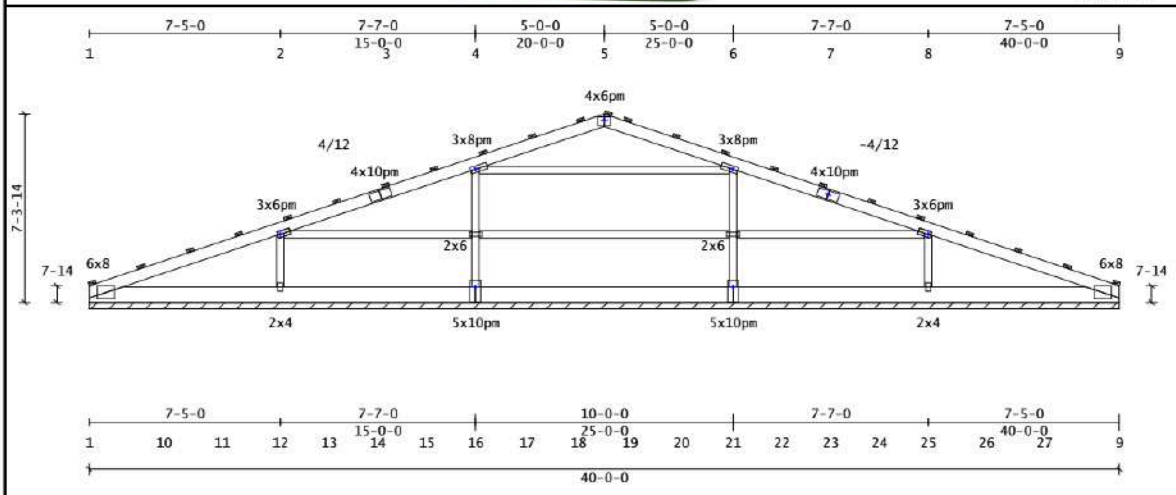
NOTES
1) Unbalanced roof live loads have been considered for this design.
2) Wind: ASCE 7-16; Vult=115mph (3-second gust) Vasd=91mph; TCDL=2.4psf; BCDL=3.0psf; h=25ft; Cat. I; Exp C; Enclosed; MWFRS (envelope); cantilever left and right exposed ; end vertical left and right exposed; Lumber DOL=1.60 plate grip DOL=1.60
3) TCLL: ASCE 7-16; Pr=30.0 psf (roof LL: Lum DOL=1.15 Plate DOL=1.15); Pg=50.0 psf; Ps=28.4 psf (Lum DOL=1.15 Plate DOL=1.15); Is=0.8; Rough Cat C; Fully Exp.; Ce=0.9; Cs=0.94; Ct=1.20; Unobstructed slippery surface
4) Roof design snow load has been reduced to account for slope.
5) Unbalanced snow loads have been considered for this design.
6) Dead loads shown include weight of truss. Top chord dead load of 5.0 psf (or less) is not adequate for a shingle roof. Architect to verify adequacy of top chord dead load.
7) As requested, plates have not been designed to provide for placement tolerances or rough handling and erection conditions. It is the responsibility of the fabricator to increase plate sizes to account for these factors.
8) All plates are MT20 plates unless otherwise indicated.
9) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 1232 lb uplift at joint 1 and 1232 lb uplift at joint 9.
10) This truss is designed in accordance with the 2018 International Building Code section 2306.1 and referenced standard ANSI/TPI 1.

LOAD CASE(S) Standard

Project Name: QTREC0896878 | **Qty: 1** | **Truss: P40E**

Customer: NEW JOB

SID:
TID: QTREC089...
Date: 03 / 31 / 25
Page: 1 of 1



Truss Weight = 243.4 lb

```
Code/Design: IBC-2018/TPI-2014
PSF  Live  Dead        Dur Factors
TC   30.0   4.0     Live  Wind  Snow
BC    0.0   5.0  Lum 1.15  1.60  1.15
Total  39.0  Plt 1.15  1.60  1.15
Spacing:  4-00-00 o.c.    Plies: 1
Repetitive Member Increase:  No
Green Lumber:  No  Wet Service:  No
Fab Tolerance:  15% Creep (Kcr) = 2.0
```

```
----------Snow Load Specs----------
ASCE7-16 Ground Snow(Pg) =  50.0 psf
Risk Cat: I  Terrain Cat: C
Roof Exposure: Fully Exposed
Thermal Condition: Unheated(1.2)
Unobstructed Slippery Roof: Yes
Low-Slope Minimums(Pfmin):  No
Unbalanced Snow Loads:      Yes
Rain Surcharge: No Ice Dam Chk: No
Lu(max) = 20-00-00
```

```
----------Wind Load Specs----------
ASCE7-16  Wind Speed(V) = 115 mph
Risk Cat: I  Exposure Cat: C
Bldg Dims: L =   0.0 ft  B =   0.0 ft
M.R.H(h)=  15.0ft Kzt = 1.0 Ke = 1.00
Bldg Enclosure: Enclosed
Wind DL(psf): TC =  2.4 BC =  3.0
End Vertical Exposed: L = Yes R = Yes
Wind Uplift Reporting: MWFRS
C&C End Zone: N/A
```

```
-------Additional Design Checks------
10 psf Non-Concurrent BCLL:      Yes
20 psf BC Limited Storage:       No
200 lb BC Accessible Ceiling:    No
300 lb TC Maintenance Load:      No
2000 lb TC Safe Load:            No
Unbalanced TCLL:                 Yes
```

Material Summary

```
TC      2x6   SPF  #2
BC      2x8   SPF  #2
Webs    2x4   SPF  Stud
        2x4   SPF  #2  4-6
```

Member Forces Summary

```
Max CSI in TC PANEL    3 -  4   0.79
Max CSI in BC PANEL    1 - 10   0.17
Max CSI in Web        16 -  4   0.73

...Mem...    Ten     Comp      .CSI.
TC   1- 2     55      806       0.59
     2- 3    111      847       0.59
     3- 4    122      688       0.79
     4- 5    252      905       0.79
     5- 6    252      905       0.79
     6- 7    122      688       0.79
     7- 8    111      847       0.59
     8- 9     55      806       0.59
BC   1-10    650       29       0.17
     9-27    650       29       0.17
    10-11    650       29       0.09
    11-12    650       29       0.09
    12-13    650       29       0.09
    13-14    650       29       0.09
    14-15    650       29       0.09
    15-16    650       29       0.09
    16-17    650       29       0.09
    17-18    650       29       0.09
    18-19    650       29       0.09
    19-20    650       29       0.09
    20-21    650       29       0.09
    21-22    650       29       0.09
    22-23    650       29       0.09
    23-24    650       29       0.09
    24-25    650       29       0.09
    25-26    650       29       0.09
    26-27    650       29       0.09
Web  2-12    395     1008       0.24
     4-16    362     1419       0.73
     6-21    362     1419       0.73
     8-25    395     1008       0.24
```

Reaction Summary

```
----------Reaction Summary(Lbs)----------
Jnt  --X-Loc-  React  -Up-  --Width-  -Reqd   -Mat  PSI
  1    11-10    792    67  40-00-00
 12    7-05-00 1050   371  40-00-00
 16   15-00-00 1459   339  40-00-00
 21   25-00-00 1459   339  40-00-00
 25   32-07-00 1050   371  40-00-00
  9   39-00-06  792    67  40-00-00
Max Horiz =   -207 /   +207 at Joint  18
Reactions not shown: down < 400 and up < 150
---- Reaction Summary (plf) -----
Jnt-Jnt       React  -Up-  --Width-
  1- 9           10     0  40-00-00  (reduced)
```

Loads Summary

This truss has been designed for the effects of an unbalanced top chord live load occurring at [20-00-00] using a 1.00 Full and 0.00 Reduced load factor.

See Loadcase Report for load combinations and additional details.

Notes

If this truss is exposed to wind load perpendicular to the plane of the truss, gable studs must be braced according to the Construction Documents, BCSI-B3, or a gable stud bracing detail matching the design wind speed shown. Lateral bracing of the truss itself to resist out-of-plane wind load must be in accordance with the Construction Documents.
The maximum rake overhang length is 24.0".
Plates designed for Cq at 0.85 and Rotational Tolerance of 10.0 degrees.
A "pm" next to the plate size indicates that the plate has been user modified; see Plate Offsets for any special positioning requirements.
C&C wind pressure has not been considered in the design of this truss.
This truss is not symmetric - proper orientation is critical.

Deflection Summary

```
TrussSpan Limit   Actual(in)    Location
Vert LL   L/240   L/999( 0.00)  1-10
Vert DL   L/120   L/999(-0.00)  1-10
Vert CR   L/180   L/999( 0.00)  1-10
Horz LL   0.75in      ( 0.01) @Jt 9
Horz CR   1.25in      ( 0.01) @Jt 9
```

Bracing Data Summary

```
----------Bracing Data----------
Chords; Sheathing required or bracing indicated:
-------------Purlins-------------
     ---oc---  --From--  ---To---  #Bays
TC    2-00-00      0  40-00-00   22
BC   10-00-00      0  40-00-00    4
Web Bracing -- None
```

Plate offsets (X, Y):

(None unless indicated below)
Jnt2(01-12,00-10), Jnt4(01-10,00-09), Jnt5(0,-00-08), Jnt6(-01-10,00-09), Jnt7(0,-00-01), Jnt8(-01-12,00-10), Jnt16(0,-02-00), Jnt21(0,-02-00)

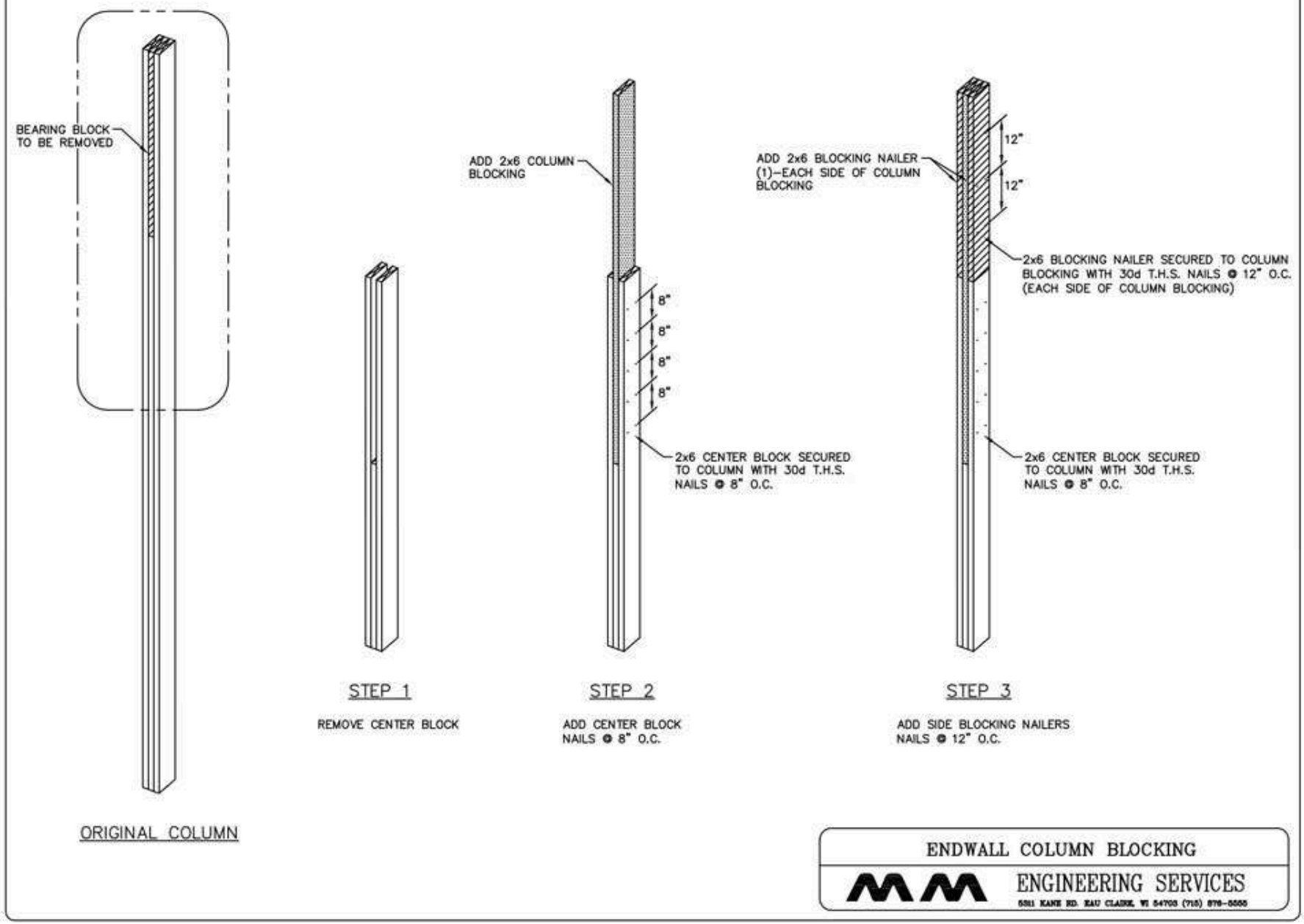
Joint Stress Index (JSI):

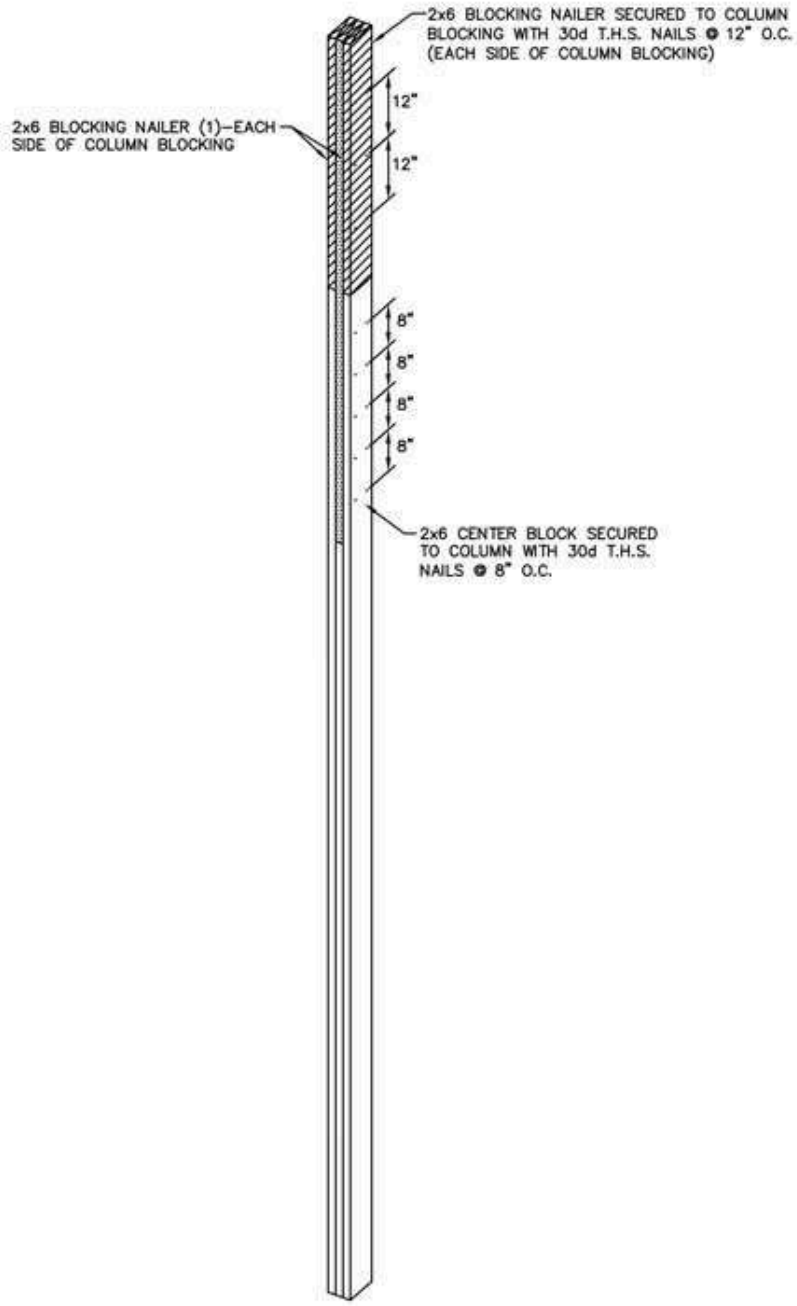
Jnt1(0.46), Jnt2(0.75), Jnt3(0.78), Jnt4(0.69), Jnt5(0.38), Jnt6(0.69), Jnt7(0.77), Jnt8(0.75), Jnt9(0.46), Jnt12(0.60), Jnt16(0.47), Jnt21(0.47), Jnt25(0.60), Jnt28(0.78), Jnt29(0.78), Jnt30(0.67), Jnt31(0.67)

NOTICE A copy of this design shall be furnished to the erection contractor. The design of this individual truss is based on design criteria and requirements supplied by the Truss Manufacturer and relies upon the accuracy and completeness of the information set forth by the Building Designer. A seal on this drawing indicates acceptance of professional engineering responsibility solely for the truss component design shown. See the cover page and the "Important Information & General Notes" page for additional information. All connector plates shall be manufactured by Simpson Strong-Tie Company, Inc in accordance with ESR-2762. All connector plates are 20 gauge, unless the specified plate size is followed by a "-18" which indicates an 18 gauge plate, or "S# 18", which indicates a high tension 18 gauge plate.

Midwest Manufacturing
5311 Kane Road
Eau Claire, WI 54703
(715) 876-5555
midwestmanufacturing.com

For other design systems search "Design & Buy" on Menards.com





ENDWALL COLUMN BLOCKING DETAIL

ENDWALL COLUMN BLOCKING DETAIL

ENGINEERING SERVICES

5311 KANE RD. EAU CLAIRE, WI 54703 (715) 876-5555

ENDWALL BRACE DETAIL

ENDWALL BRACE DETAIL

ENGINEERING SERVICES

6581 KANE RD. EAU CLAIRE, WI 54703 (715) 876-5555

From: Kailee Vik Kailee.Vik@co.sherburne.mn.us
Subject: Variance Request on PID 25-00015-1410
Date: Apr 1, 2026 at 10:14:12 AM
To: Tammy Schefers clerk@haventwp.org
Cc: ebrandt711@hotmail.com

Good morning,

Please see the attached packet and review letter for a variance request to construct an accessory building and associated lean-to 34 feet from the centerline of a township road on PID 25-00015-1410. Please direct this application to the planning commission and town board for comment. Please note that I have copied the applicant on this email.

Let me know if you have any questions or need additional information!

Thank you,

Kailee Vik
Planner
Work: (763) 765-4462
13880 Business Center Drive
Suite 100
Elk River, MN 55330

www.co.sherburne.mn.us
www.facebook.com/SherburneCountyMN

NOTICE: Unless restricted by law, email correspondence to and from Sherburne County government offices may be public data subject to the Minnesota Data Practices Act and/or may be disclosed to third parties.



2026.04.01 Variance Review Letter.pdf
1.6 MB



Application Packet.pdf
2.4 MB

Sherburne County Administration
Sherburne County Government Center
13880 Business Center Drive
Suite 100
Elk River, MN 55330-4668
(763) 765-3001
1-800-433-5229

April 10th, 2026

Mr. Bob Meier
Assistant Commissioner
Minnesota Department of Natural Resources
500 Lafayette Road
Saint Paul, MN 55155

RE: Deer Hunting Firearm Regulations in Sherburne County following the Repeal of Minn. Stat. 97B.318

Dear Assistant Commissioner Meier,

I am writing to you regarding the Legislature's repeal of Minn. Stat. 97B.318 impacting Minnesota's deer hunting regulations and the specific implications of this action with respect to Sherburne County, which was previously part of the State's shotgun-only zone for deer hunting.

In response to this change, the Sherburne County Board of Commissioners has evaluated its authority under Minn. Stat. 97B.031, Subd. 7., to adopt a local ordinance limiting the types of firearms used for deer hunting within the county. On April 7th, 2026, following due notice and the conduct of a public hearing on this matter, the County Board of Commissioners unanimously decided to not pursue a local ordinance restricting deer hunting firearms.

Resultingly, Sherburne County both recognizes and affirms that the repeal of Minn. Stat. 97B.318, combined with the County's election to not enact a local restriction, will result in the allowed use of rifles for deer hunting within Sherburne County, with the exception of specific municipal jurisdictions and other special management areas (such as federal lands, airports, and state parks) that are independently authorized to enact their own firearm restrictions.

In informing the Department of Natural Resources of this decision, we join with you in updating all communications, maps, and enforcement materials to accurately reflect that Sherburne County is no longer a shotgun-only zone. In doing so, we reaffirm our joint commitment to community safety, hunter education, and responsible management of our local deer population under these updated standards.

Thank you for your attention to this matter and for your continued leadership in managing Minnesota's natural resources.

Sincerely,

Bruce A. Messelt
Sherburne County Administrator

From: Minnesota Association of Townships info-mntownships.org@shared1.ccsend.com
Subject: Changes to the MAT Board of Directors
Date: Mar 19, 2026 at 8:08:42 AM
To: Tammy Schefers clerk@haventwp.org

MINNESOTA — ASSOCIATION OF — TOWNSHIPS

Changes to the MAT Board of Directors

Township officers:

Our mission at the Minnesota Association of Townships (MAT) is to support and promote township local governments. We are focused every day on delivering education, advocacy, collaboration and shared resources for all of you and your local townships. Only through strong governance and efficient operations are we able to serve the 1,776 townships represented by MAT and their 9,000-plus town officers.

With this in mind, the MAT Board of Directors has exercised its authority and removed MAT District 3 Director Tiffany Lesmeister-Knott from the Board. During ongoing litigation, we discovered Tiffany exchanged repeated emails with Bob Pickle specifically regarding his litigation against MAT. When given the opportunity, she did not disclose these emails or state a reason for these communications with Bob. The Board's action was taken for just cause to resolve this situation and prevent disruptions to MAT's critical work supporting you and your colleagues in townships throughout the state. We have shared this update in an effort to be transparent with our members about the Board's decision-making.

Prior to this decision, Kevin Comnick resigned from his position as District 10 Director on the MAT Board of Directors. We respect Kevin's decision to resign.

Effective and representative governance is a critical part of the Board's work as we serve our township members across the state. We will be following up with District 3 and District 10 officers about next steps.

Just as we have since our founding, MAT remains committed to empowering you and the townships you serve so you can provide efficient, effective, accountable and accessible government for all your constituents.

If you have any questions, please reach out to me directly. Thank you for your continued leadership on behalf of townships.

Tammy Carlson
President, Minnesota Association of Townships Board of Directors

CONTACT US

Minnesota Association of Townships | 805 Central Ave East P.O. Box 267 | St. Michael, MN 55376 US

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From: Bruce Messelt Bruce.Messelt@co.sherburne.mn.us
Subject: Deer Hunting Firearm Regulations in Sherburne County following the Repeal of Minn. Stat. 97B.318
Date: Apr 10, 2026 at 2:12:30 PM
To: Michele McPherson mmcpherson@princetonmn.org, Joan Heinen city.clerk@baldwinmn.gov, Randy Piasecki rpiasecki@cityofzimmerman.com, Calvin Portner cportner@elkrivermn.gov, hklimmek hklimmek@biglakemn.org, bluehilltownship2020 bluehilltownship2020@gmail.com, Brenda Kimberly-Maas Clerk@biglaketownship.com, clearlaketwp clearlaketwp@hotmail.com, Tammy Schefers clerk@haventwp.org, Jody Hammre livtownclrk@sherbtel.net, kathy.woolard kathy.woolard@yahoo.com, Lucinda Messman clerk@beckertownship.org, Orrock Town Clerk clerk@orrocktownship.com, palmertwp palmertwp@gmail.com, Greg Lerud, City of Becker, City Administrator glerud@ci.becker.mn.us, cityoffice cityoffice@clearlakemn.com, Tracy Hodel tracy.hodel@ci.stcloud.mn.us
Cc: Williams, Michael michael.williams@stearnscountymn.gov, Jim Dickinson jim.dickinson@anokacountymn.gov, Monty Headley mheadley@co.benton.mn.us, Greg T. Kryzer greg.kryzer@wrightcountymn.gov, Amanda Usher amanda.usher@co.isanti.mn.us, doug.hansen@millelacs.mn.gov

Dear all;

Please find attached our Letter conveying the Sherburne County Board's determination to defer to new State law, which will allow for use of rifles during firearm Deer Hunting season.

We will post on our Website and social media, and update relevant hunting regulation materials/information accordingly.

Many thanks for your input during our review process.

Thank you.

Bruce

Bruce Messelt
Administrator
13880 Business Center Drive NW
Elk River MN 55330-1692
(O): (763)765-3006
(C): (651) 600-0120
(F): (763)765-3002
www.co.sherburne.mn.us
www.facebook.com/SherburneCountyMN
NOTICE: Unless restricted by law, email correspondence to and from Sherburne County government offices may be public data subject to the Minnesota Data Practices Act and/or may be disclosed to third parties.

Sherburne County Administration
Sherburne County Government Center
13880 Business Center Drive
Suite 100
Elk River, MN 55330-4668
(763) 765-3001
1-800-433-5229

April 10th, 2026

Mr. Bob Meier
Assistant Commissioner
Minnesota Department of Natural Resources
500 Lafayette Road
Saint Paul, MN 55155

RE: Deer Hunting Firearm Regulations in Sherburne County following the Repeal of Minn. Stat. 97B.318

Dear Assistant Commissioner Meier,

I am writing to you regarding the Legislature's repeal of Minn. Stat. 97B.318 impacting Minnesota's deer hunting regulations and the specific implications of this action with respect to Sherburne County, which was previously part of the State's shotgun-only zone for deer hunting.

In response to this change, the Sherburne County Board of Commissioners has evaluated its authority under Minn. Stat. 97B.031, Subd. 7., to adopt a local ordinance limiting the types of firearms used for deer hunting within the county. On April 7th, 2026, following due notice and the conduct of a public hearing on this matter, the County Board of Commissioners unanimously decided to not pursue a local ordinance restricting deer hunting firearms.

Resultingly, Sherburne County both recognizes and affirms that the repeal of Minn. Stat. 97B.318, combined with the County's election to not enact a local restriction, will result in the allowed use of rifles for deer hunting within Sherburne County, with the exception of specific municipal jurisdictions and other special management areas (such as federal lands, airports, and state parks) that are independently authorized to enact their own firearm restrictions.

In informing the Department of Natural Resources of this decision, we join with you in updating all communications, maps, and enforcement materials to accurately reflect that Sherburne County is no longer a shotgun-only zone. In doing so, we reaffirm our joint commitment to community safety, hunter education, and responsible management of our local deer population under these updated standards.

Thank you for your attention to this matter and for your continued leadership in managing Minnesota's natural resources.

Sincerely,



Bruce A. Messelt
Sherburne County Administrator

From: Minnesota Association of Townships info-mntownships.org@shared1.ccsend.com
Subject: Grand Rapids and Duluth Spring Short Courses POSTPONED
Date: Mar 31, 2026 at 2:41:42 PM
To: Tammy Schefers clerk@haventwp.org

MINNESOTA — ASSOCIATION OF — TOWNSHIPS

SPRING SHORT COURSES

Grand Rapids and Duluth Spring Short Courses POSTPONED

Township Officers:

This coming Thursday's Grand Rapids and Friday's Duluth Spring Short Courses have been postponed due to inclement weather. They will be rescheduled - and details will be emailed in the coming days. Stay safe!

MAT's Spring Short Courses are underway! Please plan to attend these extremely popular trainings for all officers - supervisors, clerks, treasurers (including deputies). Each day will be jam-packed with speakers, important information, and include a continental breakfast and hearty lunch.

All registration is on-site and the cost is $75/officer which covers materials and meals. Check or cash are accepted, or we can bill your township (by letting the on-site registration desk know).

Timeline:
8:00 AM: Registration opens and light breakfast available
9:00 AM: Sessions begin – breakouts for Supervisors, Clerks & Treasurers, and New Officers
12:00 NOON: Lunch (provided)
1:00 PM: Sessions continue - breakouts for Supervisors, Clerks & Treasurers, and New Officers
3:00 PM: Conclusion



~~**MANKATO** Wednesday, March 18, 2026~~ HELD
~~Mayo Clinic Health System Event Center, 1 Civic Center Plaza, Mankato, MN 56001~~

~~**WINDOM** Thursday, March 19, 2026~~ HELD
~~Windom Community Center, 1750 Cottonwood Lake Dr, Windom, MN 56101~~

~~**GRANITE FALLS** Friday, March 20, 2026~~ HELD
~~Prairie's Edge Casino, 5616 Prairies Edge Ln, Granite Falls, MN 56241~~

~~**BRAINERD** Monday, March 23, 2026~~ HELD
~~Breezy Point Resort, 9252 Breezy Point Dr, Breezy Point, MN 56472~~

~~**ST. CLOUD** Tuesday, March 24, 2026~~ HELD
~~Holiday Inn and Suites, 75 37th Ave, St Cloud, MN 56301~~

~~**ARLINGTON** Wednesday, March 25, 2026~~ HELD
~~Arlington Event Center, 204 Shamrock Dr, Arlington, MN 55307~~

~~**WILLMAR** Thursday, March 26, 2026~~ HELD
~~Willmar Conference Center, 2100 Highway 12 E, Willmar, MN 56201~~

~~**ALEXANDRIA** Friday, March 27, 2026~~ HELD
~~Arrowwood Resort & Conference Center, 2100 Arrowwood Ln, Alexandria, MN 56308~~

~~**MAHNOMEN** Monday, March 30, 2026~~ HELD
~~Shooting Star Casino, 777 S Casino Rd, Mahnomen, MN 56557~~

~~**THIEF RIVER FALLS** Tuesday, March 31, 2026~~ HELD
~~Ralph Engelstad Arena, 525 Brooks Ave, Thief River Falls, MN 56701~~

BEMIDJI Wednesday, April 1, 2026
The Sanford Center, 1111 Event Center Dr NE, Bemidji, MN 56601

~~**GRAND RAPIDS** Thursday, April 2, 2026~~ POSTPONED
~~Sugar Lake Lodge, 37584 Otis Ln, Cohasset, MN 55721~~

~~**DULUTH** Friday, April 3, 2026~~ POSTPONED
~~*NEW LOCATION:* Black Bear Casino Resort, 1785 MN-210, Carlton, MN 55718~~

WINONA Tuesday, April 7, 2026 (Rescheduled date)
Riverport Event Center, 900 Bruski Drive, Winona, MN 55987

ROCHESTER Tuesday, April 14, 2026 (Rescheduled date)
Rochester Event Center, 7333 Airport View Drive SW, Rochester, MN 55302

CONTACT US

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Haven Township
2026 Top Taxpayers

	TAX_ID	TAXPAYER_NAME	EMV	TMV	NET_TAX	NTC	PRCL_CNT
1	88453	NORTHERN STATES POWER COMPANY - MN	4,587,200	4,587,200	98,838	91,744	1
2	64762	BNSF RAILWAY COMPANY	3,808,300	3,808,300	82,056	76,166	1
3	15284	R D OFFUTT COMPANY	6,541,000	6,525,700	44,014	65,515	12
4	98925	AMCON CONCRETE PRODUCTS LLC	2,728,200	2,728,200	55,954	53,064	2
5	98374	MIES PROPERTIES LLC	2,679,300	2,679,300	56,316	52,836	1
6	110941	AGGREGATE INDUSTRIES - MWR INC	4,516,200	4,502,400	34,862	48,591	8
7	112020	PALMER ST. CLOUD HOLDINGS LLC	1,891,300	1,891,300	39,336	37,076	1
8	81650	DIAMOND A FARM LLC	9,287,400	5,346,300	23,202	34,468	17
9	72586	KNIFE RIVER CORPORATION-NORTH CENT	2,421,600	2,421,600	29,776	33,770	3
10	6468	GRANITE CITY READY MIX, INC	2,001,100	2,001,100	30,916	32,075	4
11	111766	DEL-TONE HOLDINGS LLC	1,868,600	1,868,600	24,626	26,411	5
12	51607	GREAT RIVER ENERGY	1,109,600	1,109,600	23,908	22,192	2
13	10694	LARSON, RANDOLPH L & LYNNE	1,132,900	1,132,900	22,996	21,908	1
14	82830	CARTER, ADAM & MARIA	4,103,700	2,054,300	13,718	20,543	11
15	124575	BRAMBRINK, TRAVIS & LEAHA -TRUSTEES	5,956,600	3,519,354	13,283	19,601	13
16	96878	HINTERLAND FAMILY LLLP	3,256,400	1,780,900	12,336	17,809	5
17	59954	LYNE REALTY, L.P	903,600	903,600	18,054	17,322	1
18	104170	SANDHILL SELF STORAGE LLC	893,700	893,700	17,842	17,124	1
19	97503	OZ PROPERTIES LLC	883,200	883,200	17,616	16,914	1
20	103675	IMPORT MOTORS LLC	881,000	881,000	17,568	16,870	2
21	108621	R D OFFUTT FARMS CO.	1,666,900	1,666,900	11,132	16,669	4
22	120726	JPV OF WYOMING LLC	860,900	860,900	17,134	16,468	1
23	103508	WESTRE HOLDINGS LLC	1,153,600	1,153,600	14,916	16,335	3
24	74953	TOMALCO, LLC	888,500	888,500	16,314	16,270	2
25	55510	I LIMITED, LLC	828,100	828,100	16,428	15,812	1

Report results are based on the class code of the first assessment record with the exception of Ma and Pa resorts.
TAXABLE ONLY

PROPERTY CLASS	COUNT	PCT	ACRES	PCT	ESTIMATED MARKET VALUE	PCT	TAX CAPACITY	PCT	GROSS TAX	PCT	NET TAX	PCT	ETR %
AG HS IMPROVED	59	5.2	3006.94	15.3	31,321,000	7.3	227,664	5.2	184,586	4.9	158,192	4.2	.5050
AG HS UNIMPROVED	108	9.5	5890.90	30.1	24,614,400	5.7	133,319	3.0	100,496	2.6	86,373	2.3	.3509
AG NH IMPROVED	9	.7	467.94	2.3	4,755,900	1.1	50,276	1.1	40,025	1.0	37,012	1.0	.7782
AG NH UNIMPROVED	102	9.0	5499.56	28.1	31,232,800	7.3	318,045	7.2	243,685	6.4	217,756	5.9	.6972
AG TOTAL	278	24.5	14865.34	76.0	91,924,100	21.6	729,304	16.7	568,794	15.1	499,333	13.5	.5432
MANAGED FOREST LND	5	.4	163.04	.8	945,300	.2	6,144	.1	4,632	.1	4,104	.1	.4341
SEAS REC RES IMP.	1		.28		368,100		3,681		3,072		3,072		.8345
SEAS REC RES UNIMP	3	.2	22.90	.1	83,500		835		660		660		.7904
SEAS REC RES TOTAL	4	.3	23.18	.1	451,600	.1	4,516	.1	3,732		3,732	.1	.8263
NON-AG HS IMPROVED	653	57.7	2991.45	15.2	270,733,800	63.6	2,638,269	60.5	2,204,751	58.7	2,203,497	59.8	.8138
NON-AG HS UNIMPRVD	37	3.2	58.35	.2	1,404,000	.3	14,826	.3	12,316	.3	12,316	.3	.8772
NON-AG NH IMPROVED	45	3.9	289.74	1.4	17,686,800	4.1	190,401	4.3	161,427	4.3	160,978	4.3	.9101
NON-AG NH UNIMPRVD	45	3.9	230.34	1.1	2,676,700	.6	32,340	.7	26,466	.7	26,466	.7	.9887
NON-AG TOTAL	780	68.9	3569.88	18.2	292,501,300	68.7	2,875,836	65.9	2,404,961	64.0	2,403,257	65.2	.8216
APARTMENTS 4-MORE													
APARTMENTS LOW-INC													
RESORTS IMPROVED	2	.1	79.65	.4	813,300	.1	9,966	.2	9,118	.2	9,118	.2	1.1211
RESORTS UNIMPROVED													
RESORTS TOTAL	2	.1	79.65	.4	813,300	.1	9,966	.2	9,118	.2	9,118	.2	1.1211
COM SRV/STUDENT/MH													
QUAL GOLF COURSES													
COMMERCIAL	38	3.3	404.37	2.0	19,366,100	4.5	365,813	8.3	376,702	10.0	376,702	10.2	1.9451
INDUSTRIAL	17	1.5	268.77	1.3	9,110,500	2.1	170,290	3.9	174,497	4.6	174,376	4.7	1.9140
PUBLIC UTILITY	1		1.11		187,500		3,750		4,040	.1	4,040	.1	2.1546
RAILROAD OPERATING	1		72.70	.3	3,808,300	.8	76,166	1.7	82,056	2.1	82,056	2.2	2.1546
MINERAL													
ALL OTHER PROPERTY													
TOTAL TAXABLE RE	1126	99.5	19448.04	99.4	419,108,000	98.5	4,241,785	97.3	3,628,533	96.6	3,556,719	96.6	.8486
TOTAL TAXABLE PP	5	.4	105.50	.5	6,304,300	1.4	117,489	2.6	125,423	3.3	125,118	3.3	1.9846
TOTAL AD VALOREM	1131	100.0	19553.54	100.0	425,412,300	100.0	4,359,274	100.0	3,753,957	100.0	3,681,837	100.0	.8654
TREE GROWTH PROGRM													
TOT EX/FORF RE+PP													
TOTAL	1131	100.0	19553.54	100.0	425,412,300	100.0	4,359,274	100.0	3,753,957	100.0	3,681,837	100.0	.8654

March 17, 2026

Ms. Tammy Schefers
Township of Haven
PO Box 339
St. Cloud, MN 56304

Re: Spectrum Channel Lineup

Dear Ms. Schefers:

This letter will serve as notice that on March 31, 2026 Spectrum Mid-America, LLC, ("Spectrum") will add NewsNation to the TV Choice selection of available networks that customers can choose to add to their subscription.

Spectrum Mid-America, LLC, ("Spectrum") previously noticed you that on or after February 22, 2026, Spectrum would drop Tarima on channel 293 on the channel line-up serving your community, however, Spectrum has negotiated an agreement to continue carriage of Tarima, so this network will not be dropped.

This letter will serve as notice that on March 16, 2026, The Cowboy Channel rebranded to Cowboy Channel. There will be no change in programming. This change is out of Spectrum's control.

If you have any questions about this change, please feel free to contact me at (952) 367-4263 or via email at david.larson@charter.com.

Sincerely,



David Larson
Director of State Government Affairs Minnesota
Charter Government Affairs

March 27, 2026

Ms. Tammy Schefers
Township of Haven
PO Box 339
St. Cloud, MN 56304

Re: Charter Communications – Upcoming Changes

Dear Ms. Schefers:

Charter values our customers and works hard to keep prices as low as possible. Customers are being noticed via bill message regarding the following price changes that will take effect on or after April 29, 2026.

Description	Price Change
Service Activation (applies when service is activated via self-installation or professional installation)	Will decrease by $10 from $30 to $20.
Change of Service	Will decrease by $15 from $65 to $50.
Professional Installation (formerly Primary Installation/Reconnect, and Trouble Call and will apply to all technician-supported installations)	Will decrease by $15 from $65 to $50.
Hourly Labor Charge	Will decrease by $15 from $65 to $50.

We remain committed to providing excellent entertainment services in your community. If you have any questions about these changes, please feel free to contact meat (952) 367-4263 or via email at david.larson@charter.com.

Sincerely,



David Larson
Director of State Government Affairs Minnesota
Charter Government Affairs

SP 7103-66 Hwy 10 Prelim Design

TAC Meeting

Meeting Details

Date	03/17/2026 10:00 AM
Attendee List	**MnDOT** Tom Cruikshank Thomas.Cruikshank@state.mn.us Stephanie Castellanos Stephanie.Castellanos@state.mn.us Chad Nieman Chad.Nieman@state.mn.us **Local Agency** Matt Glaesman Matt.Glaesman@ci.stcloud.mn.us Zachary Borgerding Zachary.Borgerding@ci.stcloud.mn.us Brian Gibson gibson@stcloudapo.org Andrew Witter Andrew.Witter@co.sherburne.mn.us David Roedel David.Roedel@co.sherburne.mn.us Joe Then thenj1@msn.com **Consultant** Chad Erickson cerickson@gsambatek.com Cari Hoverson Cari.Hoverson@kljeng.com Tom Nixon tom.nixon@kljeng.com Ryan Sundberg ryan.sundberg@kljeng.com Kerry Ribbons kerry.ribbons@kljeng.com Elishia Porter eporter@zanassoc.com

Meeting Minutes

Note: see attached PowerPoint presentation.

1. **Screening Criteria and Alternatives Review**
    a. City/County
        i. Matt G. requested pedestrian considerations for 1A, possibly all alternatives to make equal and consistent considerations.
            - Cost estimate updates too.
            - April 6th is next city workshop, including in May meeting, possible June City Council acknowledgement.
        ii. Matt also questioned not showing the connection to the airport on the concepts.
        iii. Matt and Zach will coordinate with City decision makers.
        iv. County to review with Matt and Zach B after they meet.
        v. MnDOT offered to support city messaging, but Matt believes they can handle it internally.
    b. APO
        i. Doesn't have preference on alternatives.
        ii. Don't believe they need additional weigh in on early decisions - more informative than decision making from their perspective.
    c. Haven Township

i. Joe Then noted that the township did not have a strong position on which alternative is selected. The construction costs, maintenance, and long-term ownership assignments of new infrastructure are a bigger consideration for the township.

2. Truck Assessment

a. Truck u-turn assessment will be scheduled in April.

3. Public Engagement

a. Engagement timeframe is 6 weeks post preferred alternative identification.

4. Action Items

DATE INITIATED	RESPONSIBLE	ACTION ITEM	DATE CLOSED
2/3/2026	City of St. Cloud	Matt to provide planned future land use from comp plan to understand future pedestrian crossings at 15th.	
2/3/2026	Consultant	Review future land use from comp plan to understand future pedestrian crossings at 15th.	
2/3/2026	Consultant	Include dashed lines for potential Kwik Trip access and potential ped crossing at 15th on concepts.	3/17/2026

DEPARTMENT OF TRANSPORTATION

US 10 Corridor – St. Cloud Area

Preliminary Design Project

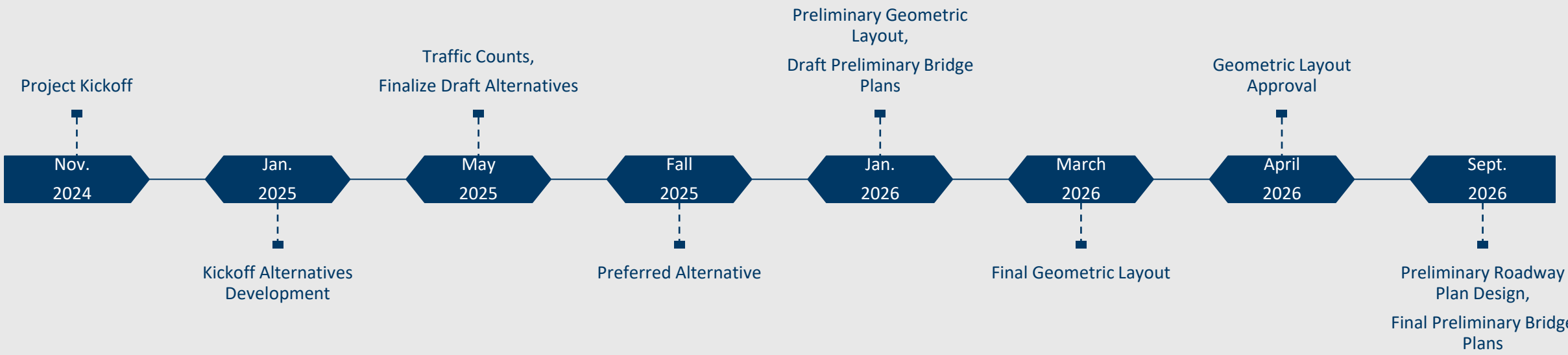
March 2026

Agenda

- Project Process Recap
- Remaining Concepts
- Level 3 Screening Criteria
- Cost Estimates
- ROW Impacts
- Level 3 Draft Results
- Recommended Alternative
- Public Engagement
- Next Steps

Project Progress Recap

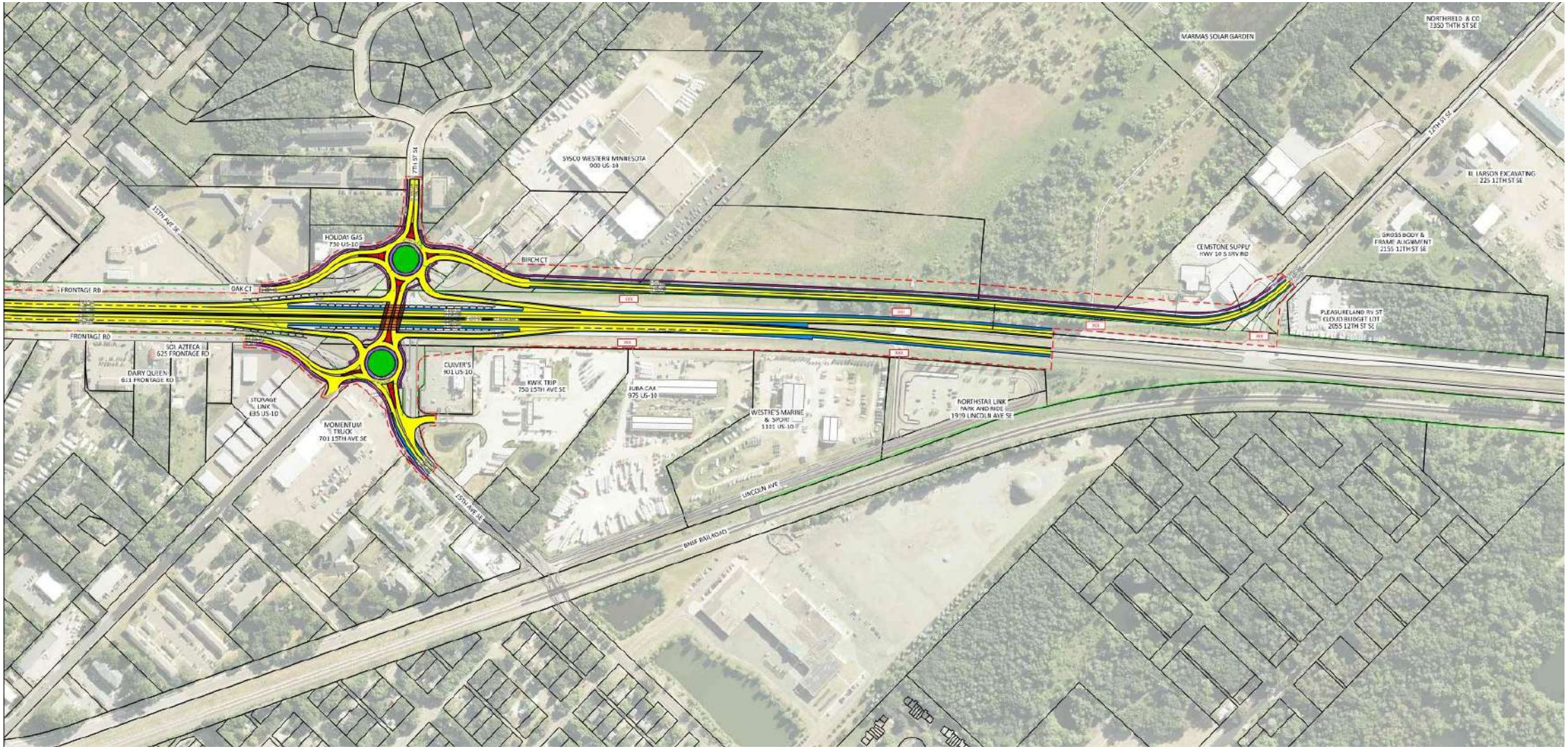
- Kicked off November 2024 with 30% plan final delivery September 2026
- Unique challenge of multiple possible location, all feasible
- Public engagement and workshops with TAC and MnDOT to discuss alternatives and implications
- Deviated from schedule as alternatives and screening evolved and were refined
- Presented Level 2 Screening results at February 2026 TAC



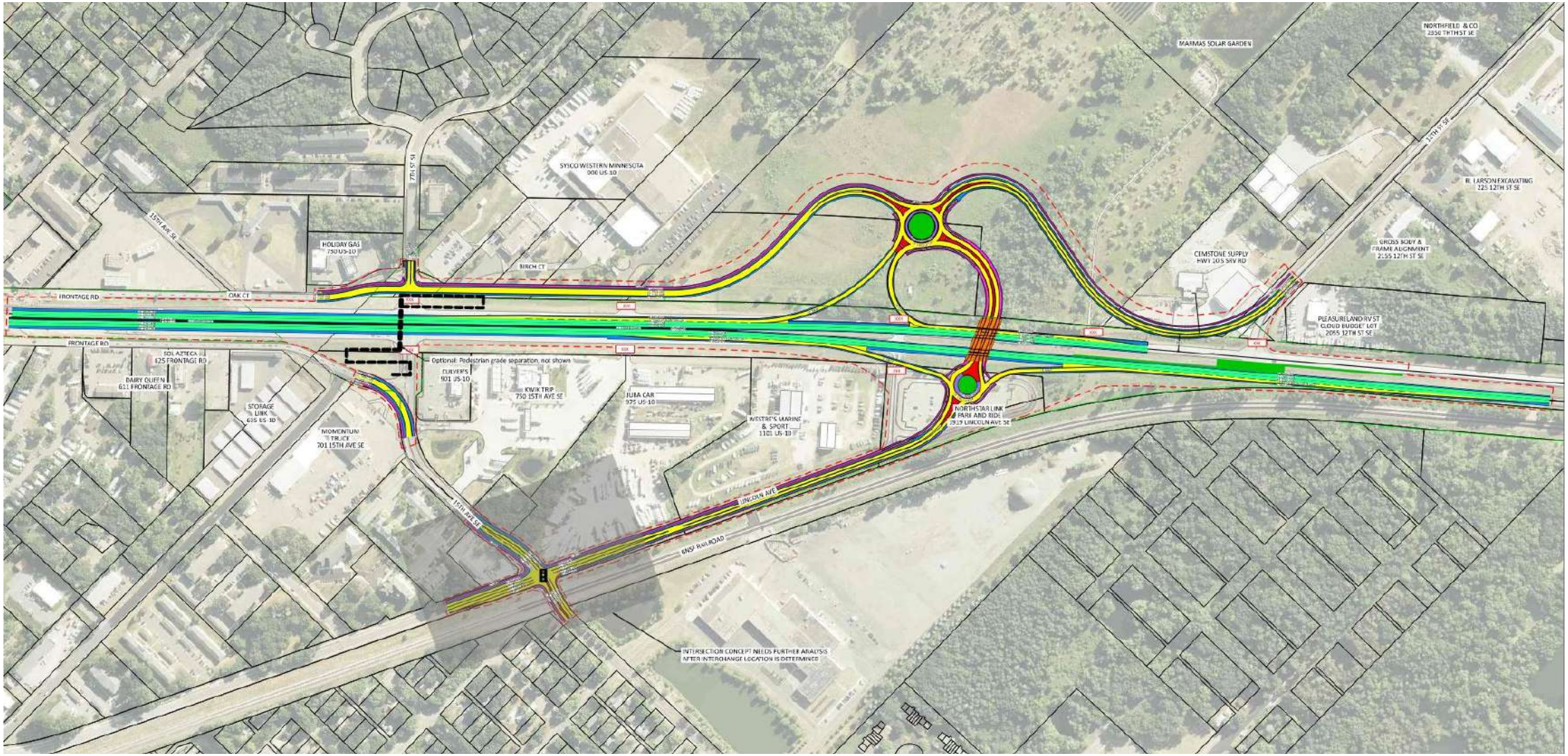
February TAC Recap

- Phase 2 Screening – revised from location to performance and impact focused
- 4 alternatives remaining
  - Interchange 1A - Diamond Interchange with Roundabouts (at 15th)
  - Interchange 2-1F - Compact Diamond with Roundabouts (near Lincoln/12th)
  - Interchange 3B - Compact Diamond with Roundabouts (mid-way location)
  - Interchange 3-2B - Buttonhook with Overpass at 15th
- Discussed phase 3 screening
  - Increased TAC frequency to monthly, with draft phase 3 results presented in March
  - Final phase 3 screening results will be recommended alternative

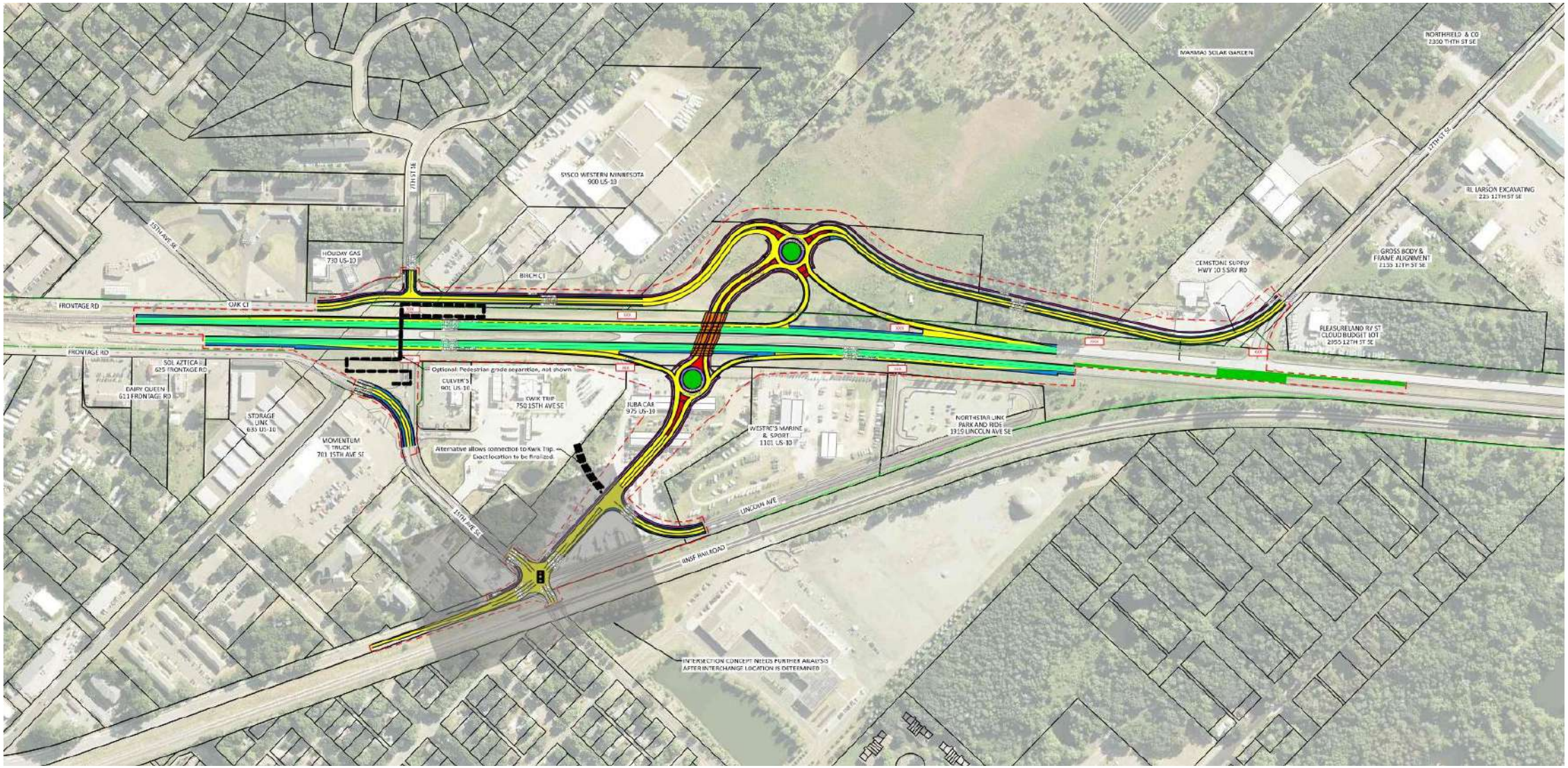
Interchange 1A Diamond Interchange with Roundabouts



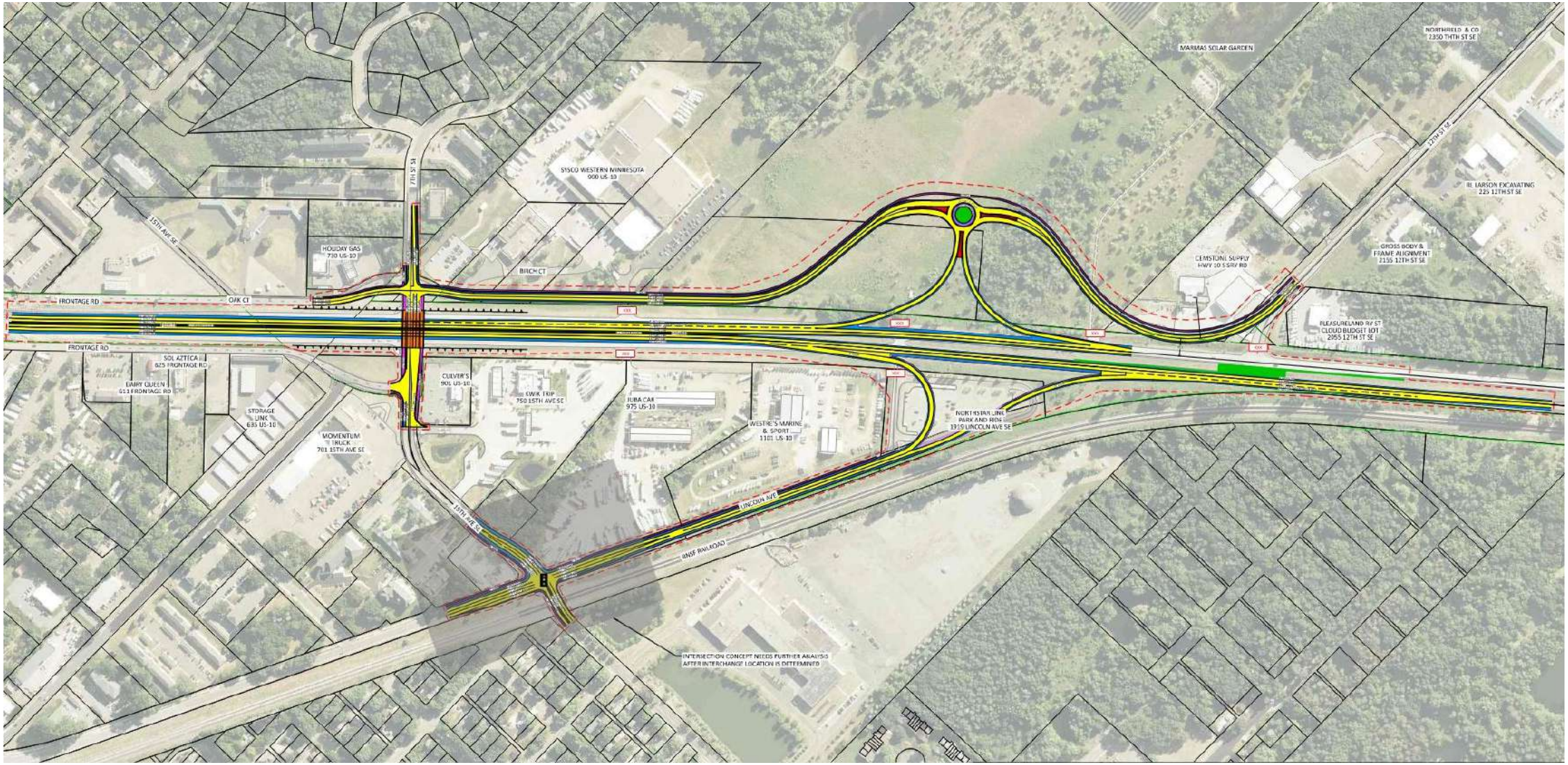
Interchange 2-1F Compact Diamond with Roundabouts



Interchange 3B Compact Diamond with Roundabouts



Interchange 3-2B Buttonhook with Overpass at 15th



Level 3 Screening Criteria (Preferred Alternative)

Category	Metric	Performance Measure
Vehicle Mobility	Intersection Performance	VISSIM- LOS
	Mainline Congestion	VISSIM – Spot Speed
Vehicle Safety	Conflict Points	Total Intersection Conflict Points (Effective Interchange Area)
	Intersection Performance	Average Crash Modification Factor (CMF) Across Network
Walkability & Bikeability	Lanes Crossed per Stage	Average Number of Lanes Crossed per Crossing Stage
	Conflicting Speeds	Vehicle Speeds at Crossings (mph)
	Travel Indirection	Net Change in Pedestrian Travel Distance from Existing Crossing (mi)
Additional Considerations	Maintenance Impacts	Additional Lane Miles
		Bridge Square Footage
		Retaining Wall Square Yards
	Regional Connectivity	Net Change in Distance to Access Regional Roadways (miles)
	Cost	Estimated Construction Cost Range ($)
Social, Economic, and Environmental (SEE)	Right of Way	Number of Accesses Modified
		Number of Structures Impacted
		Number of Parcels Impacted
	Farmland Impacts	Type of Farmland Impacted
	Historic/Archaeological	Number of Potentially Impacted MnSHIP Resources
	Water Resources	Additional impervious surface (acres)
		Stormwater Treatment Pond (acre-feet)

Cost Estimates

	Interchange 1A (15th Ave) Diamond Interchange with Roundabouts	Interchange 2-1F (12th St) Modified Compact Diamond with Roundabouts	Interchange 3B (Midway) Modified Compact Diamond with Roundabouts	Interchange 3-2B (Midway) Buttonhook Interchange with Overpass
2026 Bid Prices	$23,997,770	$18,461,540	$17,040,100	$29,155,100
2031 Construction	$28,797,324	$22,153,848	$20,448,120	$34,986,120

Right-of-Way Impacts

Category	Metric	No-Build	Interchange 1A (15th Ave) Diamond Interchange with Roundabouts	Interchange 2-1F (12th St) Modified Compact Diamond with Roundabouts	Interchange 3B (Midway) Modified Compact Diamond with Roundabouts	Interchange 3-2B (Midway) Buttonhook Interchange with Overpass
Right-of-Way	Number of Modified Accesses Impacted	0	13	18	15	16
	Number of Structures Impacted	0	2	0	2	0
	Number of Parcels Impacted	0	13	18	18	18
Historic/Archaeological	Number of Potentially Impacted MnSHIP Resources	0	4	5	3	4
Water Resources	Additional impervious surface (acres)	0	4.2	4.2	3.1	6.2
	Stormwater Treatment Pond (acre-feet)	0	0.4	0.4	0.3	0.6

Draft Level 3 Results

Category	No-Build	Interchange 1A (15th Ave) Diamond Interchange with Roundabouts	Interchange 2-1F (12th St) Modified Compact Diamond with Roundabouts	Interchange 3B (Midway) Modified Compact Diamond with Roundabouts	Interchange 3-2B (Midway) Buttonhook Interchange with Overpass
Vehicle Mobility	1.50	2.00	2.50	2.50	3.00
Vehicle Safety	1.00	1.50	2.50	2.50	1.50
Walkability & Bikeability	1.67	2.67	2.33	2.67	2.67
Additional Considerations	3.00	2.22	2.22	2.22	1.00
Social, Economic, and Environmental (SEE)	3.00	2.00	1.67	1.92	1.67
Total Score	**10.17**	**10.39**	**11.22**	**11.81**	**9.83**

Draft Level 3 Matrix

Category	Metric	Performance Measure	No-Build	Alternatives			
				1A (15th Ave) Diamond Interchange with Roundabouts	2-1F (12th St) Modified Compact Diamond with Roundabouts	3B (Midway) Modified Compact Diamond with Roundabouts	3-2B (Midway) Buttonhook Interchange w/Overpass
Vehicle Mobility	**Intersection Performance**	VISSIM - LOS	C	A	A	A	A
	Mainline Congestion	VISSIM - Spot Speed	41	48	50	52	56
	Subtotal (Average of Category / Max Subtotal)		***1.5 / 3***	***2 / 3***	***2.5 / 3***	***2.5 / 3***	***3 / 3***
Vehicle Safety	**Conflict Points**	Total Intersection Conflict Points (Effective Interchange Area)	34	18	12	12	72
	Intersection Performance	Average Crash Modification Factor (CMF) Across Network	1	0.89	0.72	0.78	0.72
	Subtotal (Average of Category / Max Subtotal)		***1 / 3***	***1.5 / 3***	***2.5 / 3***	***2.5 / 3***	***1.5 / 3***
Pedestrian Safety	**Lanes Crossed per Stage**	Average Number of Lanes Crossed per Crossing Stage	*4*	2	1	1	1
	Conflicting Speeds	Vehicle Speeds at Crossings (mph)	*60*	20	20	20	30
	Travel Indirection	Net Change in Pedestrian Travel Distance from Existing Crossing (mi)	*0*	0.02	1.12	0.81	0.00
	Subtotal (Average of Category / Max Subtotal)		***1.67 / 3***	***2.67 / 3***	***2.33 / 3***	***2.67 / 3***	***2.67 / 3***

Category	Metric	Performance Measure	No-Build	Alternatives			
				1A (15th Ave) Diamond Interchange with Roundabouts	2-1F (12th St) Modified Compact Diamond with Roundabouts	3B (Midway) Modified Compact Diamond with Roundabouts	3-2B (Midway) Buttonhook Interchange w/Overpass
Additional Considerations	Maintenance Impacts	Additional Lane Miles	0	1.5	2.4	2.4	2.3
		Bridge Square Footage	0	8,000	15,700	15,700	13,900
		Retaining Wall Square Yards	*0*	2,900	0	0	2,900
	Regional Connectivity	Net Change in Distance to Access Regional Roadways (miles)	0	1.6	2.5	2.6	3.6
	Cost	Estimated Construction Cost Range ($)	0	$ 28,797,324.00	$ 22,153,848.00	$ 20,448,120.00	$ 34,986,120.00
	Subtotal (Average of Category / Max Subtotal)		***3 / 3***	***2.22 / 3***	***2.22 / 3***	***2.22 / 3***	***1 / 3***
Social, Economic, and Environmental (SEE)	Right-of-Way	Number of Accesses Modified	0	13	18	15	16
		Number of Structures Impacted	0	2	0	2	0
		Number of Parcels Impacted	0	13	18	18	18
	Farmland Impacts	Type of Farmland Impacted	No Impacts	Farmland of Statewide Importance	Farmland of Statewide Importance	Farmland of Statewide Importance	Farmland of Statewide Importance
	Historic/Archaeological	Number of Potentially Impacted MnSHIP Resources	0	4	5	3	4
	Water Resources	Additional Impervious Surface (acres)	0	4.2	4.2	3.1	6.2
		Stormwater Treatment Pond (acre-feet)	0	0.4	0.4	0.3	0.6
	Subtotal (Average of Category / Max Subtotal)		***3 / 3***	***2 / 3***	***1.67 / 3***	***1.92 / 3***	***1.67 / 3***
Total	Total Score		***10.17***	***10.39***	***11.22***	***11.81***	***9.83***

Draft Recommended Alternative

- Close Scoring
  - Similar benefits, similar impacts, similar broad cost and impact ranges
  - FHWA/TPDP preferred 3-point scoring keeps similar projects in similar scores
- 3B – Midway Compact Diamond with Roundabouts
  - Highest Score for Addressing Needs
  - Higher than 2-1F – 12th St only due to closer proximity to existing crossing
  - Lower than 1A – 15th Ave in SEE impacts
  - ROW impacts included – but cost not factored (taking of Holiday with major Sysco and Storage Link impacts vs taking of Juba Car vs taking of Park and Ride

Public Engagement

Next Phase of Engagement

- Screen interchange design alternatives with stakeholders
- Present alternatives and the preferred at-grade layout to the public
- Gather feedback through in-person and virtual engagement

Spring Public Meeting

- Anticipated Spring/Summer 2026
- Potential to coordinate with Hwy 10 Study St. Cloud to Little Falls
- Two in-person meetings—one at each end of the project area





Next Steps

- Preferred Alternative Selection
  - Interchange
  - At-Grade
- Public Engagement
  - Anticipated after selection of preferred alternative, 6-week notification required
- Truck U-Turn Assessment

Questions



SP 7103-66 Hwy 10 Prelim Design

TAC Meeting

Meeting Details

Date	04/07/2026 10:00 AM
Attendee List	**MnDOT** Tom Cruikshank Thomas.Cruikshank@state.mn.us Russell Fellbaum russell.fellbaum@state.mn.us Zach Whitley zachary.whitley@state.mn.us Stephanie Castellanos Stephanie.Castellanos@state.mn.us **Local Agency** Matt Glaesman Matt.Glaesman@ci.stcloud.mn.us Zachary Borgerding Zachary.Borgerding@ci.stcloud.mn.us Brian Gibson gibson@stcloudapo.org Andrew Witter Andrew.Witter@co.sherburne.mn.us David Roedel David.Roedel@co.sherburne.mn.us Joe Then thenj1@msn.com **Consultant** Chad Erickson cerickson@gsambatek.com Cari Hoverson Cari.Hoverson@kljeng.com Tom Nixon tom.nixon@kljeng.com Ryan Sundberg ryan.sundberg@kljeng.com Elishia Porter eporter@zanassoc.com Tessa Schuenke Tessa.schuenke@kljeng.com

Meeting Minutes

Note: see attached PowerPoint presentation.

1. **March TAC Feedback**
    a. Recommendation: Alt 3B - midway compact diamond with roundabouts
        i. Highest scoring
        ii. Impacts Juba Car property
    b. **Consultant to schedule meeting with Zach Whitley - clarify changes in screening/scoring.**
        i. Previous screening would not change recommendation.
    c. Pedestrian Bridge at 15th
        i. MnDOT does not identify a pedestrian bridge as a need right now. MnDOT focus is safety, mobility, access.
        ii. City wants this process to determine if a pedestrian bridge is warranted based on future developments (multi-family housing) and proximity to interchange based on preferred alternative location. Responsibility can be a future discussion.
        iii. Interchange design should not preclude incorporation of pedestrian bridge in the future. Pedestrian bridge could be a standalone project.

2. **5/13 City Council Workshop**
    a. Workshop scheduled for this project and corresponding study to the north.
    b. Intent is to provide project history, alternatives, and screening for consensus from agencies on preferred alternative.
    c. City and County staff will be in attendance, elected officials will not be in attendance.

d. Matt to coordinate special meeting with City Council 5/18, 4:00-6:00.
    i. Next public meeting would be scheduled 6-8 weeks after agreed upon recommendation.

3. U-Turn Truck Event

a. Chad to coordinate (end of April)
b. Recent MnDOT study showed no improvement to truck crashes with RCIs.
c. Interest from CO and geometrics.
d. Proposed dates have been sent to Knife River.
    i. Review left in, crossings, left out.
    ii. Potential locations: CR 65, CR 61, crossing at 32nd, inside left turn accel at Knife River facility
e. Operations and safety plans submitted to MnDOT staff and State Patrol. Comments received from Max Moreland (Office of Traffic Engineering).

4. Action Items

DATE INITIATED	RESPONSIBLE	ACTION ITEM	DATE CLOSED
2/3/2026	City of St. Cloud	Matt to provide planned future land use from comp plan to understand future pedestrian crossings at 15th.	
2/3/2026	Consultant	Review future land use from comp plan to understand future pedestrian crossings at 15th.	
4/7/2026	City of St. Cloud	Matt to coordinate special meeting with City Council 5/18, 4:00-6:00.	
4/7/2026	Consultant	Schedule meeting with Zach Whitley to discuss changes to screening/scoring.	

DEPARTMENT OF TRANSPORTATION

US 10 Corridor – St. Cloud Area

Preliminary Design Project

April 2026

Agenda

March TAC Recap

5/13 City Council Workshop Presentation

Truck U-Turn Assessment

March TAC Recap

Category	Metric	Performance Measure	No-Build	Alternatives			
				1A (15th Ave) Diamond Interchange with Roundabouts	2-1F (12th St) Modified Compact Diamond with Roundabouts	3B (Midway) Modified Compact Diamond with Roundabouts	3-2B (Midway) Buttonhook Interchange w/ Overpass
Vehicle Mobility	Intersection Performance	VISSIM- LOS	C	A	A	A	A
	Mainline Congestion	VISSIM – Spot Speed	41	48	50	52	56
	Subtotal (Average of Category / Max Subtotal)		1.5/3	2/3	2.5/3	2.5/3	3/3
Vehicle Safety	Conflict Points	Total Intersection Conflict Points (Effective Interchange Area)	34	18	12	12	72
	Intersection Performance	Average Crash Modification Factor (CMF) Across Network	1	0.89	0.72	0.78	0.70
	Subtotal (Average of Category / Max Subtotal)		1/3	1.5/3	2.5/3	2.5/3	1.5/3
Pedestrian Safety	Lanes Crossed per Stage	Average Number of Lanes Crossed per Crossing Stage	4	2	1	1	1
	Conflicting Speeds	Vehicle Speeds at Crossings (mph)	60	20	20	20	30
	Travel Indirection	Net Change in Pedestrian Travel Distance from Existing Crossing (mi)	0	0.02	1.12	0.81	0.00
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Category	Metric	Performance Measure	No-Build	Alternatives			
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Additional Considerations	Maintenance Impacts	Additional Lane Miles	0	1.5	2.4	2.4	2.3
		Bridge Square Footage	0	8,000	15,700	15,700	13,900
		Retaining Wall Square Yards	0	2,900	0	0	2,900
	Regional Connectivity	Net Change in Distance to Access Regional Roadways (miles)	0	1.6	2.5	2.6	3.6
	Cost	Estimated Construction Cost Range ($)	0	$28,797,324.00	$22,153,848.00	$20,448,120.00	$34,986,120.00
	Subtotal (Average of Category / Max Subtotal)		**3/3**	**2.22/3**	**2.22/3**	**2.22/3**	**1/3**
Social, Economic, and Environmental (SEE)	Right of Way	Number of Accesses Modified	0	13	18	15	16
		Number of Structures Impacted	0	2	0	2	0
		Number of Parcels Impacted	0	13	18	18	18
	Farmland Impacts	Type of Farmland Impacted	No impacts	Farmland of Statewide Importance	Farmland of Statewide Importance	Farmland of Statewide Importance	Farmland of Statewide Importance
	Historic/Archaeological	Number of Potentially Impacted MnSHIP Resources	0	4	5	3	4
	Water Resources	Additional Impervious Surface (acres)	0	4.2	4.2	3.1	6.2
		Stormwater Treatment Pond (acre-feet)	0	0.4	0.4	0.3	0.6
	Subtotal (Average of Category / Max Subtotal)		**3/3**	**2/3**	**1.67/3**	**1.92/3**	**1.67/3**
Total	**Total Score**		**10.17**	**10.39**	**11.22**	**11.81**	**9.83**

March TAC Recap

- Close Scoring
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- 3B – Midway Compact Diamond with Roundabouts
  - Highest Score for Addressing Needs
  - Higher than 2-1F - 12th St only due to closer proximity to existing crossing
  - Lower than 1A – 15th Ave in SEE impacts
  - ROW impacts included – but cost not factored (taking of Holiday with major Sysco and Storage Link impacts vs taking of Juba Car vs taking of Park and Ride)

City Council Workshop

- Scheduled 5/13
- Using March TAC presentation as a baseline
- Attendees?
  - Staff?
  - Elected?

Truck U Turn Assessment

- Coordinating with Knife River
  - Monday 4/20
  - Friday 4/24 (not ideal due to increased traffic)
  - Monday 5/4
  - Monday 5/11
  - Friday 5/15 (not ideal due to increased traffic)
  - Friday 5/29 (not ideal due to increased traffic)
- Draft Methodology and Safety Plan
  - Haven Township Hall

Questions



See the attached minutes from the April TAC.

Thank you,

Tessa Schuenke, PE



(651) 726-5008
2750 Blue Water Rd #100
Eagan, MN 55121
kljeng.com

-----Original Appointment-----
From: Tessa Schuenke
Sent: Friday, October 25, 2024 8:13 AM
To: Tessa Schuenke; Fellbaum, Russell (DOT); Cruikshank, Thomas (DOT); Stephanie.Castellanos@state.mn.us; Whitley, Zachary (DOT); supervisormeyer@haventwp.org; clerk@haventwp.org; matt.glaesman@ci.stcloud.mn.us; gibson@stcloudapo.org; David.Roedel@co.sherburne.mn.us; Chad.Nieman@state.mn.us; Elishia Porter; Lspohr@zanassoc.com; Cari Hoverson; Tom Nixon; Veronica Richfield; Chad Erickson; Andrew.Witter@co.sherburne.mn.us; SupervisorThen@haventwp.org; Ryan Sundberg
Cc: Shep Rogers; JOSEPH Then
Subject: Hwy 10 Prelim Design - TAC
When: Tuesday, April 7, 2026 10:00 AM-11:00 AM (UTC-06:00) Central Time (US & Canada).
Where: Microsoft Teams Meeting

Microsoft Teams Need help?

Join the meeting now

Meeting ID: 230 819 552 056

Passcode: dK9p63

Join on a video conferencing device

Tenant key: webexsip@m.webex.com

Video ID: 113 140 618 1

More info

For organizers: Meeting options



20260407_SP7103-66_TAC_Minutes.pdf
484 KB

From: Chad Erickson cerickson@sambatek.com
Subject: RE: Hwy 10 Prelim Design - TAC
Date: Apr 1, 2026 at 12:16:32 PM
To: Tessa Schuenke tessa.schuenke@kljeng.com, Fellbaum, Russell (DOT) russell.fellbaum@state.mn.us, Cruikshank, Thomas (DOT) Thomas.Cruikshank@state.mn.us, Castellanos, Stephanie (DOT)

Hi All,

Attached are the TAC meeting minutes, the presentation from the 3/17 TAC meeting, and two sets of alternatives. One set includes possible ped bridge locations for all alternatives and one set does not. Please let me know if you have any comments or questions.

As a reminder, the next TAC meeting is scheduled for April 7. It is a quick turnaround, but the intent will be to solicit feedback on the recommendation presented on 3/17. We also will discuss details of a planned workshop in May and provide an update on the progress of the J-turn truck study.

Thanks again for your input.

Chad Erickson
Director of Client Services - Public
P: 763.325.6015 E: cerickson@sambatek.com<mailto:cerickson@sambatek.com>

[Logo Description automatically generated]<https://www.sambatek.com/>

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Sambatek

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81 KB

TH10 Interchange Exhibits_Pedestrian...
5.4 MB

TH10 Interchange Exhibits_2026.03.23.pdf
3.3 MB

20260317_TAC_CME1.pdf
2.4 MB

400'

SCALE IN FEET

SYSCO WESTERN MINNESOTA
900 US-10

MARMAS SOLAR GARDEN

NORTHFIELD & CO
2350 THTH ST SE

RL LARSON EXCAVATING
225 12TH ST SE

GROSS BODY &
FRAME ALIGNMENT
2155 12TH ST SE

CEMSTONE SUPPLY
HWY 10 S SRV RD

PLEASURELAND RV ST
CLOUD BUDGET LOT
2055 12TH ST SE

7TH ST SE

12TH ST SE

15TH AVE SE

HOLIDAY GAS
730 US-10

BIRCH CT

OAK CT

FRONTAGE RD

FRONTAGE RD

SOL AZTECA
625 FRONTAGE RD

DAIRY QUEEN
611 FRONTAGE RD

STORAGE
LINK
635 US-10

MOMENTUM
TRUCK
701 15TH AVE SE

CULVER'S
901 US-10

KWIK TRIP
750 15TH AVE SE

JUBA CAR
975 US-10

WESTRE'S MARINE
& SPORT
1101 US-10

NORTHSTAR LINK
PARK AND RIDE
1919 LINCOLN AVE SE

15TH AVE SE

LINCOLN AVE

BNSF RAILROAD

xxx

PLOTTED/REVISED: 19-FEB-2026

DISTRICT_3

PLOT NAME: 95% PLANS

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KLJ

MINNESOTA DEPARTMENT OF TRANSPORTATION

INTERCHANGE 1A
DIAMOND INTERCHANGE WITH ROUNDABOUTS
TH 10 - CONCEPTS

SHEET NO. 1

TOTAL SHEETS 5

400'

SCALE IN FEET

SYSCO WESTERN MINNESOTA
900 US-10

7TH ST SE

15TH AVE SE

HOLIDAY GAS
730 US-10

BIRCH CT

OAK CT

FRONTAGE RD

FRONTAGE RD

SOL AZTECA
625 FRONTAGE RD

DAIRY QUEEN
611 FRONTAGE RD

STORAGE
LINK
635 US-10

MOMENTUM
TRUCK
701 15TH AVE SE

CULVER'S
901 US-10

KWIK TRIP
750 15TH AVE SE

Alternative allows connection to Kwik Trip.
Exact location to be finalized.

15TH AVE SE

JUBA CAR
975 US-10

WESTRE'S MARINE
& SPORT
1101 US-10

LINCOLN AVE

BNSF RAILROAD

INTERSECTION CONCEPT NEEDS FURTHER ANALYSIS
AFTER INTERCHANGE LOCATION IS DETERMINED

MARMAS SOLAR GARDEN

NORTHFIELD & CO
2350 THTH ST SE

12TH ST SE

RL LARSON EXCAVATING
225 12TH ST SE

GROSS BODY &
FRAME ALIGNMENT
2155 12TH ST SE

CEMSTONE SUPPLY
HWY 10 S SRV RD

PLEASURELAND RV ST
CLOUD BUDGET LOT
2055 12TH ST SE

NORTHSTAR LINK
PARK AND RIDE
1919 LINCOLN AVE SE

ONLY ACCESS CLOSURES TO TH 10 ARE SHOWN ON CURRENT CONCEPT. ACCESS MODIFICATIONS ARE NOT FINALIZED AND FUTURE LAYOUT DEVELOPMENT WILL SHOW ALL ACCESS MODIFICATIONS.

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PLOT NAME: 95% PLANS
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MINNESOTA DEPARTMENT OF TRANSPORTATION

INTERCHANGE 3B
COMPACT DIAMOND WITH ROUNDABOUTS
TH 10 - CONCEPTS

SHEET NO. 2

TOTAL SHEETS 5

400'

SCALE IN FEET

SYSCO WESTERN MINNESOTA
900 US-10

MARMAS SOLAR GARDEN

NORTHFIELD & CO
2350 THTH ST SE

RL LARSON EXCAVATING
225 12TH ST SE

GROSS BODY &
FRAME ALIGNMENT
2155 12TH ST SE

CEMSTONE SUPPLY
HWY 10 S SRV RD

PLEASURELAND RV ST
CLOUD BUDGET LOT
2055 12TH ST SE

HOLIDAY GAS
730 US-10

7TH ST SE

15TH AVE SE

BIRCH CT

OAK CT

FRONTAGE RD

FRONTAGE RD

SOL AZTECA
625 FRONTAGE RD

DAIRY QUEEN
611 FRONTAGE RD

STORAGE
LINK
635 US-10

MOMENTUM
TRUCK
701 15TH AVE SE

CULVER'S
901 US-10

KWIK TRIP
750 15TH AVE SE

JUBA CAR
975 US-10

WESTRE'S MARINE
& SPORT
1101 US-10

NORTHSTAR LINK
PARK AND RIDE
1919 LINCOLN AVE SE

LINCOLN AVE

BNSF RAILROAD

INTERSECTION CONCEPT NEEDS FURTHER ANALYSIS
AFTER INTERCHANGE LOCATION IS DETERMINED

ONLY ACCESS CLOSURES TO TH 10 ARE SHOWN ON CURRENT CONCEPT. ACCESS MODIFICATIONS ARE NOT FINALIZED AND FUTURE LAYOUT DEVELOPMENT WILL SHOW ALL ACCESS MODIFICATIONS.

KLJ

MINNESOTA DEPARTMENT OF TRANSPORTATION

INTERCHANGE 3-2B
BUTTONHOOK W/ OVERPASS AT 15TH
TH 10 - CONCEPTS

SHEET NO. 3

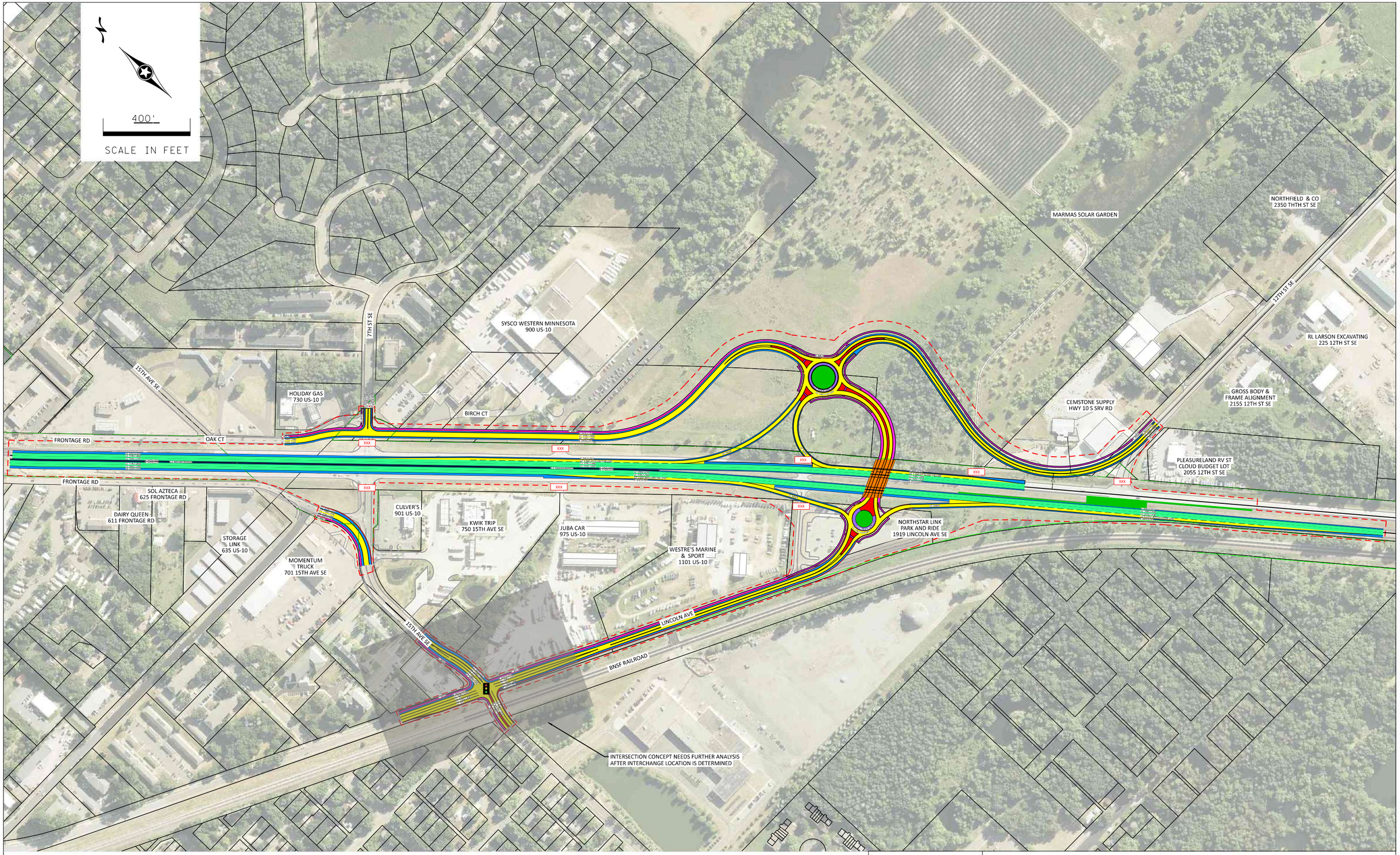
TOTAL SHEETS 5

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PLOTTED/REVISED: 24-MAR-2026

DISTRICT_3
PLOT NAME: 95% PLANS
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ONLY ACCESS CLOSURES TO TH 10 ARE SHOWN ON CURRENT CONCEPT. ACCESS MODIFICATIONS ARE NOT FINALIZED AND FUTURE LAYOUT DEVELOPMENT WILL SHOW ALL ACCESS MODIFICATIONS.

KLJ

MINNESOTA DEPARTMENT OF TRANSPORTATION

INTERCHANGE 2F-1
COMPACT DIAMOND WITH ROUNDABOUTS
TH 10 - CONCEPTS

SHEET NO.	4
TOTAL SHEETS	5

400'

SCALE IN FEET

MARMAS SOLAR GARDEN

NORTHFIELD & CO
2350 THTH ST SE

12TH ST SE

RL LARSON EXCAVATING
225 12TH ST SE

GROSS BODY &
FRAME ALIGNMENT
2155 12TH ST SE

CEMSTONE SUPPLY
HWY 10 S SRV RD

PLEASURELAND RV ST
CLOUD BUDGET LOT
2055 12TH ST SE

SYSCO WESTERN MINNESOTA
900 US-10

7TH ST SE

15TH AVE SE

HOLIDAY GAS
730 US-10

BIRCH CT

FRONTAGE RD

OAK CT

FRONTAGE RD

SOL AZTECA
625 FRONTAGE RD

DAIRY QUEEN
611 FRONTAGE RD

STORAGE
LINK
635 US-10

MOMENTUM
TRUCK
701 15TH AVE SE

CULVER'S
901 US-10

KWIK TRIP
750 15TH AVE SE

JUBA CAR
975 US-10

Alternative allows connection to Kwik Trip.
Exact location to be finalized.

15TH AVE SE

WESTRE'S MARINE
& SPORT
1101 US-10

NORTHSTAR LINK
PARK AND RIDE
1919 LINCOLN AVE SE

LINCOLN AVE

BNSF RAILROAD

INTERSECTION CONCEPT NEEDS FURTHER ANALYSIS
AFTER INTERCHANGE LOCATION IS DETERMINED

PLOTTED/REVISED: 24-MAR-2026

DISTRICT_3
PLOT NAME: 95% PLANS
PATH & FILENAME: ..\cd710366_DetailedConcepts.dgn

ONLY ACCESS CLOSURES TO TH 10 ARE SHOWN ON CURRENT CONCEPT. ACCESS MODIFICATIONS ARE NOT FINALIZED AND FUTURE LAYOUT DEVELOPMENT WILL SHOW ALL ACCESS MODIFICATIONS.

KLJ

MINNESOTA DEPARTMENT OF TRANSPORTATION

INTERCHANGE 3B - ALT FRONTAGE ROAD
COMPACT DIAMOND WITH ROUNDABOUTS
TH 10 - CONCEPTS

SHEET NO.	5
TOTAL SHEETS	5

400'

SCALE IN FEET

SYSCO WESTERN MINNESOTA
900 US-10

MARMAS SOLAR GARDEN

NORTHFIELD & CO
2350 THTH ST SE

RL LARSON EXCAVATING
225 12TH ST SE

GROSS BODY &
FRAME ALIGNMENT
2155 12TH ST SE

CEMSTONE SUPPLY
HWY 10 S SRV RD

PLEASURELAND RV ST
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2055 12TH ST SE

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15TH AVE SE

HOLIDAY GAS
730 US-10

BIRCH CT

OAK CT

FRONTAGE RD

FRONTAGE RD

SOL AZTECA
625 FRONTAGE RD

DAIRY QUEEN
611 FRONTAGE RD

STORAGE
LINK
635 US-10

MOMENTUM
TRUCK
701 15TH AVE SE

CULVER'S
901 US-10

KWIK TRIP
750 15TH AVE SE

JUBA CAR
975 US-10

Optional: Pedestrian grade separation, not shown

WESTRE'S MARINE
& SPORT
1101 US-10

NORTHSTAR LINK
PARK AND RIDE
1919 LINCOLN AVE SE

15TH AVE SE

LINCOLN AVE

BNSF RAILROAD

ONLY ACCESS CLOSURES TO TH 10 ARE SHOWN ON CURRENT CONCEPT. ACCESS MODIFICATIONS ARE NOT FINALIZED AND FUTURE LAYOUT DEVELOPMENT WILL SHOW ALL ACCESS MODIFICATIONS.

KLJ

MINNESOTA DEPARTMENT OF TRANSPORTATION

INTERCHANGE 1A
DIAMOND INTERCHANGE WITH ROUNDABOUTS
TH 10 - CONCEPTS

SHEET NO. 1

TOTAL SHEETS 5

PLOTTED/REVISED: 1-APR-2026

DISTRICT_3

PLOT NAME: 95% PLANS

PATH & FILENAME: ...\cd7103666_DetailedConcepts.dgn

400'

SCALE IN FEET

SYSCO WESTERN MINNESOTA
900 US-10

7TH ST SE

15TH AVE SE

HOLIDAY GAS
730 US-10

BIRCH CT

OAK CT

FRONTAGE RD

FRONTAGE RD

SOL AZTECA
625 FRONTAGE RD

DAIRY QUEEN
611 FRONTAGE RD

STORAGE
LINK
635 US-10

MOMENTUM
TRUCK
701 15TH AVE SE

Optional: Pedestrian grade separation, not shown

CULVER'S
901 US-10

KWIK TRIP
750 15TH AVE SE

Alternative allows connection to Kwik Trip.
Exact location to be finalized.

JUBA CAR
975 US-10

WESTRE'S MARINE
& SPORT
1101 US-10

NORTHSTAR LINK
PARK AND RIDE
1919 LINCOLN AVE SE

LINCOLN AVE

15TH AVE SE

BNSF RAILROAD

INTERSECTION CONCEPT NEEDS FURTHER ANALYSIS
AFTER INTERCHANGE LOCATION IS DETERMINED

MARMAS SOLAR GARDEN

NORTHFIELD & CO
2350 THTH ST SE

12TH ST SE

RL LARSON EXCAVATING
225 12TH ST SE

GROSS BODY &
FRAME ALIGNMENT
2155 12TH ST SE

CEMSTONE SUPPLY
HWY 10 S SRV RD

PLEASURELAND RV ST
CLOUD BUDGET LOT
2055 12TH ST SE

ONLY ACCESS CLOSURES TO TH 10 ARE SHOWN ON CURRENT CONCEPT. ACCESS MODIFICATIONS ARE NOT FINALIZED AND FUTURE LAYOUT DEVELOPMENT WILL SHOW ALL ACCESS MODIFICATIONS.

KLJ

MINNESOTA DEPARTMENT OF TRANSPORTATION

INTERCHANGE 3B
COMPACT DIAMOND WITH ROUNDABOUTS
TH 10 - CONCEPTS

SHEET NO. 2

TOTAL SHEETS 5

PLOTTED/REVISED: 23-FEB-2026

DISTRICT_3
PLOT NAME: 95% PLANS
PATH & FILENAME: ...\cd710366_DetailedConcepts.dgn

400'

SCALE IN FEET

SYSCO WESTERN MINNESOTA
900 US-10

MARMAS SOLAR GARDEN

NORTHFIELD & CO
2350 THTH ST SE

RL LARSON EXCAVATING
225 12TH ST SE

GROSS BODY &
FRAME ALIGNMENT
2155 12TH ST SE

CEMSTONE SUPPLY
HWY 10 S SRV RD

PLEASURELAND RV ST
CLOUD BUDGET LOT
2055 12TH ST SE

HOLIDAY GAS
730 US-10

7TH ST SE

15TH AVE SE

BIRCH CT

OAK CT

FRONTAGE RD

FRONTAGE RD

SOL AZTECA
625 FRONTAGE RD

DAIRY QUEEN
611 FRONTAGE RD

STORAGE
LINK
635 US-10

MOMENTUM
TRUCK
701 15TH AVE SE

CULVER'S
901 US-10

KWIK TRIP
750 15TH AVE SE

JUBA CAR
975 US-10

WESTRE'S MARINE
& SPORT
1101 US-10

NORTHSTAR LINK
PARK AND RIDE
1919 LINCOLN AVE SE

LINCOLN AVE

BNSF RAILROAD

INTERSECTION CONCEPT NEEDS FURTHER ANALYSIS
AFTER INTERCHANGE LOCATION IS DETERMINED

ONLY ACCESS CLOSURES TO TH 10 ARE SHOWN ON CURRENT CONCEPT. ACCESS MODIFICATIONS ARE NOT FINALIZED AND FUTURE LAYOUT DEVELOPMENT WILL SHOW ALL ACCESS MODIFICATIONS.

KLJ

MINNESOTA DEPARTMENT OF TRANSPORTATION

INTERCHANGE 3-2B
BUTTONHOOK W/ OVERPASS AT 15TH
TH 10 - CONCEPTS

SHEET NO. 3

TOTAL SHEETS 5

PLOTTED/REVISED: 19-FEB-2026

DISTRICT_3

PLOT NAME: 95% PLANS

PATH & FILENAME: ...\cd710366_DetailedConcepts.dgn

400'

SCALE IN FEET

7TH ST SE

15TH AVE SE

HOLIDAY GAS
730 US-10

SYSCO WESTERN MINNESOTA
900 US-10

BIRCH CT

OAK CT

FRONTAGE RD

FRONTAGE RD

SOL AZTECA
625 FRONTAGE RD

DAIRY QUEEN
611 FRONTAGE RD

STORAGE
LINK
635 US-10

MOMENTUM
TRUCK
701 15TH AVE SE

Optional: Pedestrian grade separation, not shown

CULVER'S
901 US-10

KWIK TRIP
750 15TH AVE SE

JUBA CAR
975 US-10

WESTRE'S MARINE
& SPORT
1101 US-10

NORTHSTAR LINK
PARK AND RIDE
1919 LINCOLN AVE SE

LINCOLN AVE

15TH AVE SE

BNSF RAILROAD

INTERSECTION CONCEPT NEEDS FURTHER ANALYSIS
AFTER INTERCHANGE LOCATION IS DETERMINED

MARMAS SOLAR GARDEN

NORTHFIELD & CO
2350 THTH ST SE

12TH ST SE

RL LARSON EXCAVATING
225 12TH ST SE

GROSS BODY &
FRAME ALIGNMENT
2155 12TH ST SE

CEMSTONE SUPPLY
HWY 10 S SRV RD

PLEASURELAND RV ST
CLOUD BUDGET LOT
2055 12TH ST SE

XXX

ONLY ACCESS CLOSURES TO TH 10 ARE SHOWN ON CURRENT CONCEPT. ACCESS MODIFICATIONS ARE NOT FINALIZED AND FUTURE LAYOUT DEVELOPMENT WILL SHOW ALL ACCESS MODIFICATIONS.

PLOTTED/REVISED: 23-FEB-2026

DISTRICT_3

PLOT NAME: 95% PLANS

PATH & FILENAME: ...\cd710366_DetailedConcepts.dgn

KLJ

MINNESOTA DEPARTMENT OF TRANSPORTATION

INTERCHANGE 2-1F
COMPACT DIAMOND WITH ROUNDABOUTS
TH 10 - CONCEPTS

SHEET NO. 4

TOTAL SHEETS 5

400'

SCALE IN FEET

SYSCO WESTERN MINNESOTA
900 US-10

MARMAS SOLAR GARDEN

NORTHFIELD & CO
2350 THTH ST SE

RL LARSON EXCAVATING
225 12TH ST SE

GROSS BODY &
FRAME ALIGNMENT
2155 12TH ST SE

CEMSTONE SUPPLY
HWY 10 S SRV RD

PLEASURELAND RV ST
CLOUD BUDGET LOT
2055 12TH ST SE

7TH ST SE

12TH ST SE

15TH AVE SE

HOLIDAY GAS
730 US-10

BIRCH CT

OAK CT

FRONTAGE RD

FRONTAGE RD

SOL AZTECA
625 FRONTAGE RD

DAIRY QUEEN
611 FRONTAGE RD

STORAGE
LINK
635 US-10

MOMENTUM
TRUCK
701 15TH AVE SE

Optional: Pedestrian grade separation, not shown

CULVER'S
901 US-10

KWIK TRIP
750 15TH AVE SE

JUBA CAR
975 US-10

WESTRE'S MARINE
& SPORT
1101 US-10

NORTHSTAR LINK
PARK AND RIDE
1919 LINCOLN AVE SE

Alternative allows connection to Kwik Trip.
Exact location to be finalized.

15TH AVE SE

LINCOLN AVE

BNSF RAILROAD

INTERSECTION CONCEPT NEEDS FURTHER ANALYSIS
AFTER INTERCHANGE LOCATION IS DETERMINED

ONLY ACCESS CLOSURES TO TH 10 ARE SHOWN ON CURRENT CONCEPT. ACCESS MODIFICATIONS ARE NOT FINALIZED AND FUTURE LAYOUT DEVELOPMENT WILL SHOW ALL ACCESS MODIFICATIONS.

KLJ

MINNESOTA DEPARTMENT OF TRANSPORTATION

INTERCHANGE 3B - ALT FRONTAGE ROAD
COMPACT DIAMOND WITH ROUNDABOUTS
TH 10 - CONCEPTS

SHEET NO.	5
TOTAL SHEETS	5

PLOTTED/REVISED: 23-FEB-2026
DISTRICT_3
PLOT NAME: 95% PLANS
PATH & FILENAME: ...\cd710366_DetailedConcepts.dgn

From: Minnesota Association of Townships
info@minnesotaassociationoftownships.ccsend.com
Subject: March 2026 Newsletter
Date: Mar 30, 2026 at 9:46:23 AM
To: Tammy Schefers clerk@haventwp.org

March 2026 Newsletter

Dear Township Officers,

We hope you had a successful Annual Meeting on Township Day. The MAT staff is currently in the middle of our three-week travel schedule for Spring Short Courses, and it has been a pleasure connecting with so many of you in person—we hope to see you soon.

At the same time, Minnesota's legislative session is underway, and the MAT team is actively engaged at the Capitol. Township Day at the Capitol took place on March 2, and we will continue sharing ways for you to connect with your state legislators and advocate for township priorities.

Please be in touch with our trainers, legal counsel, or other staff if we can be helpful or if you have any questions.

Sincerely,
Jeff Krueger
Executive Director
Minnesota Association of Townships

MAT Website Quick Links

Staff/Contact Us
Township Tuesday
Legislative Center
News Updates

Update Officer Information
MATIT
Information Library
Video Library

MAT Spring Short Courses

Attendees: please take a few minutes to fill out the event survey here.

MAT's Spring Short Courses are one-day, in-person workshops held

statewide each spring, designed to give township officers the tools and knowledge they need for effective local governance. Each event, which takes place from 8 AM to 3 PM, will have breakouts for Clerks/Treasurers, Supervisors, and New Officers. **All registration is on-site** and the cost is $75/officer which covers materials and meals.



8:00 AM: Registration opens and light breakfast available
9:00 AM: Sessions begin – breakouts for Supervisors, Clerks & Treasurers, and New Officers
12:00: Lunch (provided)
1:00: Sessions continue - breakouts for Supervisors, Clerks & Treasurers, and New Officers
3:00: Conclusion

~~**MANKATO** Wednesday, March 18, 2026~~
~~Mayo Clinic Health System Event Center, 1 Civic Center Plaza, Mankato, MN 56001~~

~~**WINDOM** Thursday, March 19, 2026~~
~~Windom Community Center, 1750 Cottonwood Lake Dr, Windom, MN 56101~~

~~**GRANITE FALLS** Friday, March 20, 2026~~
~~Prairie's Edge Casino, 5616 Prairies Edge Ln, Granite Falls, MN 56241~~

~~**BRAINERD** Monday, March 23, 2026~~
~~Breezy Point Resort, 9252 Breezy Point Dr, Breezy Point, MN 56472~~

~~**ST. CLOUD** Tuesday, March 24, 2026~~
~~Holiday Inn and Suites, 75 37th Ave, St Cloud, MN 56301~~

~~**ARLINGTON** Wednesday, March 25, 2026~~
~~Arlington Event Center, 204 Shamrock Dr, Arlington, MN 55307~~

~~**WILLMAR** Thursday, March 26, 2026~~
~~Willmar Conference Center, 2100 Highway 12 E, Willmar, MN 56201~~

~~**ALEXANDRIA** Friday, March 27, 2026~~
~~Arrowwood Resort & Conference Center, 2100 Arrowwood Ln, Alexandria, MN 56308~~

~~**MAHNOMEN** Monday, March 30, 2026~~
~~Shooting Star Casino, 777 S Casino Rd, Mahnomen, MN 56557~~

THIEF RIVER FALLS Tuesday, March 31, 2026
Ralph Engelstad Arena, 525 Brooks Ave, Thief River Falls, MN 56701

BEMIDJI Wednesday, April 1, 2026
The Sanford Center, 1111 Event Center Dr NE, Bemidji, MN 56601

GRAND RAPIDS Thursday, April 2, 2026
Sugar Lake Lodge, 37584 Otis Ln, Cohasset, MN 55721

DULUTH Friday, April 3, 2026
NEW LOCATION: Black Bear Casino Resort, 1785 MN-210, Carlton, MN 55718

RESCHEDULED: WINONA Tuesday, April 7, 2026
Riverport Event Center, 900 Bruski Drive, Winona, MN 55987

RESCHEDULED: ROCHESTER Tuesday, April 14, 2026

Rochester Event Center, 7333 Airport View Drive SW, Rochester, MN 55302

Township Tuesday Zoom calls



Please join MAT staff for a casual update on the most recent township information, with question and answer time on any topic, on the 1st and 3rd Tuesday of each month at 10 AM. Calls usually last between 30 and 60 minutes.

Each Township Tuesday starts with a brief presentation on a current issue by MAT legal counsel.

Presentation Topics:

- April 7: Managing Complaints About Neighbors, Nuisances, and “Private Disputes”
- April 21: Independent Contractors vs. Employees: Why It Matters for Townships
- May 5: Township Resolutions vs. Ordinances: Knowing the Difference
- May 19: Dealing with Abandoned or Derelict Property

Participate via Zoom meeting via computer (preferred):
https://us02web.zoom.us/j/88491131671
Meeting ID: 884 9113 1671
OR participate via phone, (646) 558-8656 passcode 88-49-113-16-71#

Recordings and details of past calls can be found on the MAT website here. Past recordings include presentations on "Closing Meetings," "Cannabis Law Updates," "Storm Shelters and Mobile Homes," "Published Notice," and more.

2026 MAT Scholarship



The Minnesota Association of Townships (MAT) is pleased to announce its **2026 Scholarship Program**, which will award up to five $2,000 scholarships to Minnesota high school juniors. The program is designed to increase student awareness of township government and its role in serving local communities.
Students currently enrolled in 11th grade and attending a Minnesota public, private, or parochial school, or participating in an approved home-study program, are eligible to apply. **New** for 2026: applicants must also reside in a township. As part of the application process, students will submit a written essay responding to a township-focused question related to roads, infrastructure, and the role of county road engineers.

2026 Essay Topic: Townships depend on safe and efficient roads for residents, farmers, businesses, and emergency services, and county road engineers play a vital role in helping many townships achieve this goal. **What are the various ways in which townships work with and depend on county road engineers? Why are county engineers crucial for township road systems and community needs? Additionally, what steps can schools, local governments, and communities take to encourage more students to pursue careers in civil engineering and public works, especially in rural Minnesota?**

Please visit our **MAT Scholarship Program webpage** for the application form and more information.

Tips from MAT's Township Trainers



MAT's training department is looking forward to the upcoming Spring Short Courses! We always enjoy getting out and meeting everyone. It's like a family reunion where we can catch up with one another. We get a chance to celebrate your achievements and equip you with additional information to achieve even more.

Until we meet again or for the first time at SSC, we have some recent questions from some of our great townships. Our department has provided the following answers to these questions. Hopefully, you will find them useful for your township as well.

Q: "I have a two-part question. A neighboring township is switching to an appointed treasurer and is wondering if our treasurer could fill the role. Would that be a conflict?
Also, our treasurer is not running again next year due to moving out of the township. If we don't get any candidates for the role by the deadline, would we put on the ballot to make it an appointed position?"

A: "The first part of your question is NO; there is no conflict for your treasurer to be appointed at another township.
The second part is a YES, you would need to put it on the ballot, but you would need to start that process early…. I have attached the information from our manual as to the process. It is the same process as changing to a clerk/treasurer combination, so just look for the parts for changing to appointed. Keep in mind that once you have appointed, they are now considered "employees" and would be subject to needing to report to MN Unemployment, and they will need to participate in PERA."

Q: "Are township employees exempt from withholding taxes? When I am in CTAS, payroll, employees, tax and insurance, towards the bottom it says Pretax Deductions, check box(es) if exempt from tax. The income tax box is checked and I can't uncheck it.
Also, when entering our MN tax ID am I supposed to put the MN in front of the number?"

A: "As far as I know township officials are not exempt from the FICA and Medicare, normally there is no federal or state tax withheld unless an official chooses to have them taken out.
I have never changed any of those boxes down in the pretax deductions, so I wasn't aware you were not able to uncheck them. That would be a question for CTAS directly
No, when you enter the MN Tax ID number, you would only input the number not the letters."

Q: "In CTAS, do we list the board members as Owner/Officer or do we say No to that?
Also, do I have to enter election judges here too?"

A: Go to CTAS – reports – payroll tax filing – MN Unemployment Insurance – choose the dates on the quarter for which you are reporting. This will give you the information they need when entering in the MNUI reporting website…I would choose No to owner or officer (that is more for a business situation where an owner would be exempt)
No, election judges are NOT subject to unemployment, but they WILL need to be included in the Paid Leave Only reporting.

Minnesota Association of Townships Insurance Trust Update

We sincerely thank all our members who completed and submitted the MATIT Workers' Compensation audit survey.

This time of year is particularly busy for **MATIT** as we finalize important state reporting, prepare for upcoming short courses, and get ready for CLC renewals, which are just around the corner. Your prompt submissions help our team stay focused, organized, and on schedule during this busy time.

We appreciate your ongoing partnership and the care you take in protecting your township and employees. By working together, we can ensure that we remain strong, compliant, and prepared for the year ahead.

As always, if you have any questions or need assistance, please don't hesitate to reach out. We are here to help!

MATIT
matitinsurance@mntownships.org
763-497-2330

Minnesota LTAP trainings and news



View Minnesota's Local Technical Assistance Program (LTAP's) online training offerings—including self-paced courses, webinars, and videos— they can be taken anytime and anywhere. Many are eligible for Roads Scholar Program credit, PDHs, and other professional development credits. **Browse the online training library** at your convenience!

Register and view the **full Minnesota LTAP Schedule of Trainings** to meet your needs in the coming year to enhance your skills in AutoCAD, leadership, pavement preservation, or other areas.

CONTACT US

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March 2026

Permits by Township

Twp/City (Parc	Parcel Number	Permit Num	Date Paid	Explanation of Request	Applicant	Contractor	Phy Addr 1	Parcel City	Parcel Zip	Building Co	Project Valu	Total Fees
BIG LAKE	10-00112-2221	26-283	11-Mar-26	Window/Door Replacement	Christy Bressler	Bressler Brothers Remodeling	21880 150TH ST NW	ELK RIVER MN	55330	434	2,000.00	100
BIG LAKE	10-00118-1203	26-263	6-Mar-26	Plumbing	Maddie Olson	Thelen Plumbing Heating and Air	21339 COUNTY ROAD 5 NW	BIG LAKE MN	55309	434	2,000.00	100
BIG LAKE	10-00132-1400	26-239	16-Mar-26	Commercial/ Non Residential I	Courtney Renner	Northern Natural Gas	17820 COUNTY ROAD 14 NW	BIG LAKE MN	55309	325	35,000.00	892.75
BIG LAKE	10-00133-4110	26-168	5-Mar-26	New Septic	Jacque Nadeau		18207 170TH ST NW	BIG LAKE MN	55309		0	300
BIG LAKE	10-00335-2160	26-281	16-Mar-26	Basement Finish/Remodel	Justin Nelson		20567 187TH AVE NW	BIG LAKE MN	55309	434	5,000.00	201.25
BIG LAKE	10-00406-0100	26-251	2-Mar-26	Siding	Jamie Thompson	Budget Exteriors	17679 182ND AVE NW	BIG LAKE MN	55309	434	2,000.00	100
BIG LAKE	10-00413-0150	26-212	4-Mar-26	Addition	David pick		20692 187TH AVE NW	BIG LAKE MN	55309	434	89,000.00	1,893.25
BIG LAKE	10-00416-0240	26-269	9-Mar-26	Plumbing	Larson Plumbing & Heating	Larson Plumbing & Heating	18628 144TH ST NW	ELK RIVER MN	55330	434	2,000.00	100
BIG LAKE	10-00419-0514	26-354	26-Mar-26	Deck Maintenance	Neil Haus		19335 181ST AVE NW	BIG LAKE MN	55309	434	2,000.00	100
BIG LAKE	10-00422-0140	26-280	13-Mar-26	Accessory Structure	Nick Rukamp	Decks Elevated	14469 190TH AVE NW	ELK RIVER MN	55330	434	3,000.00	155.75
BIG LAKE	10-00427-0120	26-165	20-Mar-26	Basement Finish/Remodel	Jon Harris	Accessible Homes, LLC	16170 227TH AVE NW	ELK RIVER MN	55330	434	7,000.00	256.75
BIG LAKE	10-00452-0115	26-253	3-Mar-26	Window/Door Replacement	Lisa Gracik	Elk River Exteriors, Inc.	14606 146TH CT NW	ELK RIVER MN	55330	434	2,000.00	100
BIG LAKE	10-00483-0245	26-250	2-Mar-26	Window/Door Replacement	Quad City Contracting	Quad City Contracting	21550 203RD ST NW	BIG LAKE MN	55309	434	2,000.00	100
BIG LAKE	10-00493-0145	26-315	20-Mar-26	Window/Door Replacement	Aaron Lewicki	Renewal By Andersen	22157 206TH ST NW	BIG LAKE MN	55309	434	2,000.00	100
BIG LAKE	10-00495-0360	26-303	19-Mar-26	Accessory Structure	Kevin Dornan		22455 206TH ST NW	BECKER MN	55308	328	16,000.00	479
BIG LAKE	10-00496-0145	26-238	12-Mar-26	Accessory Structure	Joseph Bruns		17836 221ST AVE NW	BIG LAKE MN	55309	438	18,000.00	529.5
BIG LAKE	10-00496-0515	26-345	25-Mar-26	Plumbing	JENNIFER LEEMAN	NEIGHBORHOOD PLUMBING ANI	21786 181ST ST NW	BIG LAKE MN	55309	434	2,000.00	100
BIG LAKE	10-00503-0105	26-258	10-Mar-26	Deck Maintenance	Josh Studniski	Decktek,LLC	16442 205TH AVE NW	ELK RIVER MN	55330	434	2,000.00	100
BIG LAKE	10-00510-0105	26-314	20-Mar-26	Window/Door Replacement	Aaron Lewicki	Renewal By Andersen	19595 COUNTY ROAD 35 NW	ELK RIVER MN	55330	434	2,000.00	100
BIG LAKE	10-00569-0105	25-897	20-Mar-26	Pool	Courtney Dobbs	PLAN POOLS-PLAN CONCRETE &	22559 183RD ST NW	BIG LAKE MN	55309	329		150
BIG LAKE	10-00571-0135	26-356	26-Mar-26	Window/Door Replacement	Leanne Young	Builders and Remodelers, Inc	17931 220TH AVE NW	BIG LAKE MN	55309	434	2,000.00	100
BIG LAKE	10-00571-0165	26-312	24-Mar-26	Deck	Dominic Ruegemer	Ruege Construction LLC	21898 COUNTY ROAD 43 NW	BIG LAKE MN	55309	434	4,000.00	181
BLUE HILL	15-00002-3200	26-297	13-Mar-26	Siding	Julie Badger		32128 160TH ST NW	PRINCETON MN	55371	434	2,000.00	100
BLUE HILL	15-00036-1340	26-271	19-Mar-26	Accessory Structure	Adam moorhouse		28210 146TH ST NW	ZIMMERMAN MN	55398	328	12,000.00	378
BLUE HILL	15-00403-0690	26-257	9-Mar-26	Septic	Mike Leverty	TW Hauling & Excavating, Inc.	28407 145TH ST NW	ZIMMERMAN MN	55398		0	450
BLUE HILL	15-00465-0215	26-218	3-Mar-26	Deck	Jerik Johnson		15365 322ND AVE NW	PRINCETON MN	55371	434	4,000.00	176
CLEAR LAKE	20-00105-3215	26-362	27-Mar-26	Siding	Jason Dale	J Dale Builders Inc	7279 86TH AVE SE	CLEAR LAKE MN	55319	434	2,000.00	100
CLEAR LAKE	20-00402-0715	26-293	10-Mar-26	Window/Door Replacement	Dale Shelley		10777 70TH ST SE	CLEAR LAKE MN	55319	434	2,000.00	100
CLEAR LAKE	20-00402-0715	26-292	10-Mar-26	Siding	Dale Shelley	Dale Shelley	10777 70TH ST SE	CLEAR LAKE MN	55319	434	2,000.00	100
CLEAR LAKE	20-00402-0715	26-291	10-Mar-26	Roofing	Dale Shelley		10777 70TH ST SE	CLEAR LAKE MN	55319	434	2,000.00	100
CLEAR LAKE	20-00402-0715	26-290	10-Mar-26	Gas Mechanical/HVAC	Dale Shelley		10777 70TH ST SE	CLEAR LAKE MN	55319	434	2,000.00	100
CLEAR LAKE	20-00409-0010	26-294	13-Mar-26	Roofing	Emmylou Jurek	Zablocki Roofing & Exteriors	6759 41ST AVE SE	CLEAR LAKE MN	55319	434	2,000.00	100
CLEAR LAKE	20-00427-0210	26-321	19-Mar-26	Window/Door Replacement	Jacey Berens	Pella Northland	6020 106TH ST SE	CLEAR LAKE MN	55319	434	2,000.00	100
CLEAR LAKE	20-00201-3401	26-272	6-Mar-26	Variance for Shoreland Setbac	Haus Construction		7604 70th Ave SE	CLEAR LAKE MN	55319			
HAVEN	25-00020-4203	26-286	12-Mar-26	Gas Mechanical/HVAC	JENNIFER LEEMAN	NEIGHBORHOOD PLUMBING ANI	4298 31ST AVE SE	SAINT CLOUD MN	56304	434	2,000.00	100
HAVEN	25-00035-4420	26-352	25-Mar-26	Plumbing	Ammon Parks	Mark David Plumbing LLC dba Ro	6488 HAVEN RD SE	SAINT CLOUD MN	56304	434	2,000.00	100
HAVEN	25-00036-1102	26-339	24-Mar-26	Window/Door Replacement	Kerstin Deters-Engel	Allstar Construction	5900 75TH AVE SE	SAINT CLOUD MN	56304	434	2,000.00	100
HAVEN	25-00402-0450	26-320	24-Mar-26	Septic	Chuck Prom	Prom Excavating LLC	3551 12TH AVE SE	SAINT CLOUD MN	56304		0	250
HAVEN	25-00414-0260	26-371	30-Mar-26	Siding	Holland Brockmann	Stronghouse Solutions	5160 15TH AVE SE	SAINT CLOUD MN	56304	434	2,000.00	100
HAVEN	25-00416-0220	25-961	27-Mar-26	FURNACE/AC	Neil Symanietz	Advanced Heating & Cooling	1650 49TH ST SE	SAINT CLOUD MN	56304	434	2,000.00	75

March 2026

Permits by Township

HAVEN	25-00420-0130	26-300	23-Mar-26	Accessory Structure	Alexander Stang		5382 62ND AVE SE	SAINT CLOUD MN	56304	438	13,000.00	403.25
HAVEN	25-00426-0305	26-327	23-Mar-26	Siding	Laura Marker	Stronghouse Solutions	5280 15TH AVE SE	SAINT CLOUD MN	56304	434	2,000.00	100
HAVEN	25-00428-0105	26-304	16-Mar-26	Fireplace	Harlan Hill	Fire Works Fireplace Installation I	1830 45TH ST SE	SAINT CLOUD MN	56304	434	2,000.00	100
HAVEN	25-00432-0150	26-270	16-Mar-26	Plumbing	Shane Kurth	Augusta Plumbing LLC	2020 47TH ST SE	SAINT CLOUD MN	56304	434	2,000.00	100
LIVONIA	30-00008-2111	26-296	12-Mar-26	Siding	Ryan Korfiatis	RMK Contracting Inc.	13355 269TH AVE NW	ZIMMERMAN MN	55398	434	2,000.00	100
LIVONIA	30-00009-2203	26-277	9-Mar-26	Razing	Leonard j Syverson		26891 128TH ST NW	ZIMMERMAN MN	55398	645		100
LIVONIA	30-00009-2203	26-274	9-Mar-26	Window/Door Replacement	Leonard J Syverson		26891 128TH ST NW	ZIMMERMAN MN	55398	434	2,000.00	100
LIVONIA	30-00010-1111	26-353	25-Mar-26	Plumbing	Joe Krambeer	Baxter Mechanical, Inc.	26710 112TH ST NW	ZIMMERMAN MN	55398	434	2,000.00	100
LIVONIA	30-00010-2401	26-340	24-Mar-26	Roofing	Cynthia Miller		26725 120TH ST NW	ZIMMERMAN MN	55398	434	2,000.00	104.4
LIVONIA	30-00028-2301	26-313	20-Mar-26	Window/Door Replacement	Aaron Lewicki	Renewal By Anederse	12675 243RD AVE NW	ZIMMERMAN MN	55398	434	2,000.00	100
LIVONIA	30-00028-4306	26-361	27-Mar-26	Window/Door Replacement	Steve Mickelson	Window Concepts of Minnesota	12235 239TH AVE NW	ELK RIVER MN	55330	434	2,000.00	100
LIVONIA	30-00032-3400	26-373	31-Mar-26	Gas Mechanical/HVAC	Tim's Home Services	Tim's Home Services	23191 COUNTY ROAD 1 NW	ELK RIVER MN	55330	434	2,000.00	100
LIVONIA	30-00404-0360	26-289	12-Mar-26	Roofing	MATT G GRAHAM	MEDALLION ROOFING LLC dba TI	25475 102ND ST NW	ZIMMERMAN MN	55398	434	2,000.00	100
LIVONIA	30-00418-0255	26-322	19-Mar-26	Gas Mechanical/HVAC	Thomas Marchessault	Home owner	14180 256TH AVE NW	ZIMMERMAN MN	55398	434		100
LIVONIA	30-00425-0130	26-316	20-Mar-26	Window/Door Replacement	Aaron Lewicki	Renewal By Andersen	25998 142ND ST NW	ZIMMERMAN MN	55398	434	2,000.00	100
LIVONIA	30-00430-0230	26-268	9-Mar-26	Plumbing	Amanda Seely	Leaf Home Water Solutions, LLC	26959 140TH ST NW	ZIMMERMAN MN	55398	434	2,000.00	100
LIVONIA	30-00431-0216	26-284	12-Mar-26	Accessory Structure	Joe Robinette		26525 101ST ST NW	ZIMMERMAN MN	55398	328	8,000.00	377
LIVONIA	30-00440-0340	26-379	31-Mar-26	Gas Mechanical/HVAC	Deans Home Services		26545 143RD ST NW	ZIMMERMAN MN	55398	434	2,000.00	100
LIVONIA	30-00444-0210	26-254	3-Mar-26	Window/Door Replacement	Leanne Young	Builders and Remodelers, Inc	11125 272ND AVE NW	ZIMMERMAN MN	55398	434	2,000.00	100
LIVONIA	30-00453-0135	26-332	24-Mar-26	Gas Mechanical/HVAC	JENNIFER LEEMAN	NEIGHBORHOOD PLUMBING ANI	27515 133RD ST NW	ZIMMERMAN MN	55398	434	2,000.00	100
LIVONIA	30-00481-0315	26-349	25-Mar-26	Window/Door Replacement	Jeri Pasbrig	Tom & Jerry's Construction	27359 110TH ST NW	ZIMMERMAN MN	55398	434	2,000.00	100
LIVONIA	30-00508-0110	26-259	6-Mar-26	Roofing	Leah Mader	Higher Dimensions Roofing LLC	11055 245TH AVE NW	ZIMMERMAN MN	55398	434	2,000.00	100
LIVONIA	30-00509-0340	26-288	13-Mar-26	Window/Door Replacement	Steve Mickelson	Window Concepts of Minnesota	26406 105TH ST NW	ZIMMERMAN MN	55398	434	2,000.00	100
LIVONIA	30-00520-0530	26-273	11-Mar-26	Basement Finish/Remodel	Brian Golla	Colt Construction Inc	26722 117TH ST NW	ZIMMERMAN MN	55398	434	18,000.00	671.25
LIVONIA	30-00567-0110	26-255	19-Mar-26	Pool	Ilana Kurtz	Sparkle Pool Service Inc.	24317 101ST ST NW	ZIMMERMAN MN	55398	329	2,000.00	150
ORROCK	35-00022-1200	26-309	17-Mar-26	Gas Mechanical/HVAC	JENNY STOCKWELL	NORTHERN ONE HOUR	25154 164TH ST NW	BIG LAKE MN	55309	434	2,000.00	100
ORROCK	35-00413-0138	26-256	5-Mar-26	gas Mechanical/HVAC	Steve Grady	Climate Control LLC	26776 150TH ST NW	ZIMMERMAN MN	55398	434	2,000.00	100
ORROCK	35-00414-0140	26-232	3-Mar-26	Deck	Emily Hess	Deck Science LLC	24179 167TH ST NW	BIG LAKE MN	55309	434	3,000.00	155.75
ORROCK	35-00419-0116	26-260	5-Mar-26	Gas Mechanical/HVAC	Deanna	Majestic custom heating & air	24040 165TH ST NW	BIG LAKE MN	55309	434	2,000.00	100
ORROCK	35-00419-0130	26-357	26-Mar-26	Window/Door Replacement	Amonyai Rush	Great day improvements	16588 243RD AVE NW	BIG LAKE MN	55309	434	2,000.00	100
ORROCK	35-00441-0110	26-382	27-Mar-26	Window/Door Replacement	Michael Weber		16652 231ST AVE NW	BIG LAKE MN	55309	434	2,000.00	100
ORROCK	35-00511-0140	26-330	25-Mar-26	New Home with septic	Price Homes		17690 262nd Avenue Northwest	Big Lake	55309	101	########	4,611.00
PALMER	40-00406-0152	25-2010	23-Mar-26	Addition	Jeff Haus	Haus Construction, Inc.	11125 42ND ST SE	CLEAR LAKE MN	55319	434	8,000.00	277
PALMER	40-00409-0090	26-229	3-Mar-26	Deck	Raven	M & M Roofing International, LLC	4256 115TH AVE SE	CLEAR LAKE MN	55319	434	4,000.00	181
PALMER	40-00428-0130	26-326	23-Mar-26	Deck	Dustin Smith	Lake Country Decks	10718 57TH ST SE	CLEAR LAKE MN	55319	434	3,000.00	150.75
PALMER	40-00459-0124	26-248	24-Mar-26	Basement Finish/Remodel	Vonnie Novak	Novak Builders & Remodelers Inc	5367 114TH AVE SE	CLEAR LAKE MN	55319	434	14,000.00	555.5

From: Minnesota Pollution Control Agency mpca@public.govdelivery.com
Subject: Minnesota Pollution Control Agency Weekly Digest Bulletin
Date: Mar 22, 2026 at 10:55:07 AM
To: Tammy Schefers clerk@haventwp.org

MINNESOTA POLLUTION CONTROL AGENCY

Minnesota Stormwater Seminar Series
03/09/2026

UPCOMING EVENT

Minnesota Stormwater Seminar Series

Minnesota Watersheds: Uniquely Equipped to Address Water Resource Challenges

Please join us in person or online on March 19, 2026 at 2 pm for the next Minnesota Stormwater Seminar Series event - a monthly experience featuring national, state, and local experts on stormwater and green infrastructure.

Speakers:

- Keynote: Louis N. Smith, Smith Partners PLLP, Minneapolis, MN
- Panelist: James Wisker, administrator of Minnehaha Creek Watershed District
- Panelist: Cara Geheren, city engineer for the City of Victoria
- Panelist: Paul Robinson, development director at Rachel Contracting and member of the Sensible Land Use Coalition board

Abstract:

In 1955, the Minnesota Legislature created a new special purpose local unit of government – watershed districts. Established voluntarily through local petitions, watershed districts have unique authority to regulate land use to protect water resources, levy property taxes and assessments, and construct water resource projects. This presentation will highlight the history of and evolution of watershed districts, consider their challenges and successes, and describe their role in the water management landscape along with other actors.

Date and Time: Thursday, March 19, 2026, 2 - 4 pm US Central (note atypical time)

In-person: St. Anthony Falls Laboratory Auditorium (2 Third Ave SE, Minneapolis, MN)

Online: https://z.umn.edu/mn-stormwater-seminar-series (active 10 minutes prior)

Registration: Click here to Register

This seminar series is a partnership between the University of Minnesota's St. Anthony Falls Laboratory and Water Resources Center, and the Minnesota Pollution Control Agency, and made possible through the Minnesota Stormwater Research and Technology Transfer Program in collaboration with the Minnesota Stormwater Research Council

the Minnesota Stormwater Research Council.

The Minnesota Pollution Control Agency is a state agency committed to ensuring that every Minnesotan has healthy air, sustainable lands, clean water, and a better climate.

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Apply to host a Minnesota GreenCorps Member! Deadline March 24

03/10/2026

MINNESOTA POLLUTION CONTROL AGENCY

AmeriCorps | Minnesota GreenCorps

Minnesota Pollution Control Agency is accepting host site applications for the 2026-2027 program year!



Minnesota GreenCorps is an environmentally focused AmeriCorps program that plans to place 58 members with local governments, educational institutions, and nonprofits throughout Minnesota. Members serve full-time from September 2026 through August 2027 helping communities build resilience.

As a host site, your organization can harness a member's energy and enthusiasm to move your environmental projects forward. Projects must focus on one of the four topic areas:

Community readiness and outreach

Energy conservation and green transportation

Stormwater and forestry

Waste reduction and recycling

Need Assistance with Chloride Reduction Efforts?





A Minnesota GreenCorps member could:

- Incorporate best management practices for chloride (deicing salt) prevention, product storage, and application.
- Identify best practices to reduce chloride application and discharge.
- Provide education to residents and organizations about the benefits of proper salt application and efficient water softeners

---

Applications are due by 5:00 pm on Tuesday, March 24, 2026

Visit www.pca.state.mn.us/mngreencorps to learn more

Direct questions and submit applications to mngreencorps.pca@state.mn.us

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The Minnesota Pollution Control Agency is a state agency committed to ensuring that every Minnesotan has healthy air, sustainable lands, clean water, and a better climate.

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MPCA Smart Salting Liquid deicer refresher - March 19

03/16/2026

MPCA Smart Salting Liquid deicer refresher - March 19

There is still capacity for those who have a current Level 1 Smart Salting certification to attend the Smart Salting for Liquid Deicing refresher this week and meet annual winter maintenance training requirements for the MS4 permit. This training is hosted by the MPCA's MS4 program.

Liquids are the next step, after mechanical removal, to reducing chloride because it jump starts melting, reduces product needed and helps protect Minnesota's lakes, rivers and wetlands.

The refresher is for Smart Salting certified staff interested in adding liquids to their winter maintenance toolbox, who wants to expand their liquids or are trying to work out issues with liquids.

We take a closer look at liquids application, conditions, equipment maintenance, brine making and storage. It provides winter maintenance crews a basis to understand benefits, troubleshoot issues, and find opportunities for additional use of liquids.

Smart Salting Liquid deicing Refresher

March 19, online – Register

Note: refresher trainings do not extend certification. You must take a full certification training and pass the test to renew a certification.

The Minnesota Pollution Control Agency is a state agency committed to ensuring that every Minnesotan has healthy air, sustainable lands, clean water, and a better climate.

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Minnesota Pollution Control Agency [Contact us]

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218.772.2641, www.mnpower.com

12300 Elm Creek Boulevard, Maple Grove, MN 55369
763.445.5000, www.greatriverenergy.com

March 26, 2026

VIA U.S. MAIL

Re: Notice of Change in Field Representative for the Northland Reliability Project

Dear Recipient:

On February 28, 2025, the Minnesota Public Utilities Commission ("Commission") granted Minnesota Power and Great River Energy (collectively, the "Permittees") a Certificate of Need and Route Permit for the Northland Reliability Project (or "Project"). You are receiving this letter because your property is located within or adjacent to the route approved by the Commission for the Project or because you work for or represent a local unit of government or Tribal Nation.

In March 2025, you received a letter from the Permittees identifying two individuals designated as Field Representatives for the Project. We are providing you with this letter notifying you of an update to Minnesota Power's Field Representative for the Cuyuna Series Compensation Station and Iron Range Substation. The following individuals are designated as the Field Representatives for the Project:

Field Representative for Transmission Line and Benton County Substation Construction:[1]	***Updated** Field Representative for Cuyuna Series Compensation Station and Iron Range Substation:*
Matt Bungum 12300 Elm Creek Blvd. N. Maple Grove, MN 55369 Cell: 612-358-5525 Email: mbungum@grenergy.com	Nick Graning 30 W. Superior St. Duluth, MN 55802 Cell: 218-260-7266 Email: ngranning@mnpower.com

These Field Representatives are responsible for overseeing compliance with the conditions of the Route Permit during construction. Please contact these Field Representatives if you have any concerns about vegetation or tree removal, construction, or restoration.

[1] Great River Energy's Field Representative remains the same.

If you have any other questions about this Project, please contact either Daniel McCourtney at dmccourtney@mnpower.com or 218-355-3515 or Brian Hunker at 763-445-5982 or BHunker@GREnergy.com.

Sincerely,

Daniel McCourtney
ALLETE, Inc.
Manager – Strategic Environmental Initiatives

Brian Hunker
Great River Energy
Transmission Permitting, Project Manager

From: Stacey Stark slstark@d.umn.edu
Subject: Optional Hazard Mitigation Planning Webinars
Date: Mar 23, 2026 at 5:26:16 PM
To: Stacey Stark slstark@d.umn.edu
Cc: Dellwo, Kristen (DPS) Kristen.Dellwo@state.mn.us, Leung, Doug (He/Him/His) (DPS) Doug.Leung@state.mn.us, Clark, Jenna (DPS) Jenna.Clark@state.mn.us

Greetings:

As a participant in a current or recent Hazard Mitigation Plan update, we'd like to invite you to join us for a few optional webinars. The webinars are designed for emergency managers, community leaders, and the general public to learn about and augment planning for natural disasters in Minnesota. You can register for each session individually via the links below - you can sign up for just one or all of them. For each meeting you register for, you'll receive a calendar invite with the meeting link. Feel free to share this with colleagues or anyone else who might be interested in learning about these resources!

April 3, Sam Potter, MCAP
Hazard Mitigation Planning in Minnesota
Weather and Wildfire: the Changing Risks in Minnesota
https://umn.zoom.us/webinar/register/WN_w9QeHpJYR-WVM3xK08uxiA

Dr. Sam Potter, University of Minnesota Climate Adaptation Partnership, will discuss how climate change is projected to impact wildfire risk in Minnesota this century. He will walk through various publicly available tools you can use to evaluate local climate change, forest health, and wildfire risk and talk about climate adaptation actions we can take individually or collectively to reduce future wildfire risks.

April 17, Hannah Siegel, MDH and Ian Cummings U-Spatial
Planning for Heat: Minnesota Tools and Resources
https://umn.zoom.us/webinar/register/WN_QgrMni5sSo20aYgJhG6viQ

Minnesota's climate is warming, and in the years ahead, extreme heat is expected to become more common, more severe, and longer-lasting. Join staff

from the Minnesota Department of Health and the University of Minnesota's U-Spatial team for a live, expert-led webinar showcasing resources that emergency managers, planners, and local leaders can use to prepare for extreme heat. The session will explain what extreme heat looks like in Minnesota and introduce new planning tools designed to help protect Minnesotans.

May 1, Matt Bauman, DNR, Jenna Clark and Doug Leung, MN Homeland Security and Emergency Management.
Hazard Mitigation Funding: Intro to DNR and FEMA Resources
https://umn.zoom.us/webinar/register/WN_VKPgZOyMRzuruaSufgUJ2A

In this webinar designed for emergency managers and others working on hazard mitigation planning, presenters will provide information about Minnesota State funding programs that may be of interest. Matt Bauman, Flood Hazard Mitigation Grant Assistance Program Manager, will discuss what you need to know about this important Department of Natural Resources Program which has been reducing the damaging effects of floods since 1987. Jenna Clark and Doug Leung, both Hazard Mitigation Planners in Minnesota's Homeland Security and Emergency

Kind regards,

Stacey
Hazard Mitigation Planning Program

--
Stacey Stark

Associate Director | U-Spatial
Research Computing | Research and Innovation Office (RIO) | University of Minnesota

389 Kirby Plaza
University of Minnesota Duluth | uspatial.umn.edu
slstark@d.umn.edu

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From: Minnesota Office of the State Auditor state.auditor@osa.state.mn.us
Subject: OSA Weekly Update - April 3, 2026
Date: Apr 3, 2026 at 12:03:35 PM
To: Tammy Schefers clerk@haventwp.org





Message from Auditor Blaha

What's the "Single audit?" If you work with federal grants, you may hear the phrase quite a bit this week, as a major deadline for these audits is March 31. **The U.S. Department of the Treasury** explains that "Single Audits are comprised of an audit of a recipient's financial statements, policies, documentation, and system of internal controls and … tests of compliance with the requirements of their federal awards." Single Audits are required from all recipients who expend $1 million or more in total federal assistance in their fiscal year.

You can read single audits from across the country going back to 2016 on the **Federal Audit Clearinghouse's website**.

1. Available: 2026 Supplemental Benefit Reimbursement Amounts

A list of the 2026 supplemental benefit reimbursement amounts for fire relief associations, released by the Department of Revenue, is now available on the **OSA website**.

Supplemental benefits are additional benefits relief associations are required to pay to most recipients of retirement benefit distributions. The benefits help offset taxes that are paid by the retiring firefighter on the distribution, and relief associations are reimbursed by

the State of Minnesota for the payments. Additional information about supplemental benefit payments and the reimbursement process is provided in a **Statement of Position** available on the OSA website.

2. Avoiding Pitfalls: Fuel Purchases

Government entities should check that internal controls for fuel purchases for publicly-owned vehicles are in place. Some governmental entities use the following controls for each fuel purchase:

- Identify the person making the fuel purchase, the type and amount of fuel purchased, the vehicle being fueled and its odometer reading at the time of fueling, and the date, time, and location of the purchase.
- Require original, detailed receipts for all fuel purchases.
- Review all fuel purchases at least monthly, including a calculation of fuel consumption for each vehicle.

Active monitoring of fuel purchases is important. Calculating the fuel consumption for each vehicle may disclose the need for repair or replacement of a vehicle. A monthly review of fuel purchases may also reveal items that need additional follow-up, such as the purchase of unleaded fuel for a diesel vehicle, the purchase of amounts exceeding a vehicle's fuel tank capacity, or fuel purchases during non-working hours. The follow-up is important to ensure that public funds were used appropriately.

LEARN MORE



Temporary Accounting Clerk

The OSA is hiring a **Temporary Accounting Clerk** based in St. Paul. This position provides routine accounting and administrative support services to all Office of the State

Auditor Divisions. Accounting services include accounts payable, purchasing, cash receipts, payroll, business expenses, billing, accounts receivable, cash reconciliation, capital asset inventory maintenance, reception area back-up, and other related tasks. This position may serve in a primary or backup role in processing any of all these transaction types.

The job posting will close on **April 13, 2026**.

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Subject: OSA Weekly Update - April 10, 2026
Date: Apr 10, 2026 at 12:04:40 PM
To: Tammy Schefers clerk@haventwp.org





Message from Auditor Blaha

Thank an accountant! Spring is a busy season for accountants, whether they are recovering from federal audit deadlines, or heading into the final stretch of tax season. Their work happens behind the scenes, but it plays a critical role in ensuring accountability, transparency, and trust in our financial systems. Take a moment to recognize the dedication and long hours they put in to serve our communities — your appreciation goes a long way.

1. Fire Relief Associations: Newsletter Sign-up

The OSA's Pension Division issues a monthly **Fire Relief Association Newsletter** that provides announcements, legislative updates, reminders about upcoming deadlines and tips for relief association trustees. If you don't currently receive the newsletter and would like to be added to the distribution list, sign-up **here**.

2. TIF Pooled Debt Form

In addition to filing an Annual TIF Report Form for each tax increment financing (TIF)

district, authorities must also submit a TIF Pooled Debt Form for any outstanding pooled debt, if applicable. The forms will be made available in May and are due **August 1**. Authorities that have new pooled debts should notify our office as soon as possible to enable the new form to be available when the other forms are posted in the **State Auditor Form Entry System (SAFES)**.

To learn more, visit the **OSA website**.

If you have any questions, contact us at **TIF@osa.state.mn.us**.

3. Avoiding Pitfalls: Broker Certifications

Minnesota law requires local units of government to obtain a broker's certification before transacting business with a broker. Each year, the broker must acknowledge in writing the receipt of a statement of investment restrictions and must agree to handle the government entity's account in accordance with those restrictions. The law prohibits a government entity from entering into a transaction with a broker until the broker provides the entity with the required certification.

For more information and links to broker certification forms for local governments and relief associations, go to the **OSA website**.

LEARN MORE



Temporary Accounting Clerk

The OSA is hiring a **Temporary Accounting Clerk** based in St. Paul. This position provides routine accounting and administrative support services to all Office of the State Auditor Divisions. Accounting services include accounts payable, purchasing, cash

receipts, payroll, business expenses, billing, accounts receivable, cash reconciliation, capital asset inventory maintenance, reception area back-up, and other related tasks. This position may serve in a primary or backup role in processing any of all these transaction types.

The job posting will close on **April 13, 2026**.

This is a temporary position that ends **September 30, 2026**.

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Subject: OSA Weekly Update - March 20, 2026
Date: Mar 20, 2026 at 12:01:48 PM
To: Tammy Schefers clerk@haventwp.org





Message from Auditor Blaha

Want to see what other counties are planning for 2026? Check out the **2026 Minnesota City Summary Budgets Report**, which my Office released this week.

The County Summary Budget reports offer insight into local government plans for the year. While not all plans turn into reality, these reports provide insight into what your local leaders are thinking across the state. Budget data reflects plans, not actual spending, the OSA recommends using the **Minnesota County Finances Report** for audited financial data.

You can view the full report on the **OSA website**.

1. Relief Associations: Broker Certification Requirement

Fire relief associations using the services of a broker must complete a uniform **Broker Certification Form (BC-1 Form)** that's provided by the OSA. The BC-1 Form must be

Learn more about this reporting requirement on our **Investment Basics – Broker Certification Form** page.

2. Reminder: Submit TIF Plans Within 60 Days

All TIF plans and modifications should be electronically submitted, along with the appropriate TIF Plan Collection Form, via the **State Auditor's Form Entry System (SAFES)**. Do not mail copies of TIF plans. State law requires that all TIF plans be filed with the OSA within 60 days after the latest of:

1. Filing of the request for certification of the TIF district;
2. Approval of the plan by the municipality; or
3. Adoption of the plan by the authority.

Additionally, plans are needed to generate the Annual Reporting Form for certified districts. Check to make sure all plans for recently certified districts are submitted as soon as possible so they'll be included when forms become available.

If you have any questions or need access to **SAFES**, contact us at **TIF@osa.state.mn.us**.

3. Cities and Townships: 2025 Annual Financial Reporting information

For cities and townships reporting on a cash basis of accounting, the Reporting Form (CTAS Users: State Auditor Data File) and Unaudited Financial Statements are due by **March 31, 2026**. For cities and townships reporting on a cash basis of accounting required to have an Audit or Agreed Upon Procedures Engagement (AUP) completed, the Reporting Form, Audit or Financial Statements, and AUP are due **June 15, 2026**. For cities and townships reporting on a GAAP basis of accounting, the Reporting Form and Audit are due by **June 30, 2026**.

Instructions on completing the Reporting Form can be found on the **OSA website**. CTAS Users are now also able to submit the State Auditor Data File and Financial Statements right from CTAS. Instructions can be found on the OSA website. We are accepting CTAS versions 2025 Update 3 and 2026.

4. Released: Minnesota County Summary Budgets Report

The OSA released the annual **Minnesota County Budgets Report: 2026 County Summary Budget Data together with 2025 Summary Budget Data**. The data reflects unaudited budgeted revenues and expenditures reported by counties to the OSA as

required by **Minn. Stat. § 6.745, subd. 2**.

The complete report is available on the **OSA website**.

5. Avoiding Pitfalls: Petty Cash (Imprest) Funds - Part III

Part I of the Petty Cash (Imprest) Funds Avoiding Pitfalls series discussed the establishment of petty cash (imprest) funds, and Part II provided information on making withdrawals from these funds. This portion addresses additional recommended controls to safeguard petty cash funds.

The designated petty cash custodian is personally responsible for the cash entrusted to the fund. That person should properly secure petty cash funds in a metal lock box that is maintained in a locked desk, locked cabinet, or locked safe to which access is limited.

Reconciliations of the petty cash fund should be done by someone other than the person approving withdrawals from the fund. At any time, the amount of cash on hand plus the receipts, and any outstanding advances if the advance method of withdrawal is used, should equal the amount of the approved petty cash fund. When replenishing petty cash funds, the total of the original receipts maintained by the custodian should match the amount of the replenishing check. The original receipts should be maintained and filed as supporting documentation.

An entity's governing body should consider adopting a petty cash policy. That policy should include when petty cash funds may be used, what items may not be purchased with petty cash, proper petty cash documentation, and procedures for replenishing petty cash.

LEARN MORE



Director of Special Investigations

The OSA is hiring a **Director of Special Investigations** based in St. Paul. This position oversees the OSA's special investigations function and the Special Investigations division staff members. The Director is responsible for setting the focus and priorities of the division and developing and managing an investigative program that efficiently employs thorough and impeccable legal and financial analyses to examine and report upon areas of improper handling of public dollars held by local government.

The job posting will close on **March 26, 2026**.



County TIF Information Forms Due March 31

The County TIF Information Form is due from counties by **March 31, 2026**. The form captures activity that occurred in 2025 including the county's TIF administrative activities, distributions of tax increment, and transfers of TIF enforcement deduction. The information assists the OSA in its oversight of TIF authorities. Instructions on accessing the form in **SAFES** were emailed to county representatives on **January 22, 2026**.

If you have any questions, contact us at **TIF@osa.state.mn.us**.

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Subject: OSA Weekly Update - March 27, 2026
Date: Mar 27, 2026 at 12:03:03 PM
To: Tammy Schefers clerk@haventwp.org





Message from Auditor Blaha

As the United States starts its long goodbye to the penny, it's time to brush up on symmetrical rounding to the nearest nickel. While this isn't the only way to round numbers, it's the way most commonly used by government entities so far. For instance, the **U.S. Postal Service** now rounds to the nickel for cash transactions where no pennies are available. Even if you're familiar with this kind of rounding, it can be tricky to explain to the general public. Luckily, our middle school teacher friends around the world who discontinued pennies before us figured it out. Here's a quick **video** I use to help me get my explanations clear and tight.

1. Released: Financial and Investment Report of Fire Relief Associations

This week, State Auditor Julie Blaha released the **Financial and Investment Report of Fire Relief Associations** for the year ended 2024. **The report** summarizes and evaluates the finances, basic benefit structure, and investment performance of Minnesota's fire relief

associations, and includes annual benefit levels, municipal contribution amounts, fire state aid amounts, and rates of return for each relief association.

2. Cities and Townships: 2025 Annual Financial Reporting Information

For cities and townships reporting on a cash basis of accounting, the Reporting Form (CTAS Users: State Auditor Data File) and Unaudited Financial Statements are due by **March 31, 2026**. For cities and townships reporting on a cash basis of accounting required to have an Audit or Agreed Upon Procedures Engagement (AUP) completed, the Reporting Form, Audit or Financial Statements, and AUP are due **June 15, 2026**. For cities and townships reporting on a GAAP basis of accounting, the Reporting Form and Audit are due by **June 30, 2026**.

Instructions for completing the Reporting Form can be found on the **OSA website**. CTAS Users are now also able to submit the State Auditor Data File and Financial Statements right from CTAS. Instructions for Year-End Reporting Using CTAS is available on the **OSA website**. We are accepting CTAS versions 2025 Update 3 and 2026.

3. Avoiding Pitfalls: Cooperative Purchasing Venture

Vendors sometimes market their businesses by claiming that local units of government can purchase from them without bidding. Vendors may emphasize that they are part of the “state contract” or that they will sell at the “state contract price.” Public entities should be cautious before proceeding with these purchases. Public entities cannot avoid the normal bidding requirements simply by purchasing from these vendors.

Public entities can avoid contract bidding requirements by joining and using the Cooperative Purchasing Venture (CPV). The CPV is a members-only joint powers program operated by the Minnesota Department of Administration. The CPV allows members to purchase goods and services under contract terms established by the State of Minnesota. It is available only to governmental units that have joined the CPV, for which there is currently no fee. More information on the CPV, and how to become a member, can be found **online**.

LEARN MORE



County TIF Information Forms Due March 31

The County TIF Information Form is due from counties by **March 31, 2026**. The form captures activity that occurred in 2025 including the county's TIF administrative activities, distributions of tax increment, and transfers of TIF enforcement deduction. The information assists the OSA in its oversight of TIF authorities. Instructions on accessing the form in **SAFES** were emailed to county representatives on **January 22, 2026**.

If you have any questions, contact us at **TIF@osa.state.mn.us**.

Minnesota Office of the State Auditor | 525 Park Street, Suite 500 | Saint Paul, MN 55103 US

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Constant Contact

Try email marketing for free today!

From: SolidWaste SolidWaste@co.sherburne.mn.us
Subject: Plate to Garden and Garden Themed Swap Event
Date: Apr 7, 2026 at 10:22:18 AM

Hello Cities and Townships,

The County is excited to host a Plate-to-Garden Compost Event and Garden-Themed Swap Event in partnership with Tri-County Solid Waste Commission and Vonco!

A Plate-to-Garden compost event is a program to close the loop for communities, like ours, who have an organics recycling program by providing finished compost to community members. The event demonstrates what happens to food scraps once they are collected and delivered to a commercial composting facility (Vonco II).

For the Garden-Themed swap, residents can bring garden tools in good, usable condition to swap. All items are intended to be given and taken freely.

If you are willing, would you please post the attached flyer on your website and/or Facebook page. 😊 We have also attached a PDF to print and hand out.

Additionally, we have attached all of the addresses for the advertised events as they aren't listed on the advertisement.

Thank you for helping us get the word out about our event!!

Respectfully,

SHERBURNE COUNTY

Jillian Carlson
Environmental Specialist
Planning and Zoning
Work: (763) 765-4460
www.co.sherburne.mn.us
www.facebook.com/SherburneCountyMN
NOTICE: Unless restricted by law, email correspondence to and from Sherburne County government

offices may be public data subject to the Minnesota Data Practices Act and/or may be disclosed to third parties.



Maureen Mossak
Environmental Specialist
Planning and Zoning Administration
Work: (763) 765-4457
www.co.sherburne.mn.us
www.facebook.com/SherburneCountyMN
NOTICE: Unless restricted by law, email correspondence to and from Sherburne County government offices may be public data subject to the Minnesota Data Practices Act and/or may be disclosed to third parties.



Celebrate

EARTH WEEK

with us!

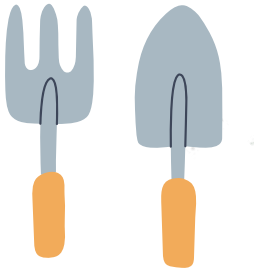
SHERBURNE HISTORY CENTER
APRIL 18TH FROM 10AM–1PM



GARDEN–THEMED SWAP EVENT

Start your spring cleaning at the garden-themed "Swap, Don't Shop" event! Bring your gently used garden tools and decorations, and swap them for something new to you.

Drop off your items at Stearns County Environmental Services, Sherburne County Planning and Zoning, or Farm Friends Barn between Monday, April 12th and Friday, April 17th during normal business hours, or bring them with you the day of the event!





Examples of acceptable items include non-motorized tools, decorations, watering cans, wagons, flower pots and more!

Items must work, be clean, and free of odor and rust. The Commission reserves the right to reject items on this basis.



PLATE–TO–GARDEN COMPOST EVENT

Learn about reducing food waste, the benefits of compost. Compost will be available for free, while supplies lasts. Limit one bag of compost per person.

Questions? Contact the Commission!

320-257-8606

Event brought to you by the Tri-County Solid Waste Commission, the Minnesota Compost Council, and Vonco.



Celebrate

EARTH WEEK

with us!

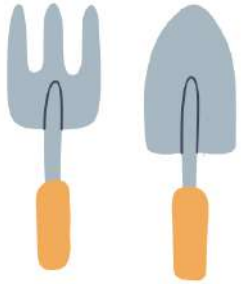
SHERBURNE HISTORY CENTER
APRIL 18TH FROM 10AM–1PM



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Start your spring cleaning at the garden-themed "Swap, Don't Shop" event! Bring your gently used garden tools and decorations, and swap them for something new to you.

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Questions? Contact the Commission!

320-257-8606

Event brought to you by the Tri-County Solid Waste Commission, the Minnesota Compost Council, and Vonco.

Drop Off Items for Event at:

Farm Friends Barn (across from History Center)
10782 27th Ave SE
Becker, MN 55308
Drop off April 12th- April 17th 8am-8pm

Sherburne County Government Center
Planning & Zoning Department
13880 Business Center Drive
Elk River, MN 55330
Drop off April 12th- April 17th 8am-4:30pm

Stearns County Environmental Services
3301 County Road 138
Waite Park, MN 56387
Drop off April 12th- April 17th 8am-4:30pm

Event Held at:

Sherburne History Center
10775 27th Ave SE
Becker, MN 55308
April 18th 10am-1pm



From: lucinda@beckertownship.org
Subject: RE: Information concerning a phishing scam directed at local government and citizens
Date: Mar 18, 2026 at 1:03:10 PM
To: Dawn Nyhus Dawn.Nyhus@co.sherburne.mn.us, Joan Heinen city.clerk@baldwinmn.gov, smortenson smortenson@ci.becker.mn.us, Brenda Kimberly-Maas Clerk@biglaketownship.com, gwolbeck gwolbeck@biglakemn.org, clerk@bluehilltwp.org, clearlaketwp clearlaketwp@hotmail.com, cityoffice cityoffice@clearlakemn.com, jrichter@elkrivermn.gov, Tammy Schefers clerk@haventwp.org, clerk@livoniatownship.org, Orrock Town Clerk clerk@orrocktownship.com, palmertwp palmertwp@gmail.com, sjenkins sjenkins@princetonmn.org, kathy.woolard kathy.woolard@yahoo.com, city.clerk@ci.stcloud.mn.us, ktillmann@cityofzimmerman.com

Becker Township also started and FBI file, reported to the Sheriff's department and had a front page article in the Patriot several months back when this started occurring here.

They are very good impersonations coming from public data with meeting packets. So far, no one we know of has been caught up in this. They use logos from the entity (ours was pixelated) but the stopper from our end was that they wanted the funds transferred to a California bank. The ones who indicated they only wrote checks received emails back from the scammers asking if they had their checks and said they would send a mailing address.

We are handing out the How to Avoid a Scam fliers and bookmarks (free from the FTC by request) to all applicants as well as reminding them we are a small entity. They should always feel free to contact us directly by phone or stop in if any questions.

We also remind them that the elected/appointed officials are not the ones to send out invoices – and let them know which staff members would be contacting them if additional fees are due.

Lucinda Messman
Clerk, Becker Township
PO Box 248
12165 Hancock Street
Becker, MN 55308
763-261.5301
www.BeckerTwpSherburneCoMN.gov
Office Hours M-F 8 am – 4:30 pm
Closed Federal Holidays

From: Dawn Nyhus <Dawn.Nyhus@co.sherburne.mn.us>
Sent: Wednesday, March 18, 2026 12:50 PM
To: Joan Heinen <city.clerk@baldwinmn.gov>; lucinda <lucinda@beckertownship.org>; smortenson <smortenson@ci.becker.mn.us>; Brenda Kimberly-Maas <clerk@biglaketownship.com>; gwolbeck <gwolbeck@biglakemn.org>; Clerk@BlueHilltwp.org; clearlaketwp <clearlaketwp@hotmail.com>; cityoffice <cityoffice@clearlakemn.com>; jrichter@elkrivermn.gov; clerk <clerk@haventwp.org>; clerk@livoniatownship.org; Orrock Town Clerk <clerk@orrocktownship.com>; palmertwp <palmertwp@gmail.com>; sjenkins <sjenkins@princetonmn.org>; kathy.woolard <kathy.woolard@yahoo.com>; city.clerk@ci.stcloud.mn.us; ktillmann@cityofzimmerman.com
Subject: Information concerning a phishing scam directed at local government and citizens

Good afternoon,

I wanted to make you aware of recent cyber activity that may impact city and township government. This type of activity prompted an FBI alert and Sherburne County had recent experience.
The County posted the following on its website:

A Sherburne County applicant for a land-use permit was targeted by a scam in which criminals are impersonating city and county planning and zoning officials to solicit fraudulent fees via wire transfer, peer-to-peer payment, or cryptocurrency.

The phishing emails appear highly convincing, referencing accurate permit details such as property addresses and case numbers, and are crafted to discourage victims from calling officials to verify the request.

We are encouraging county residents who receive an email asking for payment of any kind from a county department to call and verify the legitimacy of the request.

The scam emails include several details taken from public records that appear to be accurate, such as department employees' names, job titles and information from the permit applications. The scam appears to be targeting Sherburne County's Planning & Zoning Department. If you receive an email request for payment from Planning & Zoning, call (763) 765-4450 to verify the payment request.

These individuals may well attempt similar scams with city and township planning and permitting, or use information derived from your publicly-available data.

Dawn R. Nyhus
County Attorney
Sherburne County Attorney's Office
Work: (763) 765-4725
www.co.sherburne.mn.us
www.facebook.com/SherburneCountyMN

CONFIDENTIAL ATTORNEY-CLIENT COMMUNICATION: The information contained in this communication is attorney privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and delete the original message.

From: Tammy Schefers clerk@haventwp.org
Subject: Re: Additional drop off and pick up events for Nitrate Testing
Date: Apr 9, 2026 at 11:53:52 AM
To: Miranda Wagner mwagner@sherburneswcd.org
Cc: Bud Stimmler bogie375@gmail.com, Andie Bumgarner abumgarner@sherburneswcd.org

Good Afternoon Miranda

Yes, I would be happy to help with your request.

I will set those days and times on our calendar for you.

Enjoy the Day!

Tammy Schefers
Haven Township Clerk
Clerk@haventwp.org
(320)743-3717 (Main Line)
(320)406-1769 (Direct Line)

> On Apr 8, 2026, at 12:48 PM, Miranda Wagner <mwagner@sherburneswcd.org> wrote:
>
> Thank you for your past partnership on the Nitrate Kit Distributions. We still need more participation and would like to set up additional dates for pick up and drop offs. Would you have the willingness and availability to host on the following dates at Clear Lake and Haven Townships?
>
> May 19th 6-7 pm
> May 27th 3-5 pm
> June 1st 4-6 pm
>
> Thank you for your consideration!
>
> <image001.png>

Sherburne SWCD

Miranda Wagner
Agricultural Conservationist

mwagner@sherburneswcd.org
763-220-3434 x 105

Sherburne Soil & Water Conservation District
425 Jackson Ave NW
Elk River, MN 55330
763-220-3434
www.sherburneswcd.org

From: Kailee Vik Kailee.Vik@co.sherburne.mn.us
Subject: Reminder - Sherburne County Shoreland Training March 26, 2026
Date: Mar 19, 2026 at 11:35:52 AM
To: Kailee Vik Kailee.Vik@co.sherburne.mn.us



Sending a quick reminder that our free Shoreland Training in partnership with the Sherburne County Soil and Water Conservation District and the Minnesota Department of Natural Resources is **one week away.** Thank you to everyone who has already registered! **Please use the link below to register for the training**. We are asking everyone to get their registration in prior to **March 23, 2026**, so we have a head count for snacks and beverages. **Feel free to pass this invite along to others!**

As a reminder, topics that will be covered by staff and our partners include:

- What is a shoreland district
- Why natural shorelines are important
- DNR public water works permits
- Which projects require a shoreland alteration permit
- How to apply for a shoreland alteration permit.

Registration Link: https://forms.office.com/g/mjHXJptYib

Date: March 26, 2026

Time: 9:00am – 12:00pm

Location: Sherburne County History Center 10775 27th Ave SE Becker, MN 55308

If you have any questions regarding the training or registration, please feel free to reach out to me!

Thank you,

Kailee Vik
Planner
Work: (763)
765-4462
13880
Business



Center Drive
Suite 100
Elk River, MN
55330

www.co.sherburne.mn.us
www.facebook.com/SherburneCountyMN

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From: Minnesota Association of Townships info-mntownships.org@shared1.ccsend.com
Subject: REMINDER: Spring Short Courses in Winona, Rochester, Grand Rapids, Duluth RESCHEDULED
Date: Apr 6, 2026 at 9:40:36 AM
To: Tammy Schefers clerk@haventwp.org

MINNESOTA — ASSOCIATION OF — TOWNSHIPS

SPRING SHORT COURSES

Spring Short Courses in Winona, Rochester, Grand Rapids, Duluth RESCHEDULED

Township Officers:

The four postponed Spring Short Courses have all been rescheduled, and we hope you're able to attend!

WINONA Tuesday, April 7, 2026
Riverport Event Center, 900 Bruski Drive, Winona, MN 55987

ROCHESTER Tuesday, April 14, 2026
Rochester Event Center, 7333 Airport View Drive SW, Rochester, MN 55302

GRAND RAPIDS Thursday, April 16, 2026
Sugar Lake Lodge, 37584 Otis Ln, Cohasset, MN 55721

DULUTH Friday, April 17, 2026
NEW LOCATION: Black Bear Casino Resort, 1785 MN-210, Carlton, MN 55718

MAT's Spring Short Courses are underway! Please plan to attend these extremely popular trainings for all officers - supervisors, clerks, treasurers (including deputies). Each day will be jam-packed with speakers, important information, and include a continental breakfast and hearty lunch.

All registration is on-site and the cost is $75/officer which covers materials and meals. Check or cash are accepted, or we can bill your township (by letting the on-site registration desk know).

Timeline:
8:00 AM: Registration opens and light breakfast available
9:00 AM: Sessions begin – breakouts for Supervisors, Clerks & Treasurers, and New Officers
12:00 NOON: Lunch (provided)
1:00 PM: Sessions continue - breakouts for Supervisors, Clerks & Treasurers, and New Officers
3:00 PM: Conclusion

CONTACT US

Minnesota Association of Townships | 805 Central Ave East P.O. Box 267 | St. Michael, MN 55376 US

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Constant Contact

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From: Francine Larson Treasurer@bluehilltwp.org
Subject: SCAT Meeting - 4/15/2026
Date: Apr 8, 2026 at 11:04:44 AM
To: Francine Larson Treasurer@bluehilltwp.org

Good morning,

Attached is the Board Packet for the **April 15th, 2026 SCAT Meeting**. Hard copies will be available at the meeting. Please distribute to all Board Members.
Dinner at 6:00 p.m., regular business meeting at 7:00p.m. Township Spotlight / Meal provided by Palmer Township.

Reminder Joint Tornado Siren Discussion is planned from 6:00 - 7:00 p.m. Over dinner. Please submit questions to me or Dan Weber prior to the meeting.

Please feel free to reach out to me directly if you have any questions.

Francine Larson

Treasurer
Blue Hill Township

Cell: (763) 482-1663
www.bluehilltwp.org

BLUE HILL
TOWNSHIP

SCAT_Meeting_04152026 .pdf
692 KB

From: Francine Larson Treasurer@bluehilltwp.org
Subject: SCAT Save the Date - 4/15/2026
Date: Mar 25, 2026 at 7:57:08 AM
To: Francine Larson Treasurer@bluehilltwp.org

Good Morning,

Reminder the SCAT meeting is scheduled for **April 15th, 2026** at the Sherburne History Center.
Dinner at 6:00p.m., regular business meeting at 7:00p.m. DRAFT Agenda attached.

Township spotlight / Meal - Palmer Township

Join Tornado Siren Discussion is planned from 6:00 p.m. - 7:00 p.m. over dinner. Please feel free to submit questions to me or Dan Weber prior to the meeting.

Please feel free to reach out if you have any questions or potential Agenda items.

Thank you,

Francine Larson

Treasurer
Blue Hill Township

Cell: (763) 482-1663
www.bluehilltwp.org

BLUE HILL TOWNSHIP

SCAT_Agenda_04152026 .docx
74 KB



Sherburne County Association of Townships

Members: Becker, Big Lake, Blue Hill, Clear Lake,
Haven, Livonia, Orrock, Palmer, Santiago Townships

Anne Felber, Chair
Orrock Township

Bud Stimmler, Vice Chair
Clear Lake Township

Francine Larson, Clerk
Blue Hill Township

Wednesday, April 15, 2026
Joint Tornado Siren Meeting: 6:00 p.m.
Regular Meeting: 7:00 p.m.
Sherburne County History Center, 10775 27th Ave SE
Becker, MN 55308
Thank you to Palmer Township for providing tonight's meal
Dinner: 6:00p.m. – 7:00p.m.

AGENDA

6:00 p.m.	**Call to Order**	
	Tornado Siren Planning and Maintenance discussion	
	Adjourn Joint Tornado Siren Meeting	
7:00 p.m.	**Call to Order**	
	Pledge of Allegiance	
	Introductions & Roll Call	
7:05 p.m.	**General Business**	
	Approval of Regular Agenda - *(Additions/Corrections/Deletions)*	*Action*
	Approve Meeting Minutes from January 21st, 2026	*Action*
	Approve Treasurers Report	*Action*
	Consider new Financial Depository	*Action*
7:10 p.m.	**Review Updated Bylaws –** Provide feedback for October Adoption	*Informatio*
7:20 p.m.	**Township Spotlight**	
	Palmer Township	*Informatio*
7:25 p.m.	**Township Updates**	
	MAT District 7 Director Update – Tammy Carlson	*Informatio*
	Couri & Ruppe Update – Mike Couri	*Informatio*
	Legislative Updates	*Informatio*
7:45 p.m.	**Presentations:** TBD	*Informatio*
8:00 p.m.	**Sherburne County Reports**	
	Sherburne County Commissioner Reports District 1: Andrew Hulse District 2: Raeanne Danielowski District 3: Gregg Felber	*Information*
	Sherburne County Administrator Report – Bruce Messelt	*Information*
	Sherburne County Department Reports County Sheriff Auditor/ Treasurer Recorder HHS Public Works County Attorney Planning & Zoning Assessor SWCD	*Information*
8:30	**New Business**	

Township Member Updates *Informatio n*

- **SHC Donation**

Upcoming Meetings, Events and Correspondences

April 15, 2026	**Association of Townships Meeting at 7:00 p.m.** **Dinner at 6:00 p.m. – Meals Provided by: Palmer Township**
October 21, 2026	Association of Townships Meeting at 7:00 p.m. Dinner at 6:00 p.m. – Meals Provided by: Becker Township

Adjourn *Action*

8:45 p.m.



Anne Felber, Chair
Orrock Township

Bud Stimmler, Vice Chair
Clear Lake Township

Francine Larson, Clerk
Blue Hill Township

Sherburne County Association of Townships

Members: Becker, Big Lake, Blue Hill, Clear Lake, Haven, Livonia, Orrock, Palmer, Santiago Townships

Wednesday, April 15, 2026
Joint Tornado Siren Meeting: 6:00 p.m.
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AGENDA

6:00 p.m.	**1.**	**Call to Order**	
	2.	**Tornado Siren Planning and Maintenance discussion**	
	3.	**Adjourn Joint Tornado Siren Meeting**	
7:00 p.m.	**Regular Business meeting**		
	4.	**Call to Order**	
	5.	**Pledge of Allegiance**	
	6.	**Introductions & Roll Call**	
7:05 p.m.	**General Business**		
	7.	**Approval of Regular Agenda -** *(Additions/Corrections/Deletions)*	*Action*
	8.	**Approve Meeting Minutes from January 21st, 2026**	*Action*
	9.	**Approve Treasurers Report**	*Action*
	10.	**Consider new Financial Depository**	*Action*
7:10 p.m.	**11.**	**Review Updated Bylaws –** Provide feedback for October Adoption	*Information*
7:20 p.m.	**Township Spotlight**		
	12.	**Palmer Township**	*Information*
7:25 p.m.	**Township Updates**		
	13.	**MAT District 7 Director Update** – Tammy Carlson	*Information*
	14.	**Couri & Ruppe Update –** Mike Couri	*Information*
	15.	**Legislative Updates**	*Information*
7:45 p.m.	**Presentations:** • HHS Update – Federal/State HHS Budget Impacts – Amanda Larson • County Ag Inspector Duties & Local Weed Inspector Training – Matt Danzl		*Information*
8:15 p.m.	**Sherburne County Reports**		
	16.	**Sherburne County Commissioner Reports** District 1: Andrew Hulse District 2: Raeanne Danielowski District 3: Gregg Felber District 4: Gary Gray District 5: Brad Schumacher	*Information*
	17.	**Sherburne County Administrator Report –** Bruce Messelt	*Information*
	18.	**Sherburne County Department Reports** County Sheriff Auditor/ Treasurer Recorder HHS Public Works County Attorney Planning & Zoning Assessor SWCD	*Information*
8:45 p.m.	**New Business**		
	19.	**Township Member Updates** • **SHC Donation**	*Information*

	20.	**Upcoming Meetings, Events and Correspondences** **April 15, 2026** **Association of Townships Meeting at 7:00 p.m.** **Dinner at 6:00 p.m. – Meals Provided by: Palmer Township** October 21, 2026 Association of Townships Meeting at 7:00 p.m. Dinner at 6:00 p.m. – Meals Provided by: Becker Township	
9:00 p.m.	**21.**	**Adjourn**	*Action*

SHERBURNE COUNTY ASSOCIATION OF TOWNSHIPS
MEETING MINUTES FOR JANUARY 21, 2026
Sherburne County History Center – 10775 27th Ave SE, Becker

1. **Call to Order**
   The January 21, 2026, Sherburne County Association of Townships meeting was called to order by Chair Anne Felber (Orrock) at 7:00 PM. A quorum was present.

2. **Pledge of Allegiance**
   Chair Felber led the members in the Pledge of Allegiance.

3. **Introductions and Roll Call –** Chair Felber conducted roll call. New members were introduced. Attending were members from Big Lake Township (4), Blue Hill Township (4), Clear Lake Township (1), Haven Township (1), Livonia Township (1), Orrock Township (4), Palmer Township (3). Absent: Santiago and Becker Township.

4. **Approval of Regular Agenda**

   - Motion by Jim Artmann (Blue Hill), second by Bud Stimmler (Clear Lake) to approve the agenda as submitted. All members voting in favor. Motion carried.

5. **Approval of October 16, 2025, Meeting Minutes -** Draft minutes were available to be reviewed during the meeting.

   - Motion by Steve Demeules (Palmer), second by Mark Hedstrom (Big Lake) to approve the Minutes as presented. All members voting in favor. Motion carried.

6. **Treasurers Report –** Chair Felber presented the January 2026 Treasurers Report. Felber stated she reviewed the monthly bank statements prior to the meeting, verifying accuracy.

   - Motion by Bruce Abel (Big Lake), second by Mike Ganz (Palmer) to accept the October 2026 Treasurers Report as submitted, subject to audit. All members voting in favor. Motion carried.

7. **Review Updated Bylaws** – Chair Felber introduced the updated Bylaws, copies were available to the members. Felber noted that the Bylaws should be reviewed and adopted annually at the October Meeting; however, they have not been reviewed for several years. Members were asked to review the Bylaws and provide feedback at the next meeting.

   Felber highlighted that some provisions in the Bylaws have not been followed in practice and may need to be revised. For example:

   - The Banking Policies section requires two signatures on each check, which is currently not being done.
   - The General Expenses section should include supplies.
   - The General Expenses section includes the MAT Annual Convention reimbursement policy reimbursing each Township for the cost of (1) supervisor's attendance.

   Felber also suggested that the Treasurer explore alternative banking options, noting that the current account is not earning interest and recommending consideration of CD or investment options to be presented at the next meeting.

8. **Township Spotlight** – **Orrock Township** – Supervisor Peter Owen (Orrock) provided a historical overview of Orrock Township. He noted that the Township was originally settled in 1856 by Robert Orrock and officially became a Township in 1875. The first school district, District 33, was established in the 1870s and served students until the 1950s; the building continued to function as the town hall until 2023 when the current town hall was constructed. Owen shared that the Township now maintains 46 miles of roads

and has experienced significant growth with the population increasing from 2,700 in 2000 to its current size, ranking 47th among Minnesota townships. Orrock Township encompasses 36 square miles, of which 17 square miles are state and federal land, including Sand Dunes State Forest and the Sherburne National Wildlife Refuge areas. He also highlighted that Orrock cemetery, organized in 1896, contains graves dating back to the 1870s. Owen discussed early challenges with farming due to sandy soil and drought, which led to conservation efforts in the 1940s when the Minnesota Legislature set aside land for the Sand Dunes State Forest. Local organizations such as 4-H and the Boy Scouts contributed to stabilizing soil by planting trees. Owen concluded with historical notes on severe soil erosion during the 1930s, which resulted in dust storms and widespread poison ivy growth. Chair Felber thanked Peter and Orrock Township for the spotlight presentation and the dinner.

9. **MAT District 7 Director Updates –** Tammy Carlson, MAT District 7 Director was unable to attend however sent a brief update regarding MAT dues. As mentioned at the previous meeting, members would have an opportunity to vote at the upcoming 2026 Spring Short Course on a new dues structure. Carlson reported that the MAT Board has decided not to vote on raising dues at the Spring Short Course as the Board was satisfied with their financial situation upon completion of their annual audit.

10. **Couri & Ruppe Update –** No report available

11. **Legislative Update –** Bobby Benson, District Chief of Staff from Congressman Tom Emmer's office provided a brief update on Federal legislation and activities. Benson reported that progress is being made on the 12 federal appropriation bills, with 9 completed and two expected to be finalized soon. He noted that while a government shutdown is not anticipated, some uncertainty remains, particularly regarding the Department of Homeland security appropriations which may be more controversial. Benson emphasized his interest in hearing feedback from counties and townships on how current federal policies and funding situations are impacting local operations, especially in rural communities. He invited members to share comments or concerns during or after the meeting to relay back to Congressman Emmer's team. Chair Felber encourages members to reach out if they have questions.

    Both Bobby Benson and Representative Lawrence shared that Representative Shane Mekeland's father recently passes away and extended condolences to his family.

    Representative Byran Lawrence provided an update on State legislative activities from the House perspective. He noted the upcoming legislative session will primarily focus on policy issues, with bonding expected to be a major topic, though funding availability remains uncertain. Lawrence mentioned ongoing discussions around education, safe schools, and implementing stronger safeguards to prevent fraud following recent high-profile cases. He encouraged local governments to review their financial practices and ensure strong auditing and accountability measures. Lawrence also highlighted upcoming Town Hall meetings with Senator Andrew Mathews in Saint Francis and Princeton, inviting participation from local officials. Additionally, he emphasized the importance of Township and County officials visiting the capital during session to advocate for local priorities. Paid family and medical leave will continue to be a topic of discussion, with efforts aimed at providing relief for businesses, though no significant progress has been made yet. Lawrence concluded by stressing the need for fiscal responsibility and collaboration between local and state governments.

12. **Presentations –** Brian Fleming, Sherburne County Economic Development Coordinator, provided an update on current initiatives and programs. He reported that Planning and Zoning Ordinance updates are underway, with key topics including soil separation requirements, minimum lot sizes, and potential for multi-family housing in hamlets. Draft ordinances are expected to be reviewed by the Planning Commission in April, followed by a public hearing in May, and final approval in June.

Fleming highlighted housing initiatives, including the establishment of the Sherburne County Housing Trust fund and the Homeowner Rehabilitation Loan Program, which offers low interest loans for critical home repairs. Three projects have been approved to date.

On business development, Fleming discussed the Revolving Loan Fund which provides gap financing for local businesses. Since its inception in 2016, the program has issued 12 loans totaling $862,600, supporting over $20 million in project cost and an estimated 253 jobs. The current fund balance is approximately $250,000. Entrepreneurship support continues through programs such as the Business Lab and ILT Academy cohorts, which served numerous local business owners in 2025.

Transportation updates included progress on the TH 25 corridor and the Central Mississippi River Partnership (CMRP) bridge project, with a community meeting scheduled for March 17th. Fleming also noted efforts to establish Region 7W as a federally recognized Economic Development District to access additional funding and technical assistance. Finally, Fleming shared marketing initiatives aimed at attracting businesses to Sherburne County, including a new website, www.sherburnebiz.com and outreach campaigns targeting the Twin Cities metro area. A copy of the PowerPoint presentation will be sent to the Township Clerks.

13. Sherburne County Commissioner Reports

County Commissioner Raeanne Danielowski, District 2 – reported that she is serving as the 2026 Chair of the County Board, with Commissioner Andrew Hulse (District 1) as Vice Chair. She announced that Sheriff Joel Brott will not seek a fifth term after 18 years of dedicated service, noting his significant contributions to the County and its jail operations. Commissioner Danielowski also shared that County Administrator Bruce Meselt's father recently passed away an extended condolences to his family

County Commissioner Gary Gray, District 4 – reported that he has been appointed to the Minnesota Area Water Supply Advisory Council, which focuses on municipal water issues across the seven-county metro area. He noted the importance of monitoring water sources and watershed impacts for Sherburne and Wright Counties. Commissioner Gray also shared that the County Board unanimously supports effort to lift the States nuclear energy moratorium, emphasizing the need for future energy capacity as coal and gas plants are phased out. Sherburne County has joined other counties and rural electric associations in advocating for this change, as building new nuclear facilities could take decades.

County Commissioner Brad Schumacher, District 5 – provided an update on wheelage tax revenues and their use for transportation projects. He reported that the County collects approximately $1.85 million annually in wheelage tax. Recent and planned expenditures include:

2024: $925,000 for CSAH 1 reclaim and overlay from CR 32 to CSAH 4 in Livonia and Orrock Townships; $425,000 for CSAH 28 reconstruction from CSAH 19 to the east county line in Baldwin Township.

2025: $532,000 for CR 76 improvements from CSAH 8 to TH 10 in Clear Lake Township; $200,000 for surface improvements as part of the CSAH 29 and CSAH 2 intersection and signal rebuild in Princeton.

Schumacher emphasized that these projects demonstrate how wheelage tax funds are allocated to maintain and improve the County's transportation network. He also noted that he will provide additional information at a future meeting regarding Health and Human Services funding and daycare subsidies, as these figures are significant for local communities.

14. Sherburne County Administrator Report – Assistant County Administrator Dan Webber provided updates in Bruce Messelt's absence. Webber reported that ARPA funds are nearly depleted but

highlighted positive news that the County's broadband expansion project came in under budget allowing additional coverage in Haven Township and areas near Clear Lake. Broadband coverage in the County has now reached 96%, a significant improvement from 33% a decade ago. Chair Felber discussed tornado siren planning and maintenance. Members agreed that a joint meeting with County staff would be preferable to multiple individual township meetings. The joint session will be scheduled during the dinner portion of the April SCAT meeting. Chair Felber encouraged members to submit questions in advance to Clerk Larson, who will compile and forward them to Assistant County Administrator Dan Weber.

15. **Sherburne County Department Reports**
    County Sheriff's Report – Commander Ben Zawacki was present but left the meeting early due to an emergency call.

    SWCD's Report – No report provided. Handouts regarding upcoming events and the Annual Tree Sale were made available to attendees. f

16. **Upcoming Meetings** - The next SCAT meeting is scheduled for Wednesday, April 15, 2026, with Palmer Township providing the meal and Township Spotlight.

17. **Adjourn**
    - Motion by Brenda Kimberly-Maas (Big Lake), second by Mark Hedstrom (Big Lake) adjourn the meeting without debate. Motion carried.

    Meeting adjourned at 8:12 p.m.

Respectively submitted by Francine Larson, Sherburne County Association of Townships, Clerk/Treasurer.

_____
Sherburne County Association of Townships, Chair

_____
Date

SHERBURNE COUNTY ASSOCIATION OF TOWNSHIPS

Treasurers Report

January 2026 - March 2026

Date	Num	Name	Memo	Income	Expense	Balance
Business Checking						**23,201.18**
01/21/2026	1166	Felber, Anne	Director Expense		75.00	23,126.18
01/21/2026	1165	Larson, Francine	Treasurer Expense		303.74	22,822.44
01/21/2026	1164	Sherburne History Center	Meeting Room Rental		300.00	22,522.44
01/29/2026	1167	Orrock Township	January Meeting Meal Reimb		256.39	22,266.05
02/07/2026		Haven, Becker, Clear Lake, Livonia, Orrock	Deposit - Dues	1,250.00		23,516.05
02/09/2026		Palmer, Blue Hill, Big Lake	Deposit - Dues	750.00		24,266.05
03/02/2026	1168	Haven Township	2025 MAT Annual Mtg Reimbursement		130.00	24,136.05
						24,136.05
Total Business Checking				2,000.00	1,065.13	24,136.05
TOTAL				**2,000.00**	**1,065.13**	**24,136.05**

BYLAWS
GOVERNING THE SHERBURNE COUNTY ASSOCIATION OF TOWNSHIPS

Article I. Introduction

Section 1. Name of Association

The name of the Association shall be the Sherburne County Association of Townships.

Section 2. Purpose

It is the intent of the Sherburne County Association of Townships (herein after called the "Association") to conduct its business and perform its responsibilities and duties in an orderly, efficient, fair and lawful manner. These Bylaws are established for that purpose.

Section 3. Application of Bylaws

Unless otherwise specifically indicated, these Bylaws shall apply to the transaction and administration of all business and the conduct of all Sherburne County Association of Townships meetings.

Section 4. Mission Statement

To organize all Sherburne County Township Officers into an educational association, for the exchange of information pertaining to their duties, and to secure cooperation among them to aid and assist in preserving the Township as a municipal entity in the affairs of government.

Article II. Membership

Section 1. Members

Only duly elected and /or qualified Township Officers in Sherburne County, Minnesota, shall be entitled and encouraged to become members of the association.

Section 2. Voting

Only the Supervisors, Clerks and Treasures of member Townships in good standing shall be permitted to vote. Townships are considered in good standing if all dues are current and not considered delinquent.

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Article III. Meetings

Section 1. Regular Meetings

A. Date: The Sherburne County Association of Townships shall meet regularly on the third Wednesday of January, April and October of each year.

B. Location: Meetings shall be held at the Sherburne County History Center in Becker, unless otherwise designated by the Association.

C. Annual Meeting: The Annual Meeting of this Association shall be held at the October Meeting.

Article IV. Officers and Duties

Section 1. Election

Election of Officers will take place at the Annual Meeting. Any member in good standing may serve as an Officer.

Section 2. Terms

Each of the Officer positions are a one (1) year term. There are no term limits.

Section 3. Duties of Officers

The Officers of the Association shall have such powers and shall perform such duties as are prescribed in the Constitution and the Bylaws described herein, and which may from time to time be amended or further specified in resolutions or other directives of the Association.

A. Chairperson

The Chairperson shall be the Chief Executive Officer of the Association and shall have general supervision over all the activities of the Association. In order to accomplish the objectives and purposes of the Association, the Chairperson may appoint committees as necessary to assist in the accomplishment of these objectives and purposes.

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B. Vice Chairperson

The Vice Chairperson shall perform the duties of the Chairperson when the Chairperson is absent or unable to serve.

C. Secretary/Treasurer

The Secretary/Treasurer shall keep minutes of the Association meetings; shall prepare literature and other material as required for those meetings; and shall be in charge of all correspondence with the membership. The Secretary/Treasurer shall keep all funds of the Association safe; keep accurate accounts; collect required dues; pay bills authorized by the majority of the membership at a duly held meeting; give income and expense reports at each membership meeting; and perform the usual duties entrusted to such office.

Section 4. Vacancies

In case of resignation, death, or if for any other reason an Officer vacates his or her position on his or her local Township board; his or her office in this Association shall also be vacated. The membership may then appoint a member in good standing to fill that vacancy until the next Annual meeting.

Article V. Financial Management and Administration

Section 1. Banking Policies

All checks written by the Secretary/Treasurer for the Sherburne County Association of Townships will have two signatures on each check. Signatories on the checking account will be the Chairperson; Vice Chairperson and Secretary/Treasurer.

Section 2. Compensation of Officers

Compensation in the form of per diem and expenses shall be set by the membership at the Annual Meeting.

The Chairperson shall receive a per diem of $75.00.

The Secretary/Treasurer shall receive a per diem of $100.00 and an hourly rate of $25.00 for assigned duties.

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Section 3. General Expenses

General expenses shall include, but are not limited to, the following:

- Meeting Room Rental – The Association shall allocate up to $1,000.00 annually for meeting room rental and related expenses.
- Host Meal – The Association shall reimburse the host Township for meeting meal expenses up to a maximum of $350.00 or at a rate of $4.99 per plate. Guests shall be provided meals at no cost.
- MAT Annual Convention – The Association shall reimburse each Township for the registration cost of one (1) supervisor to attend the Minnesota Association of Township's (MAT) Annual Convention, provided that proof of payment is submitted.
- Guest Speakers – The Association shall allocate up to $500.00 annually for guest speaker fees and related expenses.

Article VI. Dues

Section 1. Assessment

For a Township to be a member of the Association, dues must be paid to the Secretary/Treasurer. Dues will be assessed annually with the amount to be determined at the Annual Meeting and payable in January of the following year.

Section 2. Delinquency

Failure to pay dues, once approved, will make a Township ineligible for membership. Dues owed the association must be paid in full by 60 days of January 1st of each year or membership will be withheld until all unpaid amounts are paid in full.

A. Offices

Any member of a delinquent Township shall be deemed ineligible to retain an office as an Officer of the Association. A Township is considered delinquent if dues are not paid by 90 days of January 1st of each year.

Article VII. Maintenance and Amendment of Bylaws

The Association shall review the Bylaws annually, and update as needed. Amendments to the Bylaws can be made at any time as deemed necessary by the Association. Amendments to these Bylaws may be adopted by a two-thirds vote of those members in attendance at any

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Regular or Annual Meeting. Notice of proposed changes shall state the present Bylaw language.

Article VIII. Effective Date

These Bylaws shall take effect immediately upon passage. The Bylaws established herein were hereby approved by the Sherburne County Association of Townships on this **21st** day of **October, 2026.**

DRAFT

Planning and Zoning Administration
Sherburne County Government Center
13880 Business Center Drive
Suite 100
Elk River, MN 55330-4668
zoning@co.sherburne.mn.us
(763) 765-4450

Township Comment Form

Please return to mitch.glines@co.sherburne.mn.us

Date:_____

Township: _____

Proposed Change: Zoning Ordinance Update

Question for Town Board: Does the township agree to the draft Zoning Ordinance Update?

☐**Yes**

☐**No**

☐**Changes Needed** (please specify)

Comments or Questions: _____

_____

_____

_____

Planning and Zoning Administration
Sherburne County Government Center
13880 Business Center Drive
Suite 100
Elk River, MN 55330-4668
zoning@co.sherburne.mn.us
(763) 765-4450

Township Comment Form

Please return to mitch.glines@co.sherburne.mn.us

Date:_____

Township: _____

Proposed Ordinance: Subdivision Ordinance Update

Question for Town Board: Does the township agree to the proposed Subdivision Ordinance Update?

☐**Yes**

☐**No**

☐**Changes Needed** (please specify)

Comments or Questions: _____

_____

_____

_____

Township Comment Form

Please return to mitch.glines@co.sherburne.mn.us

Date:_____

Township: _____

Proposed Change: Short-Term Rental Ordinance

Question for Town Board: Does the township agree to the proposed Short-Term Rental Ordinance?

☐**Yes**

☐**No**

☐**Changes Needed** (please specify)

Comments or Questions: _____

_____

_____

_____

SHERBURNE COUNTY PLANNING AND ZONING

PLANNING COMMISSION MEETING

4-16-2026

2026 ZONING AND SUBDIVISION ORDINANCE UPDATES

The Zoning and Subdivision Ordinance updates is concluding.

- It's anticipated that the draft ordinances will have the public hearing on **May 21st** and the final action by County Board on **June 16th**.
- As of April 10th draft Zoning and Subdivision Ordinances have been shared with the Planning Advisory Commission and the Townships.
- This is your opportunity to review and provide feedback on the proposed changes/updates to the Zoning and Subdivision Ordinances.
- Feedback on the Ordinances should be directed to **Mitch Glines** mitch.glines@co.Sherburne.mn.us

Recap:

- Following the 2040 Comprehensive Plan that was adopted in 2023 and amended in 2025, Planning and Zoning Dept. took the initiative to rewrite the ordinances to better align with the Compressive Plan.
- This is the first signific rewrite of these Ordinances since 1994.
- This one-year process to rewrite these ordinances was done with support and guidance from:

Internal Partners: Public Works Department, County Attorney's Office and County Recorder's Office			
Steering Committee: Township representatives, private local surveyor and local builders/developers and County Commissioners			
Bolton & Menk, Consultants	Sherburne County Townships, Cities	MnDNR	Sherburne County Economic Development Authority

PLANNING (COMP PLAN) AND ZONING (ORDINANCE)

The 2040 Comprehensive Plan, Chapter 6, Implementation, was the guiding document that is driving the Zoning and Subdivision Ordinance updates. Provided below are some of the action steps from the Comprehensive Plan.

Policy Area	Action Step	Priority
#3 Ag Housing	Remove barriers that limit multi-generational housing from occurring on farmsteads, such as the minimum platted lot size and 75% wooded lot requirement.	High
#13 Growth Areas	Revise zoning ordinances to lower densities (e.g., 1 unit per 10+ acres) in defined growth areas until city services are extended to accommodate higher densities (3+ units per acre).	High
# 14 Hamlets	Adopt a new zoning district that allows new land uses (e.g., businesses and townhomes) to occur in and around Hamlets. This may include higher densities and design guidelines/standards	Low
#18 Life-Cycle Housing	Expand and define a broader range of housing types that are allowed in the County's zoning ordinance (zoning districts).	High
#22 Rural Residential Lot Size	Consider reducing the minimum lot sizes for Residential Planned Unit Development (R-PUD) Overlays. Currently, the overlay district allows for a minimum lot size of 1.5 acres with individual septic systems…	Medium
# 28 Zoning Consistency	Review and revise the County's Zoning and Subdivision Ordinance.	High

Link to the Comp Plan https://www.co.sherburne.mn.us/DocumentCenter/View/353/Comprehensive-Land-Use-Plan-PDF

NOTABLE CHANGES

What was accomplished over the past year?

Overall Changes:

- Reformat to be consistent with other county ordinances
- Reorganized to create better flow
- Consolidated and update all definitions to one section
- Reconciled duplicative language
- Added interactive navigation and table of contents of ease of use

Zoning Ordinance:

- Expanded the Shoreland Residential District include all developed lake and reduce road setbacks
- Added new Hamlet Zoning District to support mixed-use development and life cycle housing
- Added a Short-Term Rental Ordinance
- Modified the 75% wooded requirement in the Ag District to included non-tillable land
- Increased minimum lot size in Urban Expansion District to 10-acres to preserve for future city growth
- Only requiring screening (trees) for Solar Farms directly adjacent to residential properties
- Increasing Accessory Building Size on acreage from 2.5-5 acres to 2,400 sq. ft. from 1,800 sq. ft.
- Reevaluated land uses (CUP/IUP) for each zoning district
- Changing the Findings of Facts for Board of Adjustment to easier to read and understand
- Updated sign regulations
- Moved cannabis uses into the land use table

Subdivision Ordinance:

- Expanded opportunities for Administrative Splits
- Renamed Simple to Minor and Standard to Major Plats
- Eliminated the Residential Planned Unit Development Plats
- Eliminated “Alternative Soils” standard for platting
- Reduced soil separation from 36” to 24” but kept 40,000 sq ft requirement

For Further Discussion:

- Introduced possibility of reduction of minimum platted lot size 1.5 acres in both General Rural and Agricultural Districts
- Lot sizes in Hamlets

NOTE: Following the 1994 Zoning and Subdivision Ordinances rewrite in the first two years the ordinances were updated, the Zoning Ordinance had **32** amendments and the Subdivision Ordinance had **6** amendments.

Our work is not done!

THANK YOU FOR YOUR CONTINUED SUPPORT

SHERBURNE COUNTY
Subdivision Ordinance

DRAFT

Ordinance No. 001

Adopted November 16, 2010
Last Amended ____ _, 2026

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SUBDIVISION ORDINANCE 001 OF SHERBURNE COUNTY

AN ORDINANCE ESTABLISHING REGULATIONS FOR THE SUBDIVISION AND PLATTING OF LAND WITHIN SHERBURNE COUNTY AND OUTSIDE THE BOUNDARIES OF MUNICIPALITIES, WITH THE EXCEPTION OF BECKER TOWNSHIP AND THE PORTION OF HAVEN TOWNSHIP UNDER THE ORDERLY ANNEXATION AGREEMENT, DEFINING CERTAIN TERMS USED HEREIN, PROVIDING FOR THE PREPARATION OF PLATS; PROVIDING FOR THE INSTALLATION OF STREETS, ROADS AND OTHER IMPROVEMENTS; ESTABLISHING PROCEDURES FOR THE APPROVAL AND THE RECORDING OF PLATS; AND PROVIDING PENALTIES FOR VIOLATION OF THIS ORDINANCE.

SECTION 1 - TITLE AND AUTHORITY

This ordinance shall be known, cited and referred to as “The Sherburne County Subdivision Ordinance”. This ordinance is enacted in accordance with the provisions of Minnesota Statutes Section 394.25.

SECTION 2 - PURPOSE AND INTENT

This Ordinance is enacted for the following purposes: to promote the health, safety, morals and general welfare throughout Sherburne County. More specifically, the provisions of this ordinance are designed to:

A. Encourage well-planned and efficient subdivisions by establishing adequate standards for design and construction.

B. Provide for the health and safety of residents by requiring adequate provisions for sewage disposal, water service, transportation and other public facilities.

C. Discourage substandard developments that might adversely affect the local tax base.

D. Secure the rights of the public with respect to public lands and waters.

E. Improve land records by establishing standards for surveys and plats.

F. Assure that effective protection is given to the natural resources of the community, especially ground water and surface waters.

G. Conserve the value of properties and encouraging the most appropriate use of land.

H. Align with the principles and priorities set forth in the County’s Comprehensive Plan and all Comprehensive Watershed Management Plans.

I. Pursuant to "[a]n act authorizing county planning and zoning activities; establishing a Board of Adjustment; [and] authorizing the enactment of official controls" passed by the Legislature of the State of Minnesota.

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SECTION 3 - VALIDITY

Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or any part thereof other than the part so declared to be invalid.

SECTION 4 - JURISDICTION,SCOPE, AND INTERPRETATION

4.1 JURISDICTION

The jurisdiction of this Ordinance shall apply to all the area of Sherburne County outside the incorporated limits of municipalities, with the exception of Becker Township and the portion of Haven Township under the orderly annexation agreement..

SCOPE

From and after the effective date of this Ordinance, any plat or subdivision of land within the jurisdiction of this Ordinance shall be prepared, presented for approval, and recorded as prescribed herein. The regulations contained in this Ordinance shall apply to the subdivision of a lot, tract, or parcel of land into two or more lots. Division of land into tracts larger than the minimum unplatted lot size required by the Sherburne County Zoning Ordinance shall be exempt from the requirements of this Ordinance.

4.2 TYPES OF SUBDIVISIONS

Four types of Land Subdivisions are allowed by this ordinance:

A. Administrative Subdivision

B. Registered Land Survey

C. Minor Subdivision

D. Major Subdivision

4.3 COMPLIANCE

Before any Land Subdivision shall be recorded or be of any validity, it shall be approved in the manner prescribed by this Ordinance. All plats, and all other required submissions, shall be submitted to the County Attorney's Office for final review within one year of the date the plat received final approval from the Sherburne County Board. All prerequisites to County Attorney review shall have been completed prior to submission to the County Attorney's Office.

4.4 BUILDING PERMITS

No building permits shall be issued by Sherburne County for the construction of any building, structure or improvement to the land or to any lot in a subdivision, as defined herein, until all requirements of this Ordinance have been complied with.

4.5 INTERPRETATION

In interpreting and applying the provisions of this Ordinance, they shall be held to be the minimum requirements for the promotion of the public health, safety, comfort, convenience and general welfare. Where the provisions of this Ordinance impose greater restrictions than those of any statute, other ordinance or regulation, the

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provisions of this Ordinance shall be controlling. Where the provisions of any statute, other ordinance or regulation impose greater restrictions than this Ordinance, the provisions of such statute, other ordinance or regulation shall be controlling.

4.6 LOTS OF RECORD

All lots which are a part of a subdivision legally recorded with the County Recorder/Registrar of Titles and any lot or lots described by metes and bounds, the deed to which has been recorded in the Office of the County Recorder/Registrar of Titles prior to the passage of this ordinance, shall be considered to be Lots of Record. Such lots may be considered a building site if they were created compliant with official controls in effect at the time and the sewage treatment and setback requirements of this ordinance are met.

SECTION 5 - DEFINITIONS ANDRULES OF LANGUAGE CONSTRUCTION

5.1 RULES OF LANGUAGE CONSTRUCTION

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. Words used in the present tense shall include the future; words in the singular shall include the plural; and the words "shall" and "must" are mandatory and not discretionary. Unless otherwise specified, all distances shall be measured horizontally and in feet.

5.2 DEFINITIONS

B

Block: A tract of land consisting of one or more lots, as identified on the plat, and bounded by plat boundaries, public ways, outlots, parks, or bodies of water..

Buffer Strip: A strip of land that is preserved from development for homes or structures with the sole purpose of separating and/or screening a property from another use or to shield or mitigate from noise, lights or other impacts.

Buildable Lot Area: The minimum contiguous area with at least three (3) feet above the highest known water table meeting the buildable lot area requirements of the applicable zoning district remaining on a lot or parcel of land after all public road right-of ways, drainage and utility and private easements, setbacks (excluding road setbacks), and wetlands are subtracted. In the Shoreland District, all land below the ordinary high water level of public waters, bluffs, areas with slopes greater than eighteen (18) percent, and floodways shall also be subtracted. Land where other legal or ordinance restrictions exist, which would prevent or prohibit the placement of a structure shall also be subtracted.

C

Common Open Space: Land used for agriculture cropland, pasture, natural habitat, pedestrian corridors, and/or recreational purposes, that is either protected by a conservation easement or limited to future development.

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Comprehensive Plan: Unless otherwise stated, it is the general plan for land use, transportation, and community facilities prepared and maintained by the County.

Comprehensive Watershed Management Plan: The general plan to align and describe protection and restoration focus across county boundaries for the region's natural resources. Sherburne County is within the Rum River Watershed and Mississippi River St. Cloud Watershed.

Conservation Easement: A non-possessory interest in real estate property as defined by Minnesota Statute 84.64, Subdivision 2.

County Board: The Sherburne County Board of Commissioners.

D

Developer's Agreement: A document signed by the subdivider and County providing financial guarantees and standards for the construction, inspection and acceptance of newly dedicated town roads and other improvements.

District: A section or sections of Sherburne County for which the provisions of the Zoning Ordinance are uniform.

Drainage Easement: An easement for the purpose of controlling, preserving, and providing for the flow or storage of water.

F

Final Plat: A drawing or map of a subdivision, meeting all the requirements of the County, Minnesota State Statutes regarding the platting of land and in such form as required by Sherburne County for the purposes of recording.

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.

Floodplain, General: Those floodplains designated on the Flood Insurance Rate Maps referenced in Section 3.2, but that do not have a delineated floodway.

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

G

Gross Land Area: The total area of an undeveloped parcel of land.

H

Homeowners Association: A formally constituted nonprofit association or corporation made up of the property owners and/or residents of the development for the purpose of owning, operating and maintaining the common open space and facilities.

I

Individual subsurface sewage treatment system (ISTS): A subsurface sewage treatment systems or part thereof, as set forth in Minnesota Statutes, sections 115.03 and 115.55, that employs sewage tanks or other treatment devices with final discharge

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into the soil below the natural soil elevation or elevated final grade that are designed to receive a sewage design flow of 5,000 gallons per day or less. ISTS also includes all holding tanks that are designed to receive a design flow of 10,000 gallons per day or less; sewage collection systems and associated tanks that discharge into ISTS treatment and dispersal components; and privies. ISTS does not include those components defined as plumbing under the Minnesota Plumbing code, chapter 4714, except for a building sewer connected to a subsurface sewage treatment system.

L

Land Trust: A nonprofit organization that, as all or part of its mission is to work to conserve land by undertaking or assisting in direct land transactions, primarily for the purchase or acceptance of donations of land or easements.

Local Street: Local streets represent the lowest category in the hierarchy of streets. Their primary function is to provide access to abutting land use.

Lot: A tract of land which is all or part of a block and is identified on the plat.

Lot, Corner: A lot abutting upon two or more streets at their intersection or junction or a lot bounded on two sides by a curving street where it is possible to draw two intersecting chords, one each commencing at each of the two points of intersection of the lot lines and street line, which intersect with each other to form an interior angle of less than 120 degrees.

Lots of Record: All lots which are a part of a subdivision legally recorded with the County Recorder/Registrar of Title and lots described by metes and bounds, the deed to which has been recorded in the Office of the County Recorder/Registrar of Title prior to the passage of this ordinance, shall be considered to be Lots of Record. Such lots may be considered a building site if they were created compliant with official controls in effect at the time and the sewage treatment and setback requirements of the Zoning Ordinance are met.

Lot Width: The minimum distance between:

A. Side lot lines measured at the midpoint of the building line; and

B. Side lot lines at the ordinary high water level, if applicable (see definition in the Zoning Code Figure 5).

Lot Yield: Lot Yield is determined by the net land area (gross area minus existing public road right-of-way and/or easement, DNR waters, floodways) divided by the base density (i.e. 2.5 acres in General Rural District).

M

Major Collector: Major collectors collect traffic from local and minor collector streets and connects with arterial streets. They can also serve local business districts.

Minor Arterial: Minor arterial roadways serve inter community travel with an emphasis on traffic mobility and may have some access control. These facilities augment the principal arterial network.

Minor Collector: Minor collectors serve as a feeder facility for neighborhood and local traffic to the collector/arterial network. This facility may also provide access for businesses and residential development.

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N

Net Land Area: All land within the boundaries of a parcel of land for the purposes of calculating density except existing public road right-of-way or public road easement, land below the Ordinary High Water Level of a DNR protected waters and wetlands and land designated as “floodway” by FEMA.

O

Ordinary High Water Level, Shoreland: 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.

Ordinary High Water Level, Wild, Scenic and Recreational Rivers. A mark delineating the highest water level which has been maintained for a sufficient period of time to leave evidence upon the landscape. In areas where the ordinary high water mark is not evident, setbacks shall be measured from the top of the bank of the river channel. A channel is a natural or artificial depression of perceptible extent, with definite bed and banks to confine and conduct flowing water either continuously or periodically.

Outlot: A tract of land identified by a capital letter and is land that is not part of a block..

Overlay District: A predetermined area of land, designated on the official zoning map where specific uses are allowed.

P

Parks and Playgrounds: Public lands and open spaces in Sherburne County dedicated or reserved for recreation purposes.

Plat: A delineation of one or more existing parcels of land drawn to scale showing all data as required by this chapter, depicting the location and boundaries of lots, blocks, outlots, parks, and public ways

Pole Guys: The use of guy wires (or stays) to support utility poles.

Preliminary Plat: A tentative drawing or map of a proposed subdivision meeting the requirements herein enumerated.

Principal Arterial: Principal arterials form the backbone of the transportation network. This facility serves as a through facility yet allows for turning movements. A principal arterial is typically a divided roadway with access control.

Public Water: Any water body classified by the Department of Natural Resources and defined in Minnesota Statutes, Section 103G.005, Subd 15 and 19.

R

Registered Land Survey (RLS): A survey filed with the Registrar of Titles of a tract or tracts of registered land to be conveyed in other than full government subdivision or simple fraction thereof.

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Road: A public right-of-way affording primary access by pedestrians and vehicles to abutting properties, whether designated as a street, highway, thoroughfare, parkway, road, avenue, boulevard, place or however otherwise designated.

Road, Cul-de-Sac: A minor street or road with only one outlet and having an appropriate terminal for the safe and convenient reversal of traffic movement.

S

Screening: The use of land, topography (differences in elevation), space, fences, or landscape plantings to screen or partially screen a tract of property from another tract or property and thus reduce undesirable influences such as sight, noise, dust and other external effects which a land use may have upon other adjacent or nearby land uses.

Shared Sewage Treatment System: A common system for the collection, treatment and disposal of wastewater from a group of properties, in which the final treatment and disposal facilities are located on common open space or a separate outlot, and management responsibilities are assumed by all the property owners, through a homeowners association or a management entity which they may retain for that purpose.

Sketch Plan: A sketch plan is a preliminary, conceptual depiction of a proposed subdivision, prepared before filing a formal preliminary plat application. It is used for early, informal review by city staff,

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.

Subdivider: Any individual, firm, association, syndicate, co-partnership, corporation, trust or other legal entity having sufficient proprietary interest in the land sought to be subdivided to commence and maintain proceedings to subdivide the same under this Ordinance.

Subdivision: Land that is divided for the purpose of sale, rent or lease, for uses as allowed in the district.

U

Utility Easement: An easement conveyed, granted, or dedicated to the public for utility purposes.

V

Variance: “Variance” means the same as that defined in Minnesota Statutes, Section 394.27 Subd. 7.

Vegetative buffer: A strip of land that is preserved from development of structures which is not mowed, but left in its natural state, bordering a lake, watercourse, or wetland that exists or is established to protect a waterbody. The purpose is to protect a natural feature from run-off, stabilizes soils,shores, and banks; and protects or provides riparian corridors and other impacts that could lead to degradation of the natural feature.

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W

Wetland: Lands transitional between terrestrial and aquatic systems where the water table is usually at or near the surface or the land is covered by shallow water. For purposes of this Ordinance, wetlands must (1) have a predominance of hydric soils; (2) be inundated or saturated by surface water of groundwater at a frequency and duration sufficient to support a prevalence of hydrophytic vegetation typically adapted for life in saturated soil conditions; and (3) under normal circumstances, support a prevalence of hydrophytic vegetation. wetlands includes deepwater aquatic habitats that are not public waters or public waters wetlands. For purposes of this paragraph, "deepwater aquatic habitats" has the meaning given in *Corps of Engineers Wetlands Delineation Manual*, United States Army Corps of Engineers (January 1987)

Z

Zoning District: An area or areas within the limits of the County of Sherburne for which the regulations and requirements governing land use are uniform.

SECTION 6 - ADMINISTRATION AND ENFORCEMENT

6.1 ZONING ADMINISTRATOR

The Zoning Administrator shall have the following powers and duties and may delegate them to Department staff as necessary:

A. To receive and review applications for all types of subdivisions for compliance with the provisions of this Ordinance.

B. To receive and review applications for action by the County Board of Commissioners, Planning Advisory Commission, and/or Board of Adjustment and to provide additional information, recommendations, data and testimony as may be necessary for action to be taken.

C. To conduct compliance and other inspections. If violations of this Ordinance are discovered, the Zoning Administrator shall notify the violator(s) and take such other steps as are necessary to ensure compliance with this Ordinance.

D. To maintain records of all actions taken pursuant to the provisions of this Ordinance.

E. To assist the public in complying with and understanding their responsibilities and rights under this Ordinance.

F. To approve Administrative Subdivision in accordance with Section 7 of this Ordinance.

6.2 PLANNING ADVISORY COMMISSION

The Sherburne County Planning Advisory Commission “Planning Advisory Commission”, as presently established in Sherburne County Zoning Ordinance, shall have the following duties:

A. Conduct public hearings for all minor and major subdivisions and amendments to this Ordinance.

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B. Submit recommendations to the Board with respect to the approval or denial of major subdivision.

6.3 BOARD OF ADJUSTMENT

6.3.1 A plat or subdivision shall not be approved where a variance will subsequently be required to use the lot(s) for their intended use.

6.3.2 The Sherburne County Board of Adjustment, as presently established in Sherburne County Zoning Ordinance shall have the following powers:

A. To order the issuance or denial of variances from the provisions of this Ordinance in accordance with Minnesota State Statute, Chapter 394.

B. To hear an appeal from any order, requirement, decision, or determination of any administrative official charged with enforcing this Ordinance pursuant to Minnesota State Statute, 394.

6.3.3 An Appeal from any decision of the Zoning Administrator may be requested by any aggrieved party in accordance with the Sherburne County Zoning Ordinance and heard by the Board of Adjustment.

6.4 AMENDMENTS

6.4.1 Application

This Ordinance may be amended whenever the public necessity and the general welfare require such amendment by following the procedure specified in this Section.

6.4.2 Proceedings for amendment of this Ordinance shall be initiated by:

A. A petition of a landowner in Sherburne County; or

B. A recommendation of the County Planning Advisory Commission, or

C. An action of the Board of County Commissioners.

6.4.3 Filing

An application for an amendment shall be filed with the Zoning Administrator. An application to amend this Ordinance shall include:

A. A complete amendment application form signed and dated by the applicant and pay all applicable fees.

B. Written statement explaining the reason for the amendment requested and how the amendment is compatible with the Sherburne County Comprehensive Plan.

C. Text on the portion of the existing ordinance to be amended as well as the proposed amendment text and statements outlining any other effects that the amendment may have on other areas of this Ordinance.

D. Any additional information that may be requested by the Planning Administrator and/or Planning Commission.

6.4.4 Before the enactment of any ordinance amending this Ordinance, a public hearing shall be held by the County Planning Advisory Commission in the manner provided in

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Minnesota Statutes, section 394.26 and 375.51; or successor statutes. See Section 4.4 – 4.6 of the Zoning Ordinance for notification, public hearing and Consideration details.

A. Authorization: Following the public hearing, the County Planning Advisory Commission shall make a report of its findings and recommendations on the proposed amendment and shall file a copy with the Board of County Commissioners and the Zoning Administrator at the next regularly scheduled meeting.

B. Upon filing of such report or recommendation, the Board of County Commissioners may hold an additional public hearing upon the amendment as it deems advisable. After the concluding of the hearing, if any, the Board of County Commissioners may adopt the amendment or an part thereof, in such form as it deems advisable. The amendment shall be effective only if four-fifths (4/5) of the members of the Board concur in its passage.

C. The Board of County Commissioners shall take action on the proposed amendment within sixty (60) days from the date of completed application following receipt of the recommendations by the County Planning Advisory Commission. If no report or recommendation is transmitted by the Planning Advisory Commission within sixty (60) days after the hearing, the Board of County Commissioners may take action without such recommendation.

6.4.5 Record

A certified copy of any amendment shall be filed with the Sherburne County Recorder by the Planning Administrator. The amendment shall include the legal description of the property involved, owner's name, and any conditions stipulated at approval by the Board of County Commissioners.

6.5 VIOLATIONS, PENALTIES AND ENFORCEMENT

6.5.1 Violations and Penalties

Any person, partnership or corporation 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 thereof, shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished pursuant to law.

6.5.2 Enforcement

This Ordinance shall be administered and enforced by the Zoning Administrator, who is hereby designated the enforcing officer.

6.5.3 Actions

In the event of a violation or a threatened violation of this Ordinance, the Board of County Commissioners or any member thereof, in addition to other remedies, may institute appropriate actions or proceedings to prevent, restrain, correct or abate such violations or threatened violations, and it shall be the duty of the County Attorney to institute such action.

6.5.4 Mandamus Proceedings

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Any taxpayer or taxpayers of the County 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.

6.5.5 Compliance

No subdivision of land may be approved for any property on which there is a violation of any Sherburne County Ordinance, unless the Zoning Administrator determines that the subdivision is necessary to resolve the violation.

6.6 FEES

To defray the administrative cost of processing of requests of this Ordinance, a fee not exceeding administrative costs shall be paid by the petitioner. Such a fee shall be determined by the Board of County Commissioners.

6.7 SEPTIC STANDARDS

All existing and proposed lots must meet the minimum standards for a private septic system before subdivision can occur by complying with Minnesota Rules Chapters 7080 through 7083 and Section 26 Subsurface Sewage Treatment System Program of the Sherburne County Zoning Code including the installation and compliance of Subsurface Sewage Treatment Systems (Septic Systems).

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SECTION 7 - ADMINISTRATIVE SUBDIVISION

7.1 PURPOSE

Administrative Subdivisions will allow an adjustment of a common boundary line, by administrative approval, which will not change the use of the land.

7.2 CRITERIA

7.2.1 Administrative subdivisions allow conveyance of certain parcels of land with administrative approval. Upon application by the owner, the Planning and Zoning Administrator may approve an administrative subdivision under the following circumstances if, in each instance, the new and residual parcels of land which would result from the division meet the requirements of the Sherburne County Zoning Ordinance.

7.2.2 The following criteria will be followed when approving administrative subdivisions:

A. Administrative Subdivisions cannot be done on platted property or on Torrens property when a Registered Land Survey is required under Section 8 of this Ordinance.

B. An Administrative Subdivision will only be allowed in the General Rural District and Agricultural District.

C. A new property line location is needed due to a conflict or inconsistency with the legal description and/or the actual lines of possession of an adjoining parcel of record.

D. No parcel may be reduced by more than 50% of its original lot size. The property line adjustment may not result in any parcel becoming a substandard parcel.

E. The split shall not reduce the parcel width to a non-conforming width for that zoning district or for shoreland regulations.

F. Changes to a subdivision that was not developed cannot use the Administrative Subdivision process to replat it.

G. The parcels to be divided and / or combined may not be in different sections if they are also in different school districts or taxing jurisdictions.

H. If the Zoning Administrator feels that the split is too complicated, platting may be required.

7.2.3 An Administrative Subdivision may only be considered if:

A. The transfer does not create any additional parcels.

B. The transfer does not require creating or altering of public road rights-of-way.

7.3 PROCEDURE

7.3.1 Application

The owner or authorized agent shall file an application with the Zoning Administrator and shall have attached a legal description and map of the parcels to be altered showing all

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new and residual parcels and copies of a Certificate of Survey prepared by a licensed Land Surveyor . The Zoning Administrator may request additional or clarifying information.

7.3.2 Notification of Decision

Upon submission of all required information including a Certificate of Survey prepared by a Licensed Land Surveyor for each new parcel, the Zoning Administrator shall, notify the applicants whether the subdivision is approved or denied. If denied, the Zoning Administrator shall supply written reasons for the decision.

7.3.3 Recording

If approved, the applicant must provide transfer deeds to the Zoning Administrator within 60 days of approval. The Zoning Administrator must stamp and sign the deeds as approved before the documents can be recorded by the County Recorder.

SECTION 8 - REGISTERED LAND SURVEY

8.1 PURPOSE

8.1.1 Registered Land Surveys (RLS) may require that the owner of a parcel of unplatted registered land who conveys any part therefore which is not a full government subdivision or simple fractional or quantity part of a full government subdivision, shall first file with the registrar of titles a drawing of unplatted land, showing the tract or tracts being or to be conveyed, which drawings shall be known as a “registered land survey.”

8.2 RESTRICTIONS

A Registered Land Survey may only be considered to correct existing boundary lines, and for the purposes stated in Minnesota Statutes Section 508.47. A Registered Land Survey is not a substitute for a plat and may not create additional parcels or tracts.

8.3 APPLICATION

Preliminary drawing shall show the following:

A. Boundary Survey (See Public Works Platting Manual as revised)

B. Existing buildings

C. Proposed and existing easements and driveways

D. Building setbacks

E. Existing encroachments

F. Septic System Location complying with Minnesota Rules Chapters 7080 through 7083.

G. Location of Existing Well(s)

H. Documentation that the RLS has been approved by the Township Board of Supervisors in the Township where the RLS is located.

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I. Certificate of compliance for any sewage treatment system on the property. No certificate of compliance dated more than ten (10) years prior to the date of application will be accepted. If any septic system on the property is not compliant, the system must be upgraded or abandoned according to the Zoning Ordinance and applicable State regulations and a new certificate of compliance submitted before any Plat application may be considered complete.

8.4 PROCEDURE

8.4.1 All required information must be submitted to the Zoning Administrator, along with the required application and fee. The RLS must conform with the Sherburne County Public Works Platting Manual and Minnesota Statutes, Chapter 505 and 508.

8.4.2 The Zoning Administrator may request additional or clarifying information including:

~~A. Report of the County Surveyor and County Engineer~~

B. The County Surveyor and County Engineer shall submit a report to the County Zoning Administrator concerning the proposed RLS and its conformance with the requirements of this Ordinance and the Public Works Platting Manual.

C. County Attorney Review and Approval

D. The RLS as well as a certificate of title shall be submitted to the County Attorney and together with any additional information requested by the same.

E. All real estate taxes must be paid as a condition of approval of the RLS as per State Statute.

8.4.3 Recording

When the submitted RLS is administratively approved, and upon obtaining necessary signatures, the RLS shall be filed in the office of the Registrar of Titles.

8.5 CONDITIONS FOR APPROVAL

8.5.1 The Zoning Administrator may attach conditions to approval of the Registered Land Survey to assure compliance, as far as practical, with Zoning Ordinances and Subdivision Ordinances.

8.5.2 As a condition of approval of a Registered Land Survey, the County may require an existing public road be created as a tract and deeded to the Road Authority, concurrently with recording the RLS.

8.5.3 Approval of the Registered Land Survey does not waive setback requirements, building standards, drainage, road frontage, septic or well ordinances, rules or regulations.

8.5.4 The Zoning Administrator may require variances from the County Board of Adjustment as a pre- condition to consideration of a Registered Land Survey under this Section.

8.5.5 All RLS tracts shall be treated as a platted lot for setbacks under this ordinance.

SECTION 9 - MINOR SUBDIVISION

9.1 PURPOSE

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A Minor Subdivision allows for the subdivision of land into lots that are smaller than the minimum metes and bounds size in the zoning district, where adequate infrastructure is already in place and no new public roads will be required and the additional lot contains all elements and requirements set forth in all official controls adopted pursuant to Minnesota Statutes Chapters 505 and 508.

9.2 RESTRICTIONS

A Minor Subdivision, with concurrent review of the preliminary plat and approval of the final plat, may be allowed only if all the following restrictions are met.

A. ~~No variance to these restrictions may be granted under Section 6, Subdivision. # of this Ordinance.~~

B. Will create no more than three (3) lots and any remaining acreage from the property to be subdivided which shall meet the minimum metes and bounds lot size for the applicable zoning district.

C. Will not require the addition of new roads or the expansion of existing roads.

D. Each new lot has the minimum public road frontage for the applicable zoning district as required by Section 11, Subdivision 1.A. of this Ordinance.

E. Must meet the Road Setback requirements in Section 23.1 of the Sherburne County Zoning Ordinance.

F. The property must not have been previously subdivided by or otherwise included in a Minor Subdivision within the last two (2) years.

G. The resulting lot sizes shall meet the minimum lot size defined in the Sherburne County Zoning Ordinance for each applicable zoning district.

9.3 PROCEDURE

9.3.1 Pre-Application Meeting

The applicant may request, and the Planning and Zoning Department may recommend, a pre-application meeting for Minor Subdivisions. The purpose of the pre-application meeting is to review the proposed Minor Subdivision and all applicable laws, ordinances, policies and procedures relating to the Minor Subdivision process. Prior to the pre-application meeting, the applicant shall provide the Planning Department with a Sketch Plan, which shall include the following information:

A. The proposed plat overlaid on an aerial photo drawn to scale with dimension of proposed lots and roads.

B. Total acreage of the property to be platted;

C. Existing property lines;

D. Proposed lot lines;

E. Existing public and private roads and easements on the property, including length of road and the existing right-of-way of any public road abutting the property to be platted;

F. Existing buildings and other impervious surface areas;

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G. Existing road spacing and driveway spacing on County Highways;

Additional items to be discussed at the pre-application meeting include but not limited to: existing vegetation on the property, soil types, any solid waste accumulation, potential wetland impacts, floodplain and shoreland regulations (if applicable), soils, water table and slope information; and potential stormwater management issues, private roads and easements, driveway access locations, road connections and property title.

9.3.2 Application

The owner and subdivider shall file an application for a Minor Subdivision approval with the Planning and Zoning Department that includes the following:

A. A completed application form signed by all property owners and the applicant, if different than the owner(s).

B. The fees established by the County Board for a Minor Subdivision application.

C. A title commitment or title opinion for all of the property being platted. For Torrens property. The applicant shall also provide a description of any known encumbrances on the property not described on the title commitment title opinion.

D. Documentation that the plat has been approved by the Township Board of Supervisors in the Township where the plat is located.

E. Certificate of compliance for any sewage treatment system on the property. No certificate of compliance dated more than ten (10) years prior to the date of application will be accepted. If any septic system on the property is not compliant, the system must be upgraded or abandoned according to the Zoning Ordinance and applicable State regulations and a new certificate of compliance submitted before any Minor Subdivision application may be considered complete.

F. A Natural Resource Review to identify any adjacent sensitive natural resource features, to natural resource, as defined as natural vegetation, native plant communities, soils, surface waters, wetlands, wildlife and nongame species, and fisheries. impaired or protection-focused waterways. Current extent and type of natural habitat, if the area is within a Cooperative Watershed Management Program (CWMP) priority watershed, surface water drainage patterns, wetlands, Ordinary High Water Level (OHWL), and stormwater storage.

G. A soil report and soil boring logs by a Geotechnical Professional, Professional Geologist or Licensed Professional Soil Scientist (except on lots where a home already exists on the property).

H. If more than one (1) acre of impervious surface is created by the Minor Subdivision, a stormwater management plan must be prepared. Written comments from the Town Board as the drainage authority must be provided. The stormwater management plan must include: (1) the existing and proposed drainage, including calculations; (2) a grading plan; and (3) a stormwater pollution prevention plan.

I. All plats shall require a Routine Level 2 Wetland Delineation, unless otherwise determined by the Local Governing Unit (LGU) that a Routine Level 1 Wetland

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Delineation is appropriate for the property. Final discretion rests with the LGU's determination.

J. A digital copy of the Minor Subdivision in PDF format is required per instructions on the application.

K. Documentation that the Minor Subdivision has been approved by the Township Board of Supervisors in the Township where the Minor Subdivision is located.

L. Comments from any government jurisdiction within two miles of the affected property.

M. All other information deemed necessary by the Zoning Administrator to provide an adequate basis to make a decision on the Minor Subdivision.

9.3.3 The preliminary plat must be signed by a licensed surveyor and the drawing must include the following:

A. Existing Features (if applicable):

1. Existing property lines and all property lines extending 100 feet from the exterior boundaries of the property to be platted, along with the names of adjacent property owners and the current use of those properties.
2. Existing public and private roads, including length of road frontage and the existing right-of-way of any public road abutting the property to be platted.
3. Existing buildings and any other impervious surface.
4. Existing access to any public road.
5. Location of any existing or abandoned wells, sewage treatment systems or areas with solid waste accumulation.
6. Location of any lakes, waterways or other public waters on or adjacent to the property.
7. Delineated wetland boundaries for all wetland located on the property.
8. Elevation and boundary line of the Ordinary High-Water Level.
9. The 100-year flood elevation, Regulatory Flood Protection Elevation, if available and floodway, flood fringe and flood plain district boundaries.
10. Shoreland district boundary, if any part of the plat is in shoreland areas.
11. Topography at two (2) foot intervals.
12. Surface water drainage patterns.
13. Soil survey identification numbers and boundaries overlaid on the preliminary drawing.
14. Encroachments

B. Proposed Features:

1. Lot and Block layout and numbering.

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2. Lot area and dimensions.
3. Setback lines.
4. Proposed driveway access.
5. Delineated buildable lot area, showing soil types and boring location on each lot, certified by a Licensed Minnesota Geotechnical Professional, Professional Geologist or Licensed Professional Soil Scientist unless exempt under Subdivision 3.5.
6. For residential plats, the building pad site and two (2) sites suitable for individual sewer treatment systems, based on the topography and soil borings taken at those sites.
7. For commercial or industrial plats, the building pad site, two (2) sites suitable for individual sewer treatment systems, based on the topography and soil borings taken at those sites, and the location of areas for parking, landscaping, screening and other requirements of the Zoning Ordinance.
8. Lowest floor elevations (LFE) and lowest opening elevations (LOE) shown on every lot.
9. Areas designated for other uses (outlots, parks, trails, etc.)

C. General Information:

1. Name of the subdivider and surveyor or engineer preparing the plat.
2. Proposed name of the plat.
3. Location of the plat by quarter-quarter section, section, township and range.
4. Location and names of adjacent plats and the owners of adjoining parcels of unsubdivided land.
5. Total acreage of the property to be platted.
6. Surveyed length and bearings of the exterior boundaries of the land being divided, including the exact radii, central angle and arc length of all curves. On non-tangential curves a chord bearing and chord distance must be shown. This means the perimeter description around the exterior boundary lines of the plat.
7. Lot layout and dimensions of all lots and outlots.
8. Location, widths and names of all existing platted, easements, railroad and utility rights-of-way, parks, watercourses, drainage ditches, permanent buildings and structures, and such other data as may be required by the zoning administrator within the area being platted and within 300 feet of the exterior boundaries of the area being platted.
9. The location of existing storm drainage, sewer, water and utility facilities, including poles and utilities stubbed into the property. Reasonable attempts must be made to identify the location, size and capacity of agricultural tiles and abandoned wells.

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10. Location and area of all property to be dedicated for public use or reserved by deed covenant for use by all property owners in the development.
11. Existing Zoning. Zoning classification of lands to be divided and all adjacent lands.
12. Scale, date, legend, and North orientation.
13. A Boundary Survey and legal description, pursuant to the Sherburne County Public Works Platting Manual.
14. Indicate the type of water supply system and proposed locations for all wells, whether individual private wells, shared private wells or public community water supply wells.
15. Topographic map of the area showing contours as follows: two-foot intervals where the slope is seven percent or less; five-foot intervals where the slope is from seven to 15 percent; 20-foot intervals where the slope is greater than 15 percent. All areas of the Plat with a slope greater than 25 percent must be clearly indicated.
16. Contours shall indicate the toe and top of any bluffs present.
17. Water elevations of adjoining lakes, rivers and streams at the date of the survey and their approximate high and low water elevations. All elevations shall refer to the established United States Survey and/or United States Geodetic Survey Datum.
18. Waterways, watercourses, lakes and wetlands with ordinary high water level and delineated floodway and flood fringe zones. The boundaries of wetlands must be delineated.
19. Proposed easements for drainage, slope protection, flood protection, and protection of wetlands and waterbodies, including stormwater storage areas.
20. When the plat borders a lake, river or stream, a survey line shall be established.

9.3.4 Completeness Determination

The application will be considered complete only when all of the required information and documentation has been submitted. Incomplete applications shall be considered withdrawn and shall be invalid one year after the initial submittal.

9.3.5 County Staff Review

A. A Minor Subdivision application will be reviewed and considered according to the following procedure:

1. Planning and Zoning Department staff will review submitted applications for completeness pursuant to Minnesota Statutes section 15.99. When the application is deemed complete, the Department staff will set a public hearing on the plat. Public notice shall be provided in accordance with Minnesota Statutes chapter 394.

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2. The Minor Subdivision shall be submitted to the County Surveyor for written comments and recommendations. When a plat includes land abutting an existing or established County Highway or County State Aid Highway, the plat shall be submitted to the County Engineer for written comments and recommendations. When a Minor Subdivision includes land abutting an existing or established trunk highway, the plat shall be submitted to the Commissioner of Transportation for written comments and recommendations.

9.3.6 Public Hearing and Consideration

A. The Planning Advisory Commission will conduct a public hearing before final consideration of the plat. Following the public hearing, the Planning Advisory Commission shall submit its findings and recommendations to the County Board for action. The recommendation may be conditional, and may recommend approval or denial of the plat.

B. A completed Minor Subdivision application will be reviewed and considered in accordance with the following criteria, in addition to other considerations that may be applicable to an individual plat application:

1. The plat shall conform to all applicable Ordinances and state and federal laws.

2. The plat shall be consistent with the Sherburne County Comprehensive Plan.

3. No plat shall be approved if it does not conform to any applicable floodplain overlay district standards contained in the Sherburne County Zoning Ordinance.

4. No plat shall be approved where a variance would be required to use the lot(s) for their intended use.

5. In addition to meeting the buildable lot area requirements of the applicable zoning district, each lot shall have sufficient buildable area to accommodate the construction of structures and driveways, a sewage treatment system, two (2) soil treatment and dispersal areas to support the system, and a water supply system, while providing for all required setbacks. Areas that are in floodways, wetlands, rights-of-way, bluffs or steep slopes, or that have soils that are unsuitable for individual sewage treatment systems shall not be included in calculating the buildable area of a lot.

6. No plat shall be approved that does not contain adequate provisions for stormwater runoff.

7. The County shall consider whether the plat as proposed adequately protects the health, safety and welfare of County residents by providing for a safe drinking water supply, adequate sewage treatment capacity, adequate stormwater runoff and erosion control, safe road access, proper road alignment and capacity and proper setbacks and buffering from conflicting land uses.

8. The final plat document shall have incorporated all changes or modifications recommended by the Planning Advisory Commission, the County Surveyor,

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and the County Engineer. In all other respects, the final plat shall conform to the preliminary plat.

9. After the final plat is approved in form by the County Board, the Subdivider shall submit the plat and final plat check fee (as established by the County Board) to the Sherburne County Surveyor's Office. The County Surveyor's office will review the plat to ensure compliance with Chapter 505, Minnesota Statutes. The County Surveyor & County Attorney's office may require an updated title commitment or title opinion prior to signing mylars; the title evidence must be dated within 30 days of the County Surveyor's signature. When the County Surveyor's review is complete, the subdivider may proceed with mylars production and acquiring signatures.
10. Per Minnesota Statute 272.12 and 272.121, all current and delinquent property taxes must be paid in full prior to any land division.
11. The County Attorney and applicable departments will review and sign the mylars and then notify the Subdivider of the fee to the County Attorney (as established by the County Board).
12. Once the County Attorney has signed the mylars, they must be recorded within fifteen (15) calendar days. If a final plat is not recorded within one year following County Board approval, the plat shall become null and void.

SECTION 10 - MAJOR SUBDIVISION (Preliminary and Final Platting Process)

10.1 PURPOSE

Major Subdivision allow subdivision of land into lots smaller than the minimum metes and bounds lot sizes defined in the zoning district, and contain all elements and requirements pursuant to Minnesota Statutes Chapters 505. The process for a Major Subdivision requires several steps including: the applicant may request, and the Planning and Zoning Department may recommend a pre-application meeting for Major Subdivisions, preliminary plat and plans submittal with a public hearing and approvals from the County Planning Advisory Commission and Board of County Commissioners, and the submittal of a development agreement and final plat for Board of County Commissioners.

10.2 RESTRICTIONS

A Major Subdivision is required to subdivide land where the proposed subdivision does not qualify for an Administrative Subdivision or Minor Subdivision.

10.3 PRELIMINARY PLAT

A preliminary plat is a plan for how the property will be developed. The preliminary plat approval stage is the point in the process where all information relating to the proposed development is submitted by the subdivider for review and consideration by the Planning and Zoning Department, the Planning Advisory Commission and the public. The information submitted in the application must address both the existing conditions on the

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property and the changes that will occur during and after the development. Additional information may be required during the approval process in order to provide an adequate basis for making a decision, and changes may be required by the Planning and Zoning Department, the Planning Advisory Commission and the County Board

10.4 PRELIMINARY PLAT PROCEDURE

10.4.1 Pre-Application Meeting

The applicant may request, and the Planning and Zoning Department may recommend, a pre-application meeting for Major Subdivisions. The purpose of the pre-application meeting is to review the proposed Major Subdivision and all applicable laws, ordinances, policies and procedures relating to the Major Subdivision process. Prior to the pre-application meeting, the applicant shall provide the Department with a Sketch Plan, which shall include the following information:

A. The proposed plat overlaid on an aerial photo drawn to scale with dimension of proposed lots and roads.

B. Total acreage of the property to be platted;

C. Existing property lines;

D. Proposed lot lines;

E. Existing public and private roads and easements on the property, including length of road and the existing right-of-way of any public road abutting the property to be platted;

F. Existing buildings and other impervious surface areas;

G. Existing utilities (overhead and underground);

H. Existing road spacing and driveway spacing on County Highways.

I. Encroachments.

Once the pre-application meeting has been held, the applicant and owner can proceed to submit all necessary materials for the preliminary plat.

10.4.2 Application

The owner and subdivider shall file an application for a preliminary plat approval with the Planning and Zoning Department that includes the following:

A. A completed application form signed by all property owners and the applicant, if different than the owner(s).

B. The fees established by the County Board for Major Subdivision applications.

C. The plat shall be submitted to the County Surveyor for written comments and recommendations. When a plat includes land abutting an existing or established County Highway or County State Aid Highway, the plat shall be submitted to the County Engineer for written comments and recommendations. When a plat includes land abutting an existing or established trunk highway, the preliminary plat shall be submitted to the Commissioner of Transportation for written comments and recommendations.

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D. A title commitment or title opinion for all of the property being platted. The applicant shall also provide a description of any known encumbrances on the property not described on the title commitment or title opinion.

E. Certificate of compliance for any sewage treatment system on the property. No certificate of compliance dated more than ten (10) years prior to the date of application will be accepted. If any septic system on the property is not compliant, the system must be upgraded or abandoned according to the Zoning Ordinance and applicable State regulations and a new certificate of compliance submitted before any Standard Plat application may be considered complete.

F. A Natural Resource Review to identify any adjacent sensitive natural resource features, to natural resource, as defined as natural vegetation, native plant communities, soils, surface waters, wetlands, wildlife and nongame species, and fisheries. impaired or protection-focused waterways. Current extent and type of natural habitat, if the area is within a Cooperative Watershed Management Program (CWMP) priority watershed, surface water drainage patterns, wetlands, Ordinary High-Water Level (OHWL), and stormwater storage.

G. A soil report and soil boring logs by a Minnesota Licensed Geotechnical Professional, Professional Geologist or Licensed Professional Soil Scientist.

H. A stormwater management plan for the proposed development, along with written comments from the Town Board, as the drainage authority, relating to the plan. The stormwater management plan must include: (1) the existing and proposed drainage, including calculations; (2) a grading plan; and (3) a stormwater pollution prevention plan.

I. All plats shall require a Routine Level 2 Wetland Delineation, unless otherwise determined by the Local Governing Unit (LGU) that a Routine Level 1 Wetland Delineation is appropriate for the property. Final discretion rests with the LGU's determination.

J. A digital copy of the preliminary plat in PDF format is required per instructions on the application.

K. Documentation that the preliminary plat has been approved by the Township Board of Supervisors in the Township where the plat is located.

L. All other information deemed necessary by the Zoning Administrator to provide an adequate basis to make a decision on the plat.

10.4.3 The preliminary plat drawing must include the following:

A. Existing Features:

1. Existing property lines and all property lines extending 100 feet from the exterior boundaries of the property to be platted, along with the names of adjacent property owners and the current use of those properties.

2. Existing public and private roads, including length of road frontage and the existing right-of-way of any public road abutting the property to be platted.

3. Existing public access to any public road.

4. Existing buildings and any other impervious surface.

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5. Location of any existing or abandoned wells, sewage treatment systems or areas with solid waste accumulation.
6. Location of any lakes, waterways or other public waters on or adjacent to the property.
7. Delineated wetland boundaries for all wetlands located on the property.
8. Elevation and boundary line of the Ordinary High-Water Level.
9. The 100-year flood elevation, Regulatory Flood Protection Elevation, if available and floodway, flood fringe and flood plain district boundaries, if applicable.
10. Shoreland district boundary, if any part of the plat is in shoreland areas.
11. Topography at two (2) foot contours extending 200 feet beyond the property boundaries.
12. Surface water drainage patterns.
13. Soil survey identification numbers and boundaries overlaid on the preliminary drawing.
14. Encroachments
15. Signed by a licensed surveyor.

B. Proposed Features:

1. Lot and Block layout and numbering.
2. Lot area and dimensions.
3. Setback lines.
4. Proposed streets, including width, length, names and other requirements of this Ordinance, the Zoning Ordinance and other applicable official controls.
5. Proposed drainage and utility easements, and other easements or controls necessary for drainage, slope protection, flood protection, protection of wetlands and waterbodies, and stormwater retention areas.
6. Proposed driveway access.
7. Delineated buildable lot area, showing soil types and boring location for each lot, certified by a Licensed Minnesota Geotechnical Professional, Professional Geologist or Licensed Professional Soil Scientist.
8. For residential plats, the building pad site and two (2) sites suitable for individual sewer treatment systems, based on the topography and soil borings taken at those sites.
9. For commercial or industrial plats, the building pad site, two (2) sites suitable for individual sewer treatment systems, based on the topography and soil borings taken at those sites and the location of areas for parking, landscaping and screening meeting the requirements of the Zoning Ordinance.

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10. Lowest floor elevations (LFE) and lowest opening elevations (LOE) shown on every lot.

11. Areas designated for other uses (outlots, parks, trails, etc.)

C. General Information:

1. Name of the subdivider and surveyor or engineer preparing the plat.

2. Proposed name of the plat and all intended street names.

3. Location of the plat by quarter-quarter section, section, township and range.

4. Location and names of adjacent plats and the owners of adjoining parcels of unsubdivided land.

5. Total acreage of the property to be platted.

6. Surveyed length and bearings of the exterior boundaries of the land being divided, including the exact radii, central angle and arc length of all curves. On non-tangential curves a chord bearing and chord distance must be shown. This means the perimeter description around the exterior boundary lines of the plat.

7. Lot layout and dimensions of all lots and outlots.

8. Location, widths and names of all existing platted or dedicated streets, easements, railroad and utility rights-of-way, parks, watercourses, drainage ditches, permanent buildings and structures, and such other data as may be required by the zoning administrator within the area being platted and within 300 feet of the exterior boundaries of the area being platted.

9. The location, layout and width of all new streets, rights-of way, and all easements, existing or proposed, whether public or private, for public and private utilities, with their intended use stated. Maximum grade for proposed roads shall be indicated.

10. The location of existing storm drainage, sewer, water and utility facilities, including poles and utilities stubbed into the property. Reasonable attempts must be made to identify the location, size and capacity of agricultural tiles and abandoned wells.

11. Location and area of all property to be dedicated for public use or reserved by deed covenant for use by all property owners in the development.

12. Existing Zoning. Zoning classification of lands to be divided and all adjacent lands.

13. Scale, date, legend, and North orientation.

14. Drawing to Engineer Scale.

15. A Boundary Survey and legal description, pursuant to the Sherburne County Public Works Platting Manual.

16. A tree and woodland preservation plan, as may be required by section 11 of this Ordinance.

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17. Indicate the type of water supply system and proposed locations for all wells, whether individual private wells, shared private wells or public community water supply wells.

18. Topographic map of the area showing contours as follows: two-foot intervals where the slope is seven percent or less; five-foot intervals where the slope is from seven to 15 percent; 20-foot intervals where the slope is greater than 15 percent. All areas of the Plat with a slope greater than 25 percent must be clearly indicated.

19. Contours shall indicate the toe and top of any bluffs present.

20. Water elevations of adjoining lakes, rivers and streams at the date of the survey and their approximate high and low water elevations. All elevations shall refer to the established United States Survey and/or United States Geodetic Survey Datum.

21. Waterways, watercourses, lakes and wetlands with ordinary high water level and delineated floodway and flood fringe zones. The boundaries of wetlands must be delineated.

22. Proposed easements for drainage, slope protection, flood protection, and protection of wetlands and waterbodies, including stormwater storage areas.

23. When the plat borders a lake, river or stream, a survey line shall be established.

10.4.4 Completeness Review

A completed Preliminary Plat application will be reviewed and considered in accordance with the following criteria, in addition to other considerations that may be applicable to an individual plat application:

A. The preliminary plat shall conform to all applicable Ordinances and state and federal laws.

B. The preliminary plat shall be consistent with the Sherburne County Comprehensive Plan.

C. No plat shall be approved if it does not conform to any applicable floodplain overlay district standards contained in the Sherburne County Zoning Ordinance.

D. No plat shall be approved where a variance would be required to use the lot(s) for their intended use.

E. In addition to meeting the buildable lot area requirements of the applicable zoning district, each lot shall have sufficient buildable area to accommodate the construction of structures and driveways, a sewage treatment system, two (2) soil treatment and dispersal areas to support the system, and a water supply system, while providing for all required setbacks. Areas that are in floodways, wetlands, rights-of-way, bluffs or steep slopes, or that have soils that are unsuitable for individual sewage treatment systems shall not be included in calculating the buildable area of a lot.

F. No plat shall be approved that does not contain adequate provisions for stormwater runoff.

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G. The County shall consider whether the plat as proposed adequately protects the health, safety and welfare of County residents by providing for a safe drinking water supply, adequate sewage treatment capacity, adequate stormwater runoff and erosion control, safe road access, proper road alignment and capacity and proper setbacks and buffering from conflicting land uses.

10.4.5 Completeness Determination and Set Public Hearing

A. The Planning and Zoning Department staff will review the submitted preliminary plat and plans application and materials for completeness pursuant to Minnesota Statutes section 15.99.

B. When the application is deemed complete, department staff will set a public hearing for the preliminary plat.

C. Public notice shall be provided in accordance with Minnesota Statutes Chapter 394.

10.4.6 Public Hearing and Consideration

The Planning Advisory Commission will conduct a public hearing to consider the preliminary plat. Following the public hearing, the Planning Advisory Commission shall submit its findings and recommendations to the County Board at the next regularly scheduled meeting. The recommendation may be conditional, and may recommend approval or denial of the preliminary plat.

10.4.7 Action and Decision

Upon receipt of the report of the Planning Advisory Commission, the Board of Commissioners may hold a public hearing and shall make a decision upon the proposal to grant or deny the preliminary plat. The person making application for the preliminary plat shall be notified in writing of the Board's action.

10.4.8 Approval of the preliminary plat by the County Board does not constitute acceptance of the subdivision, but allows the applicant to proceed with the final plat.

In the event an approved preliminary plat is not submitted to the County Board for final plat approval within one (1) year of preliminary plat approval, the preliminary plat will become null and void. One administrative extension of up to one (1) year may be granted by the Zoning Administrator upon written request of the subdivider, provided that there is reasonable cause for the request and that the request is made prior to the original one-year deadline. For phased developments, additional extensions may be granted by the County Board as provided in Subdivision 6.2.

10.5 FINAL PLAT

10.5.1 The application may request final plat approval for all of the development or may be limited to only that portion of the preliminary plat that the subdivider intends to develop at the time. In the case of a phased development, the County Board may grant an extension to the deadline to record the final plat, provided that the subdivider must request the extension at the same time that the first phase is submitted for final plat approval. If an extension is granted by the County Board, the final plat for all subsequent phases shall be subject to the official controls in effect at the time of final plat approval for such subsequent phases.

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10.5.2 The final plat shall have incorporated all changes or modifications recommended by the Planning Commission, the County Surveyor and, if applicable, the County Engineer and/or the Commissioner of Transportation. In all other respects, the final plat shall conform to the preliminary plat.

10.5.3 The final plat shall include the content and be in the form required by the Sherburne County Public Works Platting Manual and Minnesota Statutes Chapter 505.

10.6 FINAL PLAT PROCEDURE

10.6.1 Application

A subdivider may file an application for final plat approval within the time required following preliminary plat approval. The application shall include the following:

A. A completed application form signed by all property owners and the applicant, if different than the owner(s).

B. The fees established by the County Board for Final Major Subdivision applications.

C. A title commitment or title opinion for all the property being platted. For Torrens property, the application must include a current Certificate of Title for all of the property being platted.

D. A digital copy of the Final Plat in PDF format is required per instructions on the application.

E. Any restrictive covenants, subdivision agreements, development agreements, declarations of restriction or certificates of transfer of development rights shall be submitted with the final plat.

10.6.2 Staff Review and Recommendation

A. The Planning and Zoning Department staff will review the submitted final plat application and materials for completeness pursuant to Minnesota Statutes section 15.99.

B. The final plat shall have incorporated all changes or modifications recommended by the Planning Advisory Commission and the County Engineer. In all other respects, the final plat shall conform to the preliminary plat.

C. The County Surveyor and Public Works Department must approve the final plat as in conformance with Sherburne County Public Works Platting Manual and Minnesota Statutes Chapter 505.

10.6.3 Completeness Determination

The final plat shall be considered a complete application when the Zoning Administrator determines that the requirements of this Ordinance have been met and the County Engineer and County Surveyor have determined that the plat conforms to the requirements of the Sherburne County Public Works Platting Manual and Minnesota Statutes Chapter 505. The Zoning Administrator may forward a complete final plat application to the County Board without first presenting the final plat to the Planning Advisory Commission if the final plat is identical to the preliminary plat approved by the Planning Commission.

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10.6.4 Action, Decision, and Recording

A. After the final plat is approved in form by the County Board, the Subdivider shall submit the plat and final plat check fee (as established by the County Board) to the Sherburne County Surveyor's Office. The County Surveyor's office will review the plat to ensure compliance with Chapter 505, Minnesota Statutes. The County Surveyor & County Attorney's office may require an updated title commitment or title opinion prior to signing mylars; the title evidence must be dated within 30 days of the County Surveyor's signature. When the County Surveyor's review is complete, the subdivider may proceed with mylars production and acquiring signatures.

B. Per Minnesota Statute 272.12 and 272.121, all current and delinquent property taxes must be paid in full prior to any land division.

C. The County Attorney **and applicable departments** will review and sign the mylars and then notify the Subdivider of the fee to the County Attorney (as established by the County Board).

D. Once the County Attorney has signed the mylars, they must be recorded within fifteen (15) calendar days. If a final plat is not recorded within one year following County Board approval, the plat shall become null and void.

SECTION 11 - GENERAL REGULATIONS

11.1 LOT AND BLOCK STANDARDS

11.1.1 The minimum lot area, lot width, and lot depth shall conform to the requirements of the Zoning District in which the plat is situated as required by the Zoning Ordinance.

11.1.2 Corner lots shall have sufficient width to meet appropriate building setbacks from all roads as required by the Zoning Ordinance.

11.1.3 Side lines of lots shall be approximately at right angles to road lines or radial to curved road lines.

11.1.4 Double frontage lots shall be avoided except where lots back on a highway or other arterial road, or where topographic or other conditions render subdividing otherwise unreasonable. Such double frontage lots shall have an additional depth of at least ten (10) feet to allow space for screen planting along the back of lot line.

11.1.5 Lot remnants that are below the minimum lot area or width required by the Zoning Ordinance shall not be permitted and must be added to adjacent or surrounding lots, unless the subdivider can show acceptable plans for the use of such remnants.

11.1.6 Lots intended for commercial, industrial or any use other than single family residential shall be designed as such as the lot shall be of adequate size to allow off-street parking, loading areas and such other facilities as may be required by the Zoning Ordinance.

11.1.7 All lots shall have the minimum required frontage and shall have direct access to a public road. The minimum required frontage shall be the lot width requirement for the applicable zoning district, and or plat. If there is a significant curve in the road, or the lot

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is located on a cul-de-sac, then the public road frontage may be measured at the setback line.

11.1.8 Where lots are separated by a road or an outlot, separate block numbers shall be used.

11.1.9 The blocks in residential subdivisions shall not exceed fourteen hundred twenty (1,400) feet in length, except where the County determines that, topography or other conditions justify a departure from this maximum. In blocks longer than eight hundred (800) feet, pedestrian ways and/or easements through the block may be required near the center of the block. Blocks for business or industrial use should not exceed six hundred (600) feet in length.

11.1.10 The width of the block shall be sufficient to allow two (2) tiers of lots of appropriate depth.

11.1.11 Lots adjacent to watercourses shall have sufficient width and depth to avoid flooding and appropriate stormwater management and vegetated buffer areas.

11.1.12 Lots shall be platted to allow adequate buffers, infiltration of stormwater consistent with pre-development drainage patters, and mitigation of stormwater flow across lot lines.

11.2 ROAD DESIGN STANDARDS

11.2.1 The arrangement of roads shall conform to the Sherburne County Transportation Plan. The arrangement of roads shall be considered in relation to the reasonable circulation of traffic, topographic conditions, storm water run-off, public safety, and appropriate relation to the proposed uses of the area.

11.2.2 The County may require right-of-way widths more than that required in the Zoning Ordinance if additional right-of-way is deemed necessary to meet the transportation needs of a proposed subdivision.

11.2.3 For all public roads hereafter dedicated, the minimum right-of-way widths shall conform to the Sherburne County Transportation Plan. Roads shall not have less than the following rights-of-way and standards:

Facility Type	Urban Setting	Rural Setting
Bicycle Only	12’	12’
Pedestrian and Bicycle	16’	16’
Alley	20’	20’
Local Road*	66’	66’
Minor Collector	70’	100’
Major Collector	70’	100’
Minor Arterial	100’	100’
Principal Arterial	120’	170’

* Local Roads constructed as an urban section, and adjacent to U.S. State or County State Aid Highway, may have a right-of-way of less than 66’ if approved by the local road authority.

Maximum Cul-de-sac Length	1400' (feet)
Minimum Cul-de-sac Outside Shoulder/Curb Radius	55’(feet)
Minimum Cul-de-sac Right-of-way Radius	65' (feet)

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Minimum Intersection Angle	75°(degrees)
Minimum Intersection Offset	125' (feet)

All proposed roads shall be offered for dedication as public rights-of-way. Private roads shall not be permitted.

11.2.4 Except for permanent cul-de-sacs that meet the requirements of Subdivision XXX. H. of this Ordinance, roads should connect with roads already dedicated to property lines in adjacent platted property, provide for future connections to adjacent undeveloped property. When a plat contemplates a future continuation of a road to an adjacent undeveloped property, a proposed road continuation plan which shows the location of the continued road across the adjacent property shall be included with the preliminary plat application and shall be submitted for review and comment by the Township and adjacent property owner(s). Said plan shall consider, but not be limited to, the following:

A. Width and length of road

B. Access for emergency services

C. Location and potential impact on natural resources

D. Location of existing roads and/or easements of record

E. Cumulative review of how proposed future road is compatible with a Township road plan and its effect on traffic circulation.

11.2.5 If a road is proposed to continue as outlined in Subdivision XXX. of this Section, the dead-end road shall, however, be provided with a vehicular turn-around. Because local access roads are maintained by the Township, the type of turn-around, whether radial or T-type shall be subject to approval by the Township. A turn around provided under the provisions of this Section may be by easement with a provision that the easement will expire when the road is extended.

11.2.6 Dead-end roads are discouraged. Permanent cul-de-sacs may be permitted where topography, woodlands, or public waters justify their use. Beginning from a single access point, cul-de-sacs shall not exceed fourteen hundred (1,400) feet in length (as measured at a starting point at center of intersection to centerpoint of cul-de-sac) except where requested by the road authority, with concurrence of the County, for future road connection, and shall provide a terminal turn-around with a right-of-way radius of sixty-five (65) feet.

11.2.7 Subdivisions with twenty-three (23) lots or more shall have two or more accesses onto existing public roads. When counting lots under this provision, all existing and proposed lots shall be counted.

11.2.8 Intersection and road design features shall comply with the most recent versions of:

A. Policy on Geometric Design of Highways and Streets, American Association of State Highway and Transportation Officials (AASHTO)

B. Road Design Manual, State of Minnesota Department of Transportation (MnDOT)

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C. State-Aid Operations Rules, Chapter 8820, State of Minnesota Department (MnDOT), State Aid for Local Transportation Division

D. Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD). United States Department of Transportation (USDOT), Federal Highway Administration (FHWA)

E. Minnesota Manual on Uniform Traffic Control Devices (MN MUTCD), State of Minnesota, Department of Transportation (MnDOT)

F. Traffic Manual, State on Minnesota Department of Transportation (MnDOT)

G. Sherburne County Public Works Transportation Plan

11.2.9 Whenever the proposed subdivision contains or is adjacent to a State or Federal Highway, provision shall be made for a service road adjacent to the highway right-or-way that will allow for traffic to and from the subdivision to access the State or Federal Highway at an appropriate, safe intersection. A service road should be designed at a distance suitable for the appropriate use of land between such road and the highway right-of-way.

11.2.10 Dedication of half roads will not be approved, except where it is essential to the reasonable development of the subdivision and in conformity with the other requirements of these regulations, where it is found that it will be practical to require the dedication of the other half when the adjoining property is subdivided, or where it becomes necessary to acquire the remaining half by condemnation so that it may be improved in the public interest.

11.3 DRAINAGE, UTILITY AND OTHER EASEMENTS

11.3.1 An easement for utilities at least six (6) feet wide shall be provided on each lot's side and rear lot lines, to form a continuous easement at least twelve (12) feet wide across adjoining platted lots. Lots abutting unplatted property shall provide a minimum twelve (12) feet wide easement. An easement for utilities at least twelve (12) feet wide shall be provided along the road right-of-way. If necessary for the extension of main water or sewer lines or similar utilities, easements of greater width may be required along lot lines or across lots.

11.3.2 Utility easements shall connect with easements established on adjoining properties. These easements, when approved, shall not thereafter be changed without the approval of the County Board, by ordinance, upon the recommendation of the Planning Commission.

11.3.3 Additional easements for pole guys should be provided at the outside of turns. Where possible, lot lines shall be arranged to bisect the exterior angle so that pole guys will fall alongside lot lines.

11.3.4 Where a subdivision contains or is traversed by a water course, drainage way, channel, lake or stream, a stormwater easement, drainage right-of-way or park dedication shall be provided, together with such further width or construction, or both, as will be adequate for the storm water drainage of the area. The minimum width of such easements shall be determined by the Public Works Department.

11.3.5 If there are existing public roads, drainage easements, or utility easements that have been dedicated to the public, and the location of the road or easement will be altered by

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a plat, the County may require that the old alignments be vacated by the easement holder prior to the final plat approval.

11.3.6 If easements exist for pipelines or overhead power lines, the developer must provide documentation on the restrictions that are in place for the use of any land on which the easement is located.

11.3.7 Pipeline Easements:

A. Permanent markers (such as steel fence posts) shall be set on each side of pipeline easements where they cross lot lines and road rights-of-way.

B. When practical, pipelines shall follow on the back or rear property lines.

C. No permanent building, or other improvements are allowed within the pipeline easements. Building shall be setback 50' from the edge of the pipeline easement.

11.3.8 Plat monumentation, and identification of monuments shall be as required by Minnesota Statutes regarding platting and registered land surveys. The County may require a financial guarantee to assure that delayed staking takes place. See the Public Works Platting Manual for the allowable options.

11.3.9 Wetland Easements:

An easement of at least twenty (20) feet shall be provided from the edge of the delineated wetlands.

11.4 BUILDABLE LOT STANDARDS

11.4.1 In addition to meeting the buildable lot area requirements of the applicable zoning district, newly created lots for residential building purposes, where public sanitary sewer is not available, must have at least 40,000 contiguous square feet of the required minimum platted lot area at least three (3) or two (2) feet above the highest known water table.

Minor Subdivisions with a residence existing prior to May 16, 2023 may be allowed without meeting the standards of Subdivision 4.A. of this Ordinance if the remaining unplatted parcel conforms to the minimum metes and bounds lot size for the applicable zoning district.

11.5 OUTLOTS

11.5.1 Lots in a plat, or other subdivision of land may be designated as an Outlot when:

A. The landowner intends to develop the subdivision in phases;

B. The proposed outlot is to be owned by all other lot owners under a homeowner's association,

C. The land is to be dedicated to the public for future public uses. For example, a stub road to the adjacent lands for future development, a pathway for connection to state trails, etc.

11.5.2 Residential, commercial and industrial buildings are not allowed on an outlot. Public facilities may be allowed on an outlot to the extent permitted in the applicable zoning district.

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11.6 STORMWATER DRAINAGE

11.6.1 To reduce the amount and protect the quality of storm water run-off that may be created during and after the process of developing a residential, commercial or industrial subdivision, a storm water management plan may be required.

11.6.2 Developers and contractors will implement "Best Management Practices (BMP's) as defined by the Minnesota Stormwater Manual, in all subdivisions. BMP's shall be used during grading and construction of all stages of the development, including construction on individual building sites.

11.6.3 If a method of storm water management is used that will require maintenance, a plan shall be submitted indicating how the system will be maintained and who will be responsible for maintenance.

11.6.4 Some or all the following may be required prior to final plat approval:

A. A temporary erosion and sediment control plan;

B. A permanent erosion and sediment control plan;

C. Identification of who will be responsible for implementing and managing the temporary and permanent erosion and sediment control plans.

11.6.5 Any solid waste generated during road building, site development or building construction shall be handled and disposed of as required by the Solid Waste Ordinance.

11.7 CONTROLS DURING CONSTRUCTION

11.7.1 Soil erosion shall be limited during construction as required by Section 24 of the Zoning Ordinance.

11.7.2 All preliminary and final grading / drainage plans must designate the lowest floor elevation and lowest entry elevation for the residence of each lot.

11.7.3 The preliminary and final grading plan must include a plan for tree removal and preservation.

11.7.4 The designing engineer’s designation of the type of house (example: walkout, no walkout, split, full basement, slab) that will be allowed on each lot must be shown on the preliminary and final drainage and grading plan drawings.

11.7.5 The area approved as part of a final plat must be graded in conformance with the approved drainage and grading plans before any building permits will be issued.

11.7.6 Buffer strips shall be required around all existing wetlands. Buffer strips will be used to prevent disturbance during the development and building construction phase. The developer will be responsible for placement of silt fencing around and 20 feet from wetland edges prior to any grading. The developer will notify the County Zoning Office when installation is complete.

11.8 TREE AND NATURAL WOODLAND PRESERVATION

Developers proposing new residential subdivision areas with forested landscape components shall schedule an on-site inspection with the Sherburne County Soil and Water Conservation District (SWCD) Forester to discuss insect and disease (emerald

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ash borer, two-lined chestnut borer, pine bark beetle, oak wilt, etc.) concerns with the proposed development. If any insect or disease concerns are identified, they will be included in the report from the SWCD Forester and will be forwarded to the Planning Commission and County Board for consideration within thirty (30) days.

11.9 COMPLIANCE WITH WETLAND CONSERVATION ACT REGULATIONS

11.9.1 The Sherburne County Board of Commissioners has delegated to the Planning and Zoning Department the authority to make all necessary decisions on Wetland approvals pursuant the requirements of the MN Wetland Conservation Act.

11.9.2 All applicants for Preliminary Plats must have all required wetland approvals per Section 19.14 of the Zoning Ordinance prior to being scheduled for a Public Hearing with the Sherburne County Planning Advisory Commission.

11.9.3 The Department may, at its discretion, refer a decision on an approval under the Wetland Conservation Act to the Sherburne County Board of Commissioners.

11.9.4 An applicant may appeal a decision of the Planning and Zoning Department relating to the Wetland Conservation Act pursuant to Section 17, subd. 13 of the Zoning Ordinance.

11.10 ENVIRONMENTAL ASSESSMENT WORKSHEET

Any proposed subdivision meeting the mandatory threshold established under State Statute must meet the requirements of Minnesota Rules 4410.4300 or it successor.

11.11 CONDITIONAL USE AND INTERIM USE PERMIT

Developers proposing a new subdivision must revoke any Conditional Use or Interim Use Permit that is no longer active or is inconsistent with the proposed land use.

SECTION 12 - DATE OF EFFECT

This Ordinance shall be in full force and effect from and after its passage, approval and publication, as provided by law.

Passed and approved this _____ day of_____, 2026

Effective Date: _____, 2026

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From: Mitch Glines Mitchell.Glines@co.sherburne.mn.us
Subject: Sherburne County Zoning and Subdivision Ordinance Updates - Draft Ordinances
Date: Apr 10, 2026 at 4:06:35 PM
To: clerksoffice@biglaketownship.com, Blue HIll clerk@bluehilltwp.org, clearlaketwp clearlaketwp@hotmail.com, Tammy Schefers clerk@haventwp.org, Jody Hammre clerk@livoniatownship.org, Orrock Town Clerk clerk@orrocktownship.com, palmertwp palmertwp@gmail.com, kathy.woolard kathy.woolard@yahoo.com
Cc: Steve Demeules steved11755@gmail.com

Hello all,

Attached you will find a memo, draft Zoning/Subdivision/Short-Term Rental Ordinances, and township comment forms. For the memo, it will be presented at the Planning Commission meeting this Thursday and explains the reason for the Zoning and Subdivision Ordinance updates along with the notable changes to the ordinances. The draft ordinances will be introduced at the Planning Commission meeting this coming Thursday with the Public Hearing held at the May 21st Planning Commission meeting and then to the County Board for the final decision on June 16th. We will be accepting comments up until the May 21st Planning Commission meeting. I want to thank all of you for your participation and providing feedback that will help shape the future land use for Sherburne County. Please let me know if you have any questions.

Thank you,

Mitch Glines
Sherburne County Senior Planner
Work: (763) 765-4466
www.co.sherburne.mn.us
www.facebook.com/SherburneCountyMN
NOTICE: Unless restricted by law, email correspondence to and from Sherburne County government offices may be public data subject to the Minnesota Data Practices Act and/or may be disclosed to third parties.

*****We have a new permit program. You can now apply and pay online for building permit applications at https://gis.co.sherburne.mn.us/pzpermitportal/. Additionally, all other Planning & Zoning applications can also be found here.*****



Planning Commission 4-16-2026 - Zoning and...
261 KB



Sherburne County Zoning Ordiance Draft 2026-4-...
7.2 MB



Sherburne County Subdivision Ordinance...
936 KB



STR Updated 20251006 .pdf
279 KB



2026 TWP Comment Form - Zoning and...
167 KB

SHERBURNE COUNTY
Zoning Ordinance

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Ordinance No. 002

Adopted
Last Amended

Draft 3/25/2026

=

A. Resolve track changes

B. Confirm all text and figures that remain in final doc use Styles consistently

   1. Location on page in relation to surrounding content (centered?)

   2. Figure/table headers and numbers

   3. Make sure references to figure numbers are correct. Update for numbers that change

C. Once Section Numbers are confirmed:

   1. Update all references to reflect Section Numbers

   2. Delete old Section Numbers, where they have been retained in the working document

D. Update Table of Contents

Section Header	SECTION 4 – JURISDITION, SCOPE AND INTERPRETATION	Sherburne Section Heading
Subdivision Heading	4.1 JURISDICTION	Sherburne Subdivision Heading
Letter Heading in Definitions Section	A	Sherburne Definition Headers
Subdivision Content – paragraphs within subdivisions		Sherburne Paragraph
Numbered Subdivision Content – paragraphs within subdivision, with paragraph numbers		Sherburne Paragraph Numbered
Table or Figure Heading	Figure 1.	Sherburne Figure Heading
Table: Column Header		Table Header
Table: Subheader to Categorize Entries	Accessory Uses	Table Subheader
Table: Entry or Row Header – longer text and/or text that should be left aligned		Table Paragraph
Table: Entry – short text and/or text that should be centered in cell		Table Entry

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ZONING ORDINANCE OF SHERBURNE COUNTY

AN ORDINANCE REQUIRING PERMITS FOR BUILDINGS, STRUCTURES AND THE USES THEREOF; FOR LAND USES AND FOR WATER SUPPLY AND SEWAGE DISPOSAL FACILITIES; AND ESTABLISHING MINIMUM LOT SIZES, SETBACKS AND SIDE YARDS; PROVIDING FOR PARKING AND OTHER REQUIREMENTS; AND IMPOSING PENALTIES.

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Amendments to the Sherburne County Zoning Code

List here

Amendments to the Sherburne County Zoning Map

List here

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SECTION 1 - PURPOSE AND INTENT

This Ordinance is enacted for the following purposes: to promote the health, safety, morals and general welfare throughout Sherburne County by lessening congestion in the public rights-of-way, securing safety from fire, panic and other dangers, providing adequate lights and air; facilitating the adequate provision of water, sewerage and other public requirements; conserving the value of properties and encouraging the most appropriate use of land; and, pursuant to "an act authorizing county planning and zoning activities, establishing a Board of Adjustment and authorizing the enactment of official controls" passed by the Legislature of the State of Minnesota.

SECTION 2 - TITLE

This Ordinance shall be known and may be cited and referred to as the "Sherburne County Zoning Ordinance"; when referred to herein, it shall be known as "this Ordinance"

SECTION 3 - VALIDITY

Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or any part thereof other than the part so declared to be invalid.

SECTION 4 - JURISDICTION, SCOPE AND INTERPRETATION

4.1 JURISDICTION

The jurisdiction of this Ordinance shall apply to all the area of Sherburne County outside the incorporated limits of municipalities with the exception of Becker Township and portions of Haven Township within the Orderly Annexation area. All unincorporated areas will continue to be governed by this ordinance for the Floodplain and Mississippi Scenic and Recreational River Districts. *The jurisdiction of this ordinance as it pertains to road access and road standards shall be county wide (inclusive of those roads within municipal limits).*

4.2 SCOPE

From and after the effective date of this Ordinance, the use of all land and every building or portion of a building erected, altered in respect to height and/or area, added to or relocated, and every use within a building or use accessory thereto in the county shall be in conformity with the provisions of this Ordinance. Any existing building or structure and any existing use of properties not in conformity with the regulations herein prescribed shall be regarded as non-conforming, and shall be subject to Section 17, Subd. 10.

4.3 PERMITTED USES

Permitted Uses, as hereinafter listed, shall be allowed in the district indicated under the conditions specified. No building or land shall be devoted to any use other than a use permitted hereinafter in the Zoning District in which such building, structure or land is located, except for the following exceptions:

A. Uses lawfully established prior to the effective date of Ordinance subject to Section 17, Sub. 10, Nonconformities.

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B. Conditional uses and Interim Uses allowed in accordance with Section 16 of this Ordinance.

C. Essential public services are permitted uses in all zoning districts and are not subject to height, yard, lot, setback or flood plain requirements or permits, except as provided in or as otherwise specifically regulated hereafter.

D. Gas regulator stations, electric substations and similar essential public service structures not customarily considered industrial in use are permitted uses in all Zoning Districts except that no such structure shall be located within 20 feet of any lot line abutting any Residence District.

4.4 INTERPRETATION

In interpreting and applying the provisions of this Ordinance, they shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare. Where the provisions of this Ordinance impose greater restrictions than those of any statute, other ordinance or regulation, the provisions of this Ordinance shall be controlling. Where the provisions of any statute, other ordinance or regulation impose greater restrictions than this Ordinance, the provisions of such statute, other ordinance or regulation shall be controlling.

4.5 LOTS OF RECORD

All lots which are a part of a subdivision legally recorded with the County Recorder/Registrar of Title and lot or lots described by metes and bounds, the deed to which has been recorded in the Office of the County Recorder/Registrar of Title prior to the passage of this ordinance, shall be considered to be Lots of Record. Such lots may be considered a building site if they were created compliant with official controls in effect at the time and the sewage treatment and setback requirements of this ordinance are met.

SECTION 5 - ADMINISTRATION AND ENFORCEMENT

5.1 BUILDING OFFICIAL

5.1.1 The office of the Building Official is hereby established, for which the Board of County Commissioners may appoint such employee or employees of the County as it may deem proper.

The duties of the Building Official shall include the following:

A. Act as head Building Inspector for the County

B. Assist the Zoning Administrator with enforcing and administering this Ordinance

C. Issue Building Permits and Certificates of Occupancy and maintain records thereof

D. Inspect all construction to ensure that the standards of this Ordinance are being complied with

5.1.2 When any work shall have been stopped by the Building Official for any reason whatsoever, it shall not again be resumed until the reason for the work stoppage has been completely removed.

5.2 ZONING ADMINISTRATOR

5.2.1 The office of the Zoning Administrator is hereby established for which the Board of County Commissioners may appoint such employee or employees of the County as it may deem proper.

5.2.2 The duties of the Zoning Administrator shall include the following:

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A. Receive and forward to the Board of County Commissioners and the County Planning Commission all applications for Conditional Use Permits

B. Receive and forward all applications and petitions for matters to come before the Board of Adjustment

C. Receive and forward to the Board of County Commissioners and the County Planning Commission all applications for amendments to this Ordinance

D. Inspect all development to ensure that the standards of this Ordinance are being complied with

E. Provide and maintain a public information bureau relative to matters arising out of this Ordinance, and

F. Maintain the County Zoning Map

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

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

5.3 BOARD OF ADJUSTMENT

5.3.1 **The Board of Adjustment** shall be responsible for the following:

A. To hear and decide appeals from and review any order, requirement, decision or determination made by the Zoning Administrator with respect to the administration of this Ordinance.

B. To order the issuance or denial of variances for the provisions of this Ordinance.

C. To hear appeals from the Zoning Administrator's determination of the exact location of a zoning district boundary line.

5.3.2 **Creation and Membership:** Board is hereby established and vested with such authority as is hereinafter provided and provided by Minnesota Statutes, Chapter 394. Such Board shall consist of not more than seven (7) members of which at least one (1) is a member of the County Planning Advisory Commission, excluding any elected officer of the County or employees of the Board of County Commissioners. The Board shall be appointed for three (3) year terms.

5.3.3 **Rules of Procedures: The** Board shall operate in accordance with adopted Rules of Procedures.

5.3.4 **Meetings:** The meetings of the Board of Adjustment shall be held at the call of the chair and at such other times as the Board in its Rules of Procedure may specify. The applicant or their agent must be present at the public hearing at which their application is considered, or action on the application will be tabled unless waived by the Board of Adjustment. If the applicant is not present at the meeting and has not waived their rights under Minnesota Statutes §15.99 in writing, the Board must take action.

5.3.5 **Notification:** Written notice of time, place and purpose of the public hearings shall be published in the official newspaper, designated by the County Board of Commissioners. Notices will be sent

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to the landowner, applicant, and owners of record within the distances specified in Minnesota Statute 394.

5.3.6 **Appeals:** An appeal, as provided for within this Ordinance, shall be filed with the Zoning Administrator on an official application form. Upon receipt of the complete application and all supporting information, the Zoning Administrator shall refer said application, along with all related information, to the Board of Adjustment and Appeals for consideration.

A. The application shall be accompanied by information which may be necessary or desirable, including, but not limited to the following:

1. The particular order, requirement, decision or determination from which the appeal is taken.
2. The name and address of the appellant.
3. Identify the grounds for the appeal.
4. The relief requested by the appellant.
5. Identification of unique circumstances present which merit exception from the usual and customary application of the law and form the basis for the appeal.

B. An appeal stays all proceedings in furtherance of the action appealed from, unless the Board of Adjustment and Appeals, to whom the appeal is taken, certifies that by reason of the facts stated in the certificate, a stay would cause imminent peril to life or property.

C. The Zoning Administrator, on behalf of the Board of Adjustment and Appeals, shall set a date for a hearing of the appeal and give due notice thereof to the appellant, the officer whose decision is being appealed, and the public.

D. The Board of Adjustment and Appeals shall consider the appeal and hold such hearing at its next regular meeting. The appellant and officer from whom the appeal is taken shall appear before the Board of Adjustment and Appeals in order to answer questions concerning the appeal.

E. Within sixty (60) days from the date of the receipt of the complete application for the appeal, the Board of Adjustment and Appeals may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and, to that extent, shall have all the powers of the officer from whom the appeal was taken and may direct the issuance of a permit. The reasons for the Board of Adjustment and Appeals' decisions shall be stated in writing.

F. All decisions by the Board of Adjustment and Appeals in hearing appeals from any administrative order, requirement, decision, or determination shall be final except that any aggrieved person(s) shall have the right to appeal the decision to the district court.

5.3.7 **Variances:** A variance to the provisions of this Ordinance may be issued to a landowner upon application to the Board of Adjustment under the following procedures and criteria:

A. Unless there has been a substantial change in circumstances, applications for the same purpose shall not be heard for one (1) year after the date of denial.

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B. A variance shall expire and be considered null and void one (1) year after the Board of Adjustment's final decision to grant the variance if no permit has been obtained from the Planning and Zoning Office.

C. No variance shall be granted that would allow any use that is not allowed in the zoning district in which the subject property is located.

D. No variance may be granted that would allow for a lesser degree of flood protection than required in the Ordinance.

E. Submittal Requirements:

1. Variance Application
2. Site plan that includes a survey or aerial photograph showing all existing and proposed buildings, well, septic system, driveway and impervious surface.
3. Properties in the Floodplain or Shoreland District, a Survey may be required.
4. A Certificate of Septic Compliance. If the septic system has not had a passing septic compliance check within the past ten (10) years, a septic compliance check must be completed. If the septic system is not in compliance with state regulations, the septic system must be upgraded before the Board of Adjustment will consider a variance application to be complete.
5. A completed Comment Form by the applicable Town Board
6. Any additional information required by the Zoning Administrator specific to the variance request.

F. Completeness required. If the application is deemed complete, the application shall be referred to the Board of Adjustment for review. If the application is not complete, the Zoning Administrator, or their delegate shall send a letter to the applicant, with the form attached, stating the information that must be provided to complete the variance request form.

G. In reviewing all variance requests, the Board of Adjustment shall specify "Findings of Fact" in each case which evaluates the request for conformance with the variance standards. In conformance with Minnesota State Statute 394.27 the Board of Adjustment may only grant variances when it finds the request meets all of following criteria:

<u>OPTION A</u>

1. Harmony with the general purposes and intent of the official controls
2. Consistent with the Comprehensive Plan
3. The variance would not allow any use that is not allowed in the zoning district
4. The applicant has established "practical difficulties" exist. "Practical difficulties," as it pertains to variances,
   a. the applicant proposes to use the property in a reasonable manner not permitted by an official control, and
   b. the plight of the landowner is due to circumstances unique to the property not created by the landowner, and
   c. the variance, if granted, will not alter the essential character of the locality.
   d. Economic considerations alone do not constitute "practical difficulties."

<u>OPTION B</u>

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1.The proposed use is allowed in the zoning districts in which the subject property is located?
2. The variance will be in harmony with the general purposes and intent of the official control(s) (any related Ordinances)?
3. The variance will be consistent with the Comprehensive Plan?
4. The property owner proposes to use the property in a reasonable manner?
5. The plight of the landowner is due to circumstances unique to the property, not created by the landowner.
6. The variance, if granted, will not alter the essential character of the locality?
7. The need for the variance involves more than economic considerations?

OPTION C

1. Is the variance in in harmony with the intent of the comprehensive plan and zoning ordinance?
2. Without the variance, is the property owner deprived of a reasonable use of the property?
3. Is the practical difficulty due to circumstances unique to this property?
4. Were the circumstances causing the practical difficulty created by someone or something other than the landowner?
5. Will the issuance of the variance maintain the essential character of the locality?
6. Does the practical difficulty involve more than economic considerations?

H. Variance in the Floodplain: Refer to Section 16 Floodplain, Subdivision 16.10.2 of the Sherburne County Zoning Ordinance.

I. The Board of Adjustment may impose conditions that are directly related to and bear a rough proportionality to the impact created by the variance.

J. Public Hearing:

1. Upon receipt of the application and other prescribed materials, the County shall set a time and place for the public hearing before the Board of Adjustments. The notification of public hearings shall conform to Minn. Statutes 394.26 as amended.

2. The meeting of the Board of Adjustments shall be held and the applicant, or representative must appear before the Board to answer questions concerning the variance or appeal, unless agreed to otherwise by the Board.

3. The Board of Adjustment and Zoning Administrator shall have the authority to request additional information from the applicant/landowners.

4. In granting any variance or appeal, the Board of Adjustment may designate conditions that must be directly related to and bear a rough proportionality to the impact created by the variance.

K. Notice and Certification of Final Action:

1. Findings of Fact. After conducting a public hearing on a variance application, the Board of Adjustment shall make a written findings of fact on each application.

2. Recording. After acting on a variance application, the Board of Adjustment shall forward to the Zoning Administrator the written findings of fact and their order regarding the

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application. The Zoning Administrator shall then file a certified copy of the Board of Adjustment's order with the Sherburne County Recorder.

3. After recording, a copy of the Board of Adjustment's order shall be sent to the Township Board of Supervisors of the Township in which the application was made.

4. In instances where the affected property is located within the Shoreland or Floodplain District Overlay Districts, a copy of the final decision granting a variance shall be sent to the Department of Natural Resources and postmarked within ten (10) days of the final action.

5. Scenic and Recreational River District. In instances where the affected property is located within the Scenic River District, the Department of Natural Resources shall be notified within ten (10) days of the final action. Action by the Board of Adjustment shall become final only when the provisions of Minnesota Rules, part 6105.0230, subpart 3; or successor rules, have been satisfied.

L. All decisions by the Board of Adjustment in granting variances or in hearing appeals from any administrative order, requirement, decision, or determination 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 District Court in the county in which the land is located on questions of law and fact.

M. Incomplete Applications: Incomplete applications shall be considered denied one (1) year from the date of the application if the proposal has not obtained the required approvals. The Zoning Administrator may grant one 6-month extension if the Zoning Administrator determines that continuous progress has been made to keep the application moving toward approval.

5.4 AMENDMENTS, REZONINGS AND COMPREHENSIVE PLAN MAP AMENDMENTS

5.4.1 **Purpose:** This Ordinance, Official Zoning Map or the Comprehensive Plan Map Amendment may be amended whenever the public necessity and the general welfare require such amendment by following the procedure specified in this Section. Amendments to the boundaries of a zoning district on the Official Zoning Map are known as "rezonings."

5.4.2 Proceedings for amendment of this Ordinance shall be initiated by:

A. A petition of the owner or owners of the actual Property, or

B. A recommendation of the County Planning Commission, or

C. By action of the Board of County Commissioners

5.4.3 **Application:** An application for an amendment, comprehensive plan map amendment or rezoning shall be filed with the Zoning Administrator. All applications for amendments, comprehensive plan map amendment or rezonings that are initiated by the petition of the owner or owners of property, the zoning of which is proposed to be changed and shall contain the following:

A. A complete amendment, comprehensive plan map amendment or rezone application form signed and dated by the applicant and property owner(s) and pay all applicable fees.

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B. Written statement explaining the reason for the amendment, comprehensive plan map amendment or rezone requested and how the amendment, comprehensive plan map amendment or rezone is compatible with the Sherburne County Comprehensive Plan.

C. Township comments

D. Text on the portion of the existing ordinance to be amended as well as the proposed amendment text and statements outlining any other effects that the amendment may have on other areas of this Ordinance.

E. The current and proposed zoning district and proposed use(s) of the area.

F. A concept plan or plat with a legal description of the property to be rezoned.

G. A certified land survey of the property to be rezoned showing the location, dimensions, zoning of adjacent properties, existing uses and structures of adjacent properties within five hundred (500) feet unincorporated areas, and one-half (1/2) mile in unincorporated areas).

H. Any additional information that may be requested by the Planning Administrator and/or Planning Commission.

5.4.4 **Notification of Proposed Rezoning:** The notification of public hearings shall conform to Minn. Statutes 394.26 as amended.

5.4.5 **Public Hearing:** Upon receipt in proper form of the application and other requested material, the Sherburne County Planning Commission shall hold at least one (1) public hearing in a location to be prescribed by the Planning Commission. At least ten (10) days in advance of each hearing, notice of the time and place of such hearing shall be published in the official newspaper of the County.

5.4.6 **Consideration:** Following the public hearing, the County Planning Commission shall make a report of its consideration and recommendations on the proposed amendment, comprehensive plan map amendment or rezone and shall file a copy with the Board of County Commissioners and the Zoning Administrator. Consideration of a rezoning request shall include without limitation, the following:

A. Is the proposed rezoning consistent with the Comprehensive Plan?

B. Is the proposed use compatible with the overall character of existing development in the immediate vicinity?

C. Is the current use of the property a permitted use within the proposed zoning district, or will the rezoning create a non-conforming use?

D. Will permitted uses within the proposed zoning district be injurious to health or interfere with the comfortable enjoyment of life or property within the vicinity?

E. How will public services (e.g. transportation, schools, parks, and police/fire) be impacted by the proposed rezoning? Will permitted uses within the proposed zoning district adversely impact or overburden existing public service capacity?

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F. Is the proposed rezoning located in an area that has the potential to adversely impact natural resources such as surface water, groundwater, or wetlands, or sites identified for rare biological species habitat?

G. Does the proposed rezoning have the potential to impact ecologically sensitive or historically significant areas?

H. Does the property have sufficient size and physical characteristics to permit a reasonable use under the current zoning district?

I. Any other factors that may be relevant to determining whether the proposed rezoning is appropriate.

5.4.7 **Action and Decision:** Following the closing of the public hearing, the Planning Commission shall report its findings and recommendations on the proposed amendment, comprehensive plan map amendment or rezoning to the Board of County Commissioners at the next regularly scheduled meeting.

5.4.8 Upon receipt of the report of the Planning Commission, the Board of Commissioners may hold a public hearing and shall make a decision upon the proposal to grant or deny the requested amendment, comprehensive plan map amendment or rezone. The person making application for the amendment, comprehensive plan map amendment or rezone shall be notified in writing of the Board's action.

A. The Board of County Commissioners shall take action on the proposed amendment, comprehensive plan map amendment or rezone within sixty (60) days from the date of completed application following receipt of the recommendations by the Planning Commission. Said action for approval shall not be less than a simple majority vote of its members. If no report or recommendation is transmitted by the Planning Commission within sixty (60) days after the hearing, the Board of County Commissioners may take action without such recommendation.

5.4.9 A copy of all decisions for amendments, comprehensive plan map amendment and rezones within the Shoreland and Floodplain Overlay districts shall be forwarded to the Commissioner of Natural Resources and postmarked within ten (10) days of the final action.

5.4.10 In the event the proposed change in the zoning use district boundaries is denied by the County Board no request for the same district change on the same property will be considered for at least one (1) year from date of denial. G. If a rezoning involves the approval of a Final Plat, and the Final Plat is not filed within one (1) year from the date of the rezoning approval, the rezone reverts back to the original zoning classification.

5.4.11 **Fees:** To defray the administrative cost of processing of requests for an amendment to this Ordinance, a fee not exceeding administrative costs shall be paid by the petitioner. Such a fee shall be determined by the Board of County Commissioners.

5.4.12 **Record:** A certified copy of any rezoning or amendment shall be filed with the Sherburne County Recorder by the Planning Administrator. The rezoning shall include the legal description of the property involved, owner's name, and any conditions stipulated at approval by the Board of County Commissioners.

5.5 CONDITIONAL AND INTERM USE PERMITS

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5.5.1 Purpose:

Conditional and Interim Use Permits may be issued for any uses or purposes for which such permits are required or permitted by provisions of this Ordinance. See the Land Use Chart Section 7.4. Unless there has been a substantial change in circumstances, applications for the same purpose shall not be heard for one year after the date of denial.

5.5.2 Interim Use Transferability

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 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.

F. With the exception of Solar Farms as cited in Sec 16.2, Subd 5, Item 22 E. and Solar Farm Related Business as cited in Sec. 16.2, Subd. 5, Item 23 H, is granted solely to the applicant and/or the business entity named in the application, and for the premises named in the IUP application.

5.5.3 Application:

An application for a Conditional or Interim Use Permit shall be filed with the Zoning Administrator on the County's official form. The applicant shall provide the following written information in order for a CUP or IUP application to be complete:

A. A complete conditional or interim use permit application form signed and dated by the applicant and property owner(s) and pay all applicable fees.

B. Written description of all activities including all types and number of vehicles (motorized and non-motorized, such as trailers), heavy machinery and equipment to be used on the property.

C. Days and hours of operation.

D. Number of employees using the property, including sub-contractors (full-time and part-time).

E. Site plan, including:

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1. A survey or aerial photograph showing all existing and proposed buildings, well, septic system (or other restroom facilities), outside storage area(s), driveway access(s), and any public or private easements.

2. Existing and proposed screening (if required). Screening may consist of coniferous trees not less than 6' in height, planted not less than 8' apart and/or a non-transparent fence not less than 6' in height.

3. Existing and proposed signage, including a dimensional diagram of proposed signage.

F. A Certificate of Septic Compliance. If the septic system is older than ten (10) years and has not had a passing septic compliance check within the past ten (10) years, A septic compliance check must be completed. If the septic system is not in compliance with state regulations, the septic system must be upgraded before the Planning & Zoning Department will consider a CUP application to be complete.

G. Written description of any maintenance to take place on-site, including how hazardous materials will be stored and disposed of.

H. A certificate of insurance.

I. Wetland Impact approval (if applicable).

J. A completed Comment Form by the applicable Town Board.

K. Any additional information required by the Zoning Administrator specific to the CUP request.

5.5.4 Notification of Proposed Conditional or Interim Use: The notification for public hearings shall conform to Minn. Statutes 394.2620 as amended.

5.5.5 **Public Hearing:** Upon receipt in proper form of the application and other requested material, the Sherburne County Planning Commission shall hold at least one (1) public hearing in a location to be prescribed by the Planning Commission. At least ten (10) days in advance of each hearing, notice of the time and place of such hearing shall be published in the official newspaper of the County.

5.5.6 Findings: No conditional or interim use permit shall be approved or recommended for approval by the County Planning Commission unless said Commission shall find:

A. That the conditional or interim 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

B. That the establishment of the conditional or interim use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.

A. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

B. That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.

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C. That adequate measures have been 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.

5.5.7 Report to the County Board:

For each application for a conditional or interim use permit where applicable, the County Planning Commission shall report to the Board of County Commissioners its finding and recommendations, including the stipulation of additional conditions and guarantees that such conditions will be complied with when they are deemed necessary for the protection of the public interest. Upon receipt of the report of the Planning Commission, the Board of Commissioners may hold a public hearing and shall make a decision upon the proposal to grant or deny the conditional or interim use permit.

5.5.8 Fees:

The applicant shall pay all conditional or interim use permit fees and recording fees as determined by the County Board in the Fee Ordinance. All fees are considered the minimum amounts necessary to reimburse the County for costs incurred in processing the application and investigating the application and the proposed premises and are, therefore, non-refundable. As a condition of approval of the IUP, the County Board may require an additional annual Inspection Fee as stated in the Fee Ordinance. The Annual Inspection Fee shall cover the cost of County Staff or their agent to inspect the property as required within the conditions of approval.

5.5.9 Compliance:

Any use permitted under the terms of any conditional or interim use permit shall be established and conducted in conformity with the terms of such permit and of any conditions designated in connection therewith. If the applicant does not abide by the conditions set forth in the permit, the County has the right to either revoke the permit or hold another hearing to investigate and set additional conditions.

5.5.10 Incomplete Applications:

A. Incomplete applications shall be considered denied one (1) year from the date of the application if the proposal has not obtained the required approvals. The Zoning Administrator may grant one 6-month extension if the Zoning Administrator determines that continuous progress has been made to keep the application moving toward approval.

B. An application shall be considered incomplete if the Township comments have not been submitted to the County.

5.6 BUILDING PERMIT, CERTIFICATE OF OCCUPANCY

5.6.1 Building Permit:

A. Thereafter no person shall erect, alter, or move any building or part thereof without first securing a Building Permit therefor except that no permit will be required for structures listed as "Exempted Work" in the current edition of the “Minnesota State Building Code.”

B. Application for a building permit shall be made to the Building Official on the County’s official form. Each application for a permit to construct or alter a building shall be accompanied by a plan drawn to scale showing the dimensions of the lot to be built upon and the size and

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location of the building and accessory structures to be erected. Applications for any kind of building permit shall contain such other information as may be deemed necessary for the proper enforcement of this Ordinance or any other. The Building Official shall issue the building permit only after determining that the building plans, together with the application, comply with the terms of this Ordinance.

C. Driveway access must be approved by the road authority, Building Permit fees and other fees as may be established by resolution of the Board of County Commissioners shall be collected by the Building Official for deposit with the County and credited to the general revenue fund.

1. If a building permit application is denied, the permit fee shall be refunded to the applicant.

2. If no inspections have been made and no work authorized by the permit has been performed, fifty percent (50%) of the permit fee may be refunded to the applicant upon request, provided that the permit is returned to the Building Official within ninety (90) days of issuance.

3. If work is commenced prior to obtaining a permit, the Building Official shall assess an investigation fee equal to the building permit fee, as permitted in the current edition of the Minnesota State Building Code.

5.6.2 Certificate of Occupancy:

A. A certificate of occupancy shall be obtained before any non-agricultural building hereafter erected or structurally altered is occupied or used or the use of any such building is altered, as specified in the current edition of the Uniform Building Code.

B. Every certificate of occupancy shall state that the building or proposed use of a building or land complies with all provision of law and this Ordinance. A record of all certified copies shall be furnished on request to any person having proprietary of tenancy in interest in the building or land affected.

C. Must obtain a Certificate of Occupancy prior to taking residence.

5.7 VIOLATIONS, PENALTIES AND ENFORCEMENT

5.7.1 **Violations and Penalties:** Any person, firm or corporation 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 thereof, shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished pursuant to law.

5.7.2 **Enforcement:** This Ordinance shall be administered and enforced by the Zoning Administrator, who is hereby designated the enforcing officer.

5.7.3 **Compliance:** No permit or other approval may be issued for any property on which there is a violation of any Sherburne County Ordinance, unless the Zoning Administrator determines that the permit is necessary to resolve the violation.

5.7.4 **Actions:** In the event of a violation or a threatened violation of this Ordinance, the Board of County Commissioners or any member thereof, in addition to other remedies, may institute appropriate actions or proceedings to prevent, restrain, correct or abate such violations or threatened violations, and it shall be the duty of the County Attorney to institute such action.

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5.7.5 **Mandamus Proceedings:** Any taxpayer or taxpayers of the County 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.

SECTION 6 - DEFINITIONS AND RULES OF LANGUAGE CONSTRUCTION

6.1 RULES OF LANGUAGE CONSTRUCTION

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. Words used in the present tense shall include the future; words in the singular shall include the plural; and the words "shall" and "must" are mandatory and not discretionary. Unless otherwise specified, all distances shall be measured horizontally and in feet.

6.2 DEFINITIONS

6.2.1 **Interpretation of Similar Uses:** The Planning Manager shall have the authority to determine whether a proposed land use is substantially similar in character and impact to a use that is explicitly listed in this Ordinance. Such determinations shall be based on the nature, function, and potential effects of the proposed use in comparison to listed uses, and shall be documented in writing. A determination of similarity does not constitute a permitted or conditional use approval and may still require review under applicable procedures.

A

Accessory Dwelling Unit (ADU): A residential living unit on the same parcel as a single-family dwelling. The ADU provides complete independent living facilities for one or more persons. It may take various forms: a detached unit; a unit that is part of an accessory structure, such as a detached garage; or a unit that is part of an expanded or remodeled primary dwelling.

Accessory Structure or Facility, Shoreland: small, above ground building 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 decks

Accessory Structure, Floodplain: 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.

Accessory Structure: A structure that is located on the same parcel of property as, and is incidental to, the principal structure or use. Examples include: swimming pools, saunas, detached garages, and storage sheds.

Accessory Use: A use that is ancillary to the principal use of a property.

Activities Requiring Rural Isolation: Recreational, educational, institutional, or religious facilities or activities that require a location in a rural area because of a need for seclusion or a natural setting or a large area of land. Examples include but are not limited to Private Game Refuge, Riding Academies, Retreat Centers or Shooting Ranges.

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Adult Entertainment Center: An enclosed building or a part of an enclosed building wherein may be observed nudity, sexual conduct, sexual excitement or sadomasochistic abuse and/or one or more live persons unclothed or in such attire, costume or clothing as to expose to view any portion of the female breast below the top of the areola, or any portion of the male or female pubic hair, anus, cleft of the buttocks, vulva or genitals.

Adults-Only Bookstore: An establishment having at least 10 percent of its stock in trade, as measured by retail value, books, magazines, video tapes, computer software, films for sale or viewing on the premises by use of motion picture devices, computers, televisions, video cassette recorders or other coin-operated means, or other periodicals which are distinguished or characterized by their principal emphasis on matters depicting, describing or relating to nudity, sexual conduct, sexual excitement or sadomasochistic abuse, or an establishment with a segment or section devoted to the sale or display of such material, for sale to patrons therein.

Adults-Only Motion Picture Theater: An enclosed building used regularly and routinely for presenting programs, or material distinguished or characterized by an emphasis on matter depicting or relating to nudity, sexual conduct, sexual excitement or sadomasochistic abuse, for observation by patrons therein.

Advertising Sign: See Billboard.

Agriculture: The cultivation of soil for crop production with the intention of making a cash profit. May also include animal husbandry, tree nurseries, and orchards.

Agricultural Building means a structure that is:

A. On agricultural land as determined by the governing assessor for the municipality or county under State Statute Section 273.13, subdivision 23;

B. Designed, constructed, and used to house farm implements, livestock, or agricultural products under section 273.13, subdivision 23; and

C. Used by the owner, lessee, and sublessee of the building and members of their immediate families, their employees, and persons engaged in the pickup or delivery of agricultural products.

Agritourism: A commercial enterprise that links agricultural production with tourism to attract visitors to a farm or ranch. Includes farm stays, U-pick operations, corn mazes, educational tours, and seasonal events. Must comply with Minnesota Statutes § 604A.40, which provides liability protections for agri-tourism operators.

Aircraft: Any machine for flying as defined by the Federal Aviation Administration.

Aircraft Landing Strip: A long flat area of ground used by aircraft for takeoff and landing.

Alley: A public or private thoroughfare which affords only a secondary means of access to abutting property.

Amphitheater (Outdoor Theater): An open-air venue used for performances, concerts, or public gatherings, typically with tiered seating or natural slopes. Amphitheaters may be permanent or seasonal and must comply with local noise, lighting, and safety regulations.

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Animal or Animals: “Animal” or “animals” shall mean all living, non-human beings, including but not be limited to, cattle, swine, sheep, goats, farmed cervidae, horses, bison, mules, or other equines, llamas, poultry and/or ratitae.

Animal Unit (AU): A unit of measure used to compare differences in the production of animal manure that employs as a standard the amount of manure produced on a regular basis by a slaughter steer or heifer for an animal feedlot or a manure storage area, calculated by multiplying the number of animals of each type in items A to I by the respective multiplication factor and summing the resulting value for the total number of animal units. The following multiplication factors shall apply:

A. Dairy cattle:
    1. One mature cow (whether milked or dry):
        a. Over 1,000 pounds, 1.4 animal unit; or
        b. Under 1,000 pounds, 1.0 animal unit
    2. One heifer, 0.7 animal unit; and
    3. One calf, 0.2 animal unit;
B. Beef cattle:
    1. One slaughter steer or stock cow, 1.0 animal unit;
    2. One feeder cattle (stocker or backgrounding) or heifer, 0.7 animal unit;
    3. One cow and calf pair, 1.2 animal unit; and
    4. One calf, 0.2 animal unit;
C. One head of swine:
    1. Over 300 pounds, 0.4 animal unit;
    2. Between 55 pounds and 300 pounds, 0.3 animal unit; and
    3. Under 55 pounds, 0.05 animal unit;
D. One horse, 1.0 animal unit;
E. One sheep or lamb, 0.1 animal unit;
F. Chickens:
    1. One laying hen or broiler, if the facility has a liquid manure system, 0.033 animal unit; or
    2. One chicken if the facility has a dry manure system:
        a. Over five pounds, 0.005 animal unit; or
        b. Under five pounds, 0.003 animal unit;
G. One turkey:
    1. Over five pounds, 0.018 animal unit; or
    2. Under five pounds, 0.005 animal unit;
H. One duck, 0.01 animal unit; and
I. For animals not listed in items A to H, the number of animal units is the average weight of the animal in pounds divided by 1,000 pounds.

Antenna: That portion of any equipment used to radiate or receive radio frequency energy for transmitting or receiving radio or television waves. Antennas may consist of metal, carbon fiber, or other electronically conductive rods or elements. It includes, but is not limited to personal wireless service, microwave, radio and television broadcasting and transmitting and receiving and short wave radio equipment.

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.

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Apartment: A room or suite of rooms in a multiuse building arranged and intended as a place of residence for a single family or a group of individuals living together as a single housekeeping unit.

Apartment Building: Any building or portion thereof which is designed, built, rented, leased, let or hired out to be occupied, or which is occupied as the home or residence of three or more families living independently of each other and doing their own cooking in the said building, and shall include flats or apartments.

Aquaculture: The rearing of aquatic animals or the cultivation of aquatic plants for food.

Archery: The sport or skill of shooting with a bow and arrows, especially at a target.

As-Built: Drawings and documentation specifying the final in-place location, elevation, size and type of all system components. These records identify the results of materials testing and describe conditions during construction. The information provided must be verified by a certified statement.

Asphalt or Concrete Plant: A facility designed to produce asphalt or concrete, which is used for the construction of roads and other surfaces. The process involves heating and mixing materials to create workable and durable construction materials for various applications.

Asphalt & Concrete Mixing Plants, Portable: A temporary facility crushing, washing, refining, or processing of sand, gravel, and rock on the site of a permitted CUP/IUP for Grading, Excavating or Filling, or in conjunction with a municipal road project.

Athletic Clubs: A private members' club that provides facilities and services to help members achieve their fitness goals, often including sports or recreational components.

Assembly: The fitting or joining of parts of a mechanism by means of fasteners, nuts and bolts, screws, glue, welding, or other similar technique. Industrial assembly does not include the construction, stamping, or reshaping of any of the component parts.

Auction: A building, area or areas within a building used for the regularly scheduled public sale of goods, wares, merchandise, or equipment. This definition excludes farm auctions, estate sales, garage sales, or similar on-site events conducted no more than six (6) days (i.e. two weekends) per calendar year.

Automobile and Farm Implement Dealers: A commercial retail use that displays and sales motor vehicles and/or farm equipment.

Automobile Repair Shop: Any building or premises or portion thereof, used or intended to be used for motor vehicle repair, that may have minor retail sales.

Automobile Wrecking, Salvage Yard: The dismantling or disassembling of used motor vehicles or trailers, or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts.

B

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.

Base Flood Elevation (BFE): 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.

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Basement: Any area of a structure, including crawl spaces, having its floor subgrade (below ground level) on all four sides, regardless of the depth of excavation below ground level.

Bed and Breakfast Establishment: A structure designed and used as a residence in which one or more bedrooms are rented to transient guests on a day-to-day basis and in which meals are served to these overnight guests.

Bedroom: For the sole purpose of estimating design flows from dwellings, an area that is:

A. a room designed or used for sleeping; or

B. a room or area of a dwelling that has a minimum floor area of 70 square feet with access gained from the living area or living area hallway. Architectural features that affect the use as a bedroom under this item may be considered in making the bedroom determination.

Best Management Practices (BMPs): Schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly into stormwater, receiving waters, or stormwater conveyance systems. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.

Billboard: A large, freestanding off-premises sign that advertises, promotes, or directs attention to a business, service, product, event, or activity not located on the same lot or premises as the sign. (Previously called Advertising Sign).

Bluff (In Shoreland District): A topographic feature such as a hill, cliff, or embankment having the following characteristics:

A. Part or all of the feature is located in a shoreland area;

B. The slope must drain toward the waterbody;

C. The slope rises at least 25 feet above the ordinary high water level; and

D. 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 (see Figure 1), except that an area with an average slope of less than 18 percent over a distance of at least 50 feet shall not be considered part of the bluff (see Figure 2).

Figure 1. Illustration of Bluff

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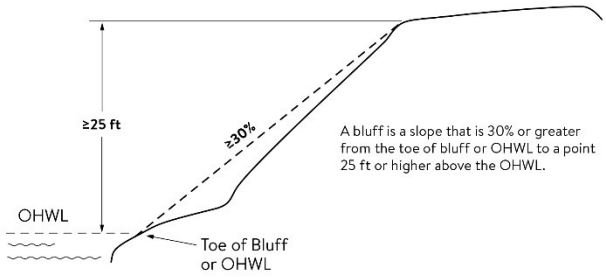
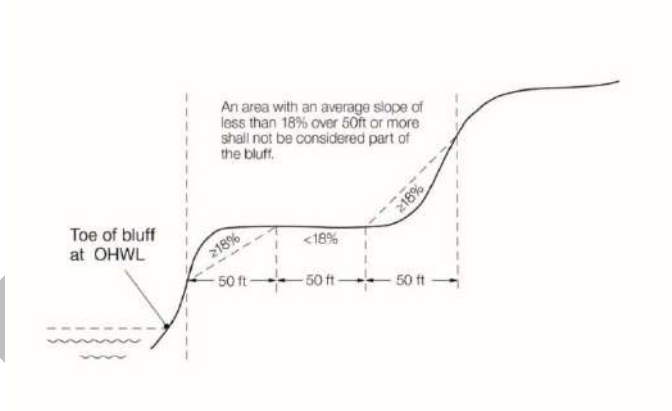


Figure 2. Exception to Bluff

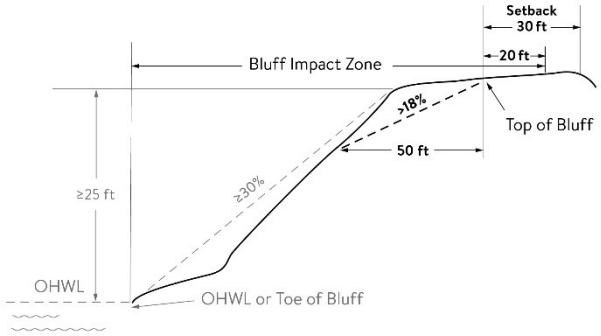


Bluff (In Mississippi and Wild and Scenic River District): Considered a slope on any slope greater than 13% (13 feet vertical rise in 100' horizontal distance).

Bluff Impact Zone: A bluff and land located within 20 feet from the top of a bluff. See Figure 3.

Figure 3. Bluff Impact Zone and Top of Bluff

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Bluffline (In Mississippi and Run Scenic and Recreational River): A line along the top of a slope connecting the points at which the slope becomes less than 13 percent.

Bluff, Toe of: The lower point of a 50-foot segment with an average slope exceeding 18 percent or the ordinary high water level, whichever is higher.

Bluff, Top of: For the purposes of measuring setbacks, bluff impact zone, and administering vegetation management standards, the higher point of a 50-foot segment with an average slope exceeding 18 percent. See Figure 3.

Boarding House: A dwelling where meals or lodging, or both, are provided for compensation to three or more persons, who are not transients, by prearrangement for definite periods, in contradistinction to hotels and motels as herein defined.

Boat: A small vessel for traveling on water.

Boat Launching Facilities: A public or private facility designed to accommodate the launching or landing of boats.

Boathouse: A facility as defined by Minnesota Statutes, Section 103G.245.

Bowling Alleys: A facility were the sport of bowling is played.

Bridge: A structure caring a road, path, railroad, or canal across a river or ravine or other obstacle.

Buffer: The use of land, topography (differences in elevation), space, fences, or landscape plantings to screen or partially screen a tract of property from another tract or property and thus reduce undesirable influences such as sight, noise, dust and other external effects which a land use may have upon other adjacent or nearby land uses.

Buffer: A vegetative feature as defined by Minnesota Statutes, Section 103F.48.

Buildable Lot Area: The minimum contiguous area with at least three (3) feet above the highest known water table meeting the buildable lot area requirements of the applicable zoning district remaining on a lot or parcel of land after all public road rights-of way, all easements, setbacks, and wetlands are subtracted. In the Shoreland District, all land below the ordinary high-water level of public waters, bluffs, areas with slopes greater than eighteen (18) percent, and floodways shall also be subtracted. Land where other legal or ordinance restrictions exist, which would prevent or prohibit the placement of a structure shall also be subtracted.

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Building: Any structure designed or intended for the support, enclosure, shelter or protection of persons, animals or property.

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.

Bunkhouse: A building offering basic sleeping accommodations for workers, visitors, or campers.

Bus Service: A facility supporting a structured system in which buses are used as a means of public transportation to transport passengers from one place to another within a specific geographical area.

Business: Any occupation, employment, or enterprise wherein merchandise is exhibited or sold or rented, or which occupies time, attention, labor, or materials, or where services are offered for compensation.

Business Sign: A sign which only pertains to the use of the premise on which it is located.

C

Café: A small restaurant selling light meals and drinks.

Camouflaged Tower: a tower constructed to simulate a natural feature, such as a tree, thereby reducing the aesthetic impact to the surrounding area.

Campground, Recreational: Any area, whether privately or publicly owned, used on a daily, nightly, weekly, or longer basis for the accommodation of tents, live in fish houses, recreational camping vehicles, or park trailers free of charge or for compensation. Ancillary uses of a campground may include storm shelters, bathrooms, clubhouse, swimming pool, maintenance facilities, and other uses as determined by the Zoning Administrator. Recreational Campgrounds exclude:

A. United States Forest Service camps

B. State forest service camps

C. State wildlife management areas or state-owned public access areas which are restricted in use to picnicking and boat landings

Campsite, Primitive: An area that consists of individual remote campsites accessible only by foot or water.

Cannabis Cultivation: Any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis plants, cannabis flower, hemp plants, or hemp plant parts for sale or distribution operation pursuant to MN State Statute 342.01

Cannabis Cultivation, Indoor: All activities for cultivation occurring indoors pursuant to MN State Statute 342.01.

Cannabis Cultivation, Outdoor: All activities for cultivation occurring outdoors pursuant to MN State Statute 342.01.

Cannabis Delivery: As described in MN State Statute 342.41.

Cannabis Event: A temporary cannabis event open to the public in compliance with MN Rules 9810 and lasting no more than four days.

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Cannabis Manufacturing: The process by which cannabis flower or plants, cannabis concentrate, artificially derived cannabinoid, hemp plant part, or hemp concentrate are prepared into useable consumer products, or products intended for further processing.

Cannabis Medical: As described in MN State Statute 342.47.

Cannabis Medical Combination Business: As described in MN State Statute 342.515.

Cannabis Mezzobusiness: As described in MN State Statute 342.29.

Cannabis Microbusiness: As described in MN State Statute 342.28.

Cannabis Retail: The sale of cannabis plants and seedlings, adult-use cannabis flower, and adult use cannabis products directly to consumers.

Cannabis Retailer: Any cannabis retailer, medical cannabis combination business operating a retail location, or lower-potency hemp retailer that holds a valid applicable retailer license. Means 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 (definition from the Retailer Ordinance draft).

Cannabis Testing Facility: As described in MN State Statute 342.37.

Cannabis Transporter: As described in MN State Statute 342.35.

Cannabis Wholesale: As described in MN State Statute 342.33.

Car Wash: A building containing equipment for washing cars and other vehicles automatically or semi-automatically.

Cellar: A portion of a building located partly or wholly underground and having half or more than half its clear floor to ceiling height below grade.

Cemetery: A parcel or tract of land used or intended to be used for the burial of the dead including columbarium's, crematories, mausoleums and mortuaries when operated within the boundaries of such cemetery.

Changeable Electronic Variable Message Signs (CEVMS): means an outdoor advertising device that contains light-emitting diodes or other technology to display copy visible during the day and suring the night, with the copy changes initiated electronically.

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

Church: See Places of Worship.

Clinic: An establishment where patients, who are not lodged overnight, are admitted for examination and treatment by medical or dental professionals.

Cluster Plat: A grouping of residential structures on smaller lots than are typically allowed in the specific zoning district.

Co-Housing: A residential development characterized by private dwellings clustered around shared spaces and facilities. Residents participate in the planning and management of the community and

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share responsibilities and amenities. May be regulated under local PUD (Planned Unit Development) ordinances.

Commercial Daycare: See the definition for State Licensed Residential Facilities.

Commercial Development: The development of private land where the principal use of land or buildings is for the sale, lease, rental, or trade of products, goods, and services.

Commercial Use: The principal use of land or buildings for the sale, lease, rental, or trade of products, goods, and services.

Common Open Space: Land used for agriculture cropland, pasture, natural habitat, pedestrian corridors and / or recreational purposes that is either protected by a conservation easement, or limited to future development.

Common Plan of Development or Sale: A contiguous area where multiple separate and distinct land disturbing activities may be taking pace at different times, on different schedules, but under one proposed plan. One plan is broadly defined to include design, permit application, advertisement or physical demarcation indication that land-disturbing actives may occur.

Communication Towers: Any free-standing ground or roof-mounted pole, spire, structure or combination of them taller than fifteen (15) feet, including supporting lines, cables, wires, braces and masks, not wholly contained within a building or other structure and intended primarily for the mounting of an antenna, meteorologic device, rotor blades or similar apparatus above grade.

Composting, Yard Waste: The process of breaking down organic materials such as leaves, grass clippings, and plant trimmings into nutrient rich compost.

Comprehensive Plan: Unless otherwise stated, it is the general plan for land use, transportation, and community facilities prepared and maintained by the County. **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.

Construction Activity: A disturbance to the land that results in a change in the topography, existing soil cover (both vegetative and non-vegetative), or the existing soil topography that may result in accelerated stormwater runoff, leading to soil erosion and movement of sediment into surface waters or drainage systems. Examples of Construction Activity may include clearing, grading, filling, and excavating. Construction Activity includes the disturbance of less than one acre of total land area that is a part of a larger common plan of development or sale if the larger common plan will ultimately disturb one (1) acre or more. Does not include a disturbance to the land of less than five (5) acres for the purpose of routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of a stormwater control facility.

Contractor's Yard: A defined site or parcel of land used for the storage of vehicles, equipment, and materials by a person whose business is contracting work in any of the building trades such as landscaping, road building, sewer installation, transport/hauling or a similar trade. Three categories of Contractor's Yard are provided under Section 19 Conditional and Interim Use Permits in this Ordinance.

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Controlled access lot: A lot used to access public waters or as a recreation area for owners of non-riparian lots within the same subdivision containing the controlled access lot.

Convenience Food Restaurant: A business whose principal function is the sale of foods, frozen desserts, or beverages to the customer in a ready-to-eat state for consumption either within the premises or for carryout with consumption either on or off the premises, and whose design or principal method of operation includes both of the following characteristics:

A. Foods, frozen desserts, or beverages are usually served in edible containers or in paper, styrofoam, or other disposable containers,

B. The customer is not served food at his or her table by an employee but receives it at a counter, window, or similar facility for carrying to another location on or off the premises for consumption.

Convenience Store: A store selling on a retail basis food for consumption off the premises along with other items, sometimes including gasoline; differentiated from a grocery store by its size of not more than 5,000 square feet.

County: Sherburne County.

County Board: The Sherburne County Board of Commissioners.

Craft Beverage Production: A facility licensed under Minnesota Statutes Chapter 340A for the small-scale production of alcoholic beverages, such as a distillery, brewery, or cidery. May include on-site tasting rooms, retail sales, and tours.

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.

Crop Production: Commercial agricultural field activities including cultivating soil and planting, raising, and harvesting crops such as field crops, flowers and seeds, fruits, grains, melons, ornamental crops, tree nuts, trees and sod, and vegetables.

Culvert: A tunnel carrying a stream or open drain under a road or bridge.

Custom Processing: Slaughtering, eviscerating, dressing, or processing an animal or processing meat products for the owner of the animal or of the meat products, if the meat products derived from the custom operation are returned to the owner of the animal. No person may sell, offer for sale, or possess with intent to sell meat derived from custom processing except in conformance with this Ordinance.

Customer: A person who purchases a commodity or service.

D

Data Center: A facility used primarily for the storage, management, processing, and transmission of digital data, which houses computer or network equipment, systems, servers, appliances, and other associated components related to digital data storage and operations.

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Daycare: See the definition for State Licensed Residential Facilities.

Decision: Formal action by Zoning Staff to approve, approve with conditions or deny formal applications or requests including, but not limited to typing, boundary determination, exemption, no-loss, replacement plan, banking plan, sequencing and excavation plan.

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 three feet above ground.

De minimis: As related to the Wetland Conservation Act, the maximum wetland impacts allowed before wetland replacement is required.

Department: Sherburne County Planning and Zoning.

Design Flow: The gallons per day (gpd) of sewage for which an SSTS is designed to treat and discharge.

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.

Dewatering: The removal of surface or ground water to dry and/or solidify a construction site to enable Construction Activity. Dewatering may require a Minnesota Department of Natural Recourses water appropriation permit and, if dewatering water is contaminated, discharge of such water may require an individual MPCA NPDES/SDS permit.

Dike: An artificial watercourse or ditch used for drainage.

Directional Sign: A sign erected on private property for the purpose of directing pedestrian or vehicular traffic onto or about the property upon which such sign is located, including signs marking entrances and exits, circulation direction, parking areas, and pickup and delivery areas, which does not display advertising copy.

Distribution Hub: A facility where goods are received and/or stored for delivery to the ultimate customer at other locations.

District: A section or sections of Sherburne County for which the provisions of this Ordinance are uniform.

Dock: A structure extended alongshore or out from shore into a body of water to which boats may be moored.

Drive-In or Drive Through: A business that, by design, physical facilities, service, or packaging procedures encourages or permits customers to receive services or obtain goods while remaining in their motor vehicles, excluding gas stations as defined in this subdivision.

Driveway: A short road or paved area leading from a public or private road to a house or garage.

Dry Cleaning: An establishment that uses chemical solvents having little or no water to launder or dry clean clothing or fabrics.

Duplex: A dwelling structure on a single lot having two units attached by common walls and each unit equipped with separate sleeping, cooking, eating, living, and sanitation facilities.

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Dwelling, Detached: A dwelling, including its attached garage, if any, which is entirely surrounded by open space on the same lot.

Dwelling, Farm-Related: A single-family farm dwelling located on and used in connection with a farm, where agricultural activity provides income to the family occupying the dwelling.

Dwelling, Multiple-Family: A building designed for or occupied by at least two families.

Dwelling, Single-Family: A detached building designed for and occupied by not more than one family.

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.

E

Employee: An individual who performs services for another for hire, regardless of whether wages, salary, benefits, or their equivalents are paid, whether under the direct control or indirect control (i.e. as an independent contractor) of another person or entity, forty (40) hours or more per calendar year on a given property.

Equal Degree of 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 flows.

Erosion Prevention: Measures employed to prevent erosion. Examples include but are not limited to: soil stabilization practices, limited grading, mulch, temporary erosion protection or permanent cover, and construction phasing.

Essential Services: Overhead or underground electrical, gas, steam or water transmission or distribution systems and structures, used by public utilities, rural electric cooperatives or governmental departments or commissions or as are required for protection of the public health, safety, or general welfare, including towers, poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, policy call boxes, and accessories in connection therewith, but not including buildings for the purpose of this ordinance and work. "Building" does not include "structure" for essential services.

Essential Utilities, Private: Private structures which provide shelter for equipment, a central utility hub for utilities, booster or transmitting (not including towers).

Essential Utilities, Public: Structures which provide shelter for equipment, a central utility hub for utilities, booster or transmitting (not including towers).

Event Venue, Indoor: A building or enclosed facility used for hosting indoor gatherings such as banquets, conferences, weddings, performances, or exhibitions. Indoor event venues may include banquet halls, conference centers, or multipurpose rooms and must comply with building, fire, and occupancy codes.

Event Venue, Outdoor: A property or facility used for hosting outdoor gatherings such as concerts, festivals, weddings, fairs, or performances. Such venues may include temporary or permanent stages,

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seating areas, tents, restrooms, and parking. Outdoor event venues may require conditional use permits and must comply with noise, lighting, and traffic regulations.

Excavation: The extraction of sand, gravel, rock, soil or other material from the land. Excavation shall not include the removal of materials associated with the construction of a building, the removal of excess materials in accordance with approved plats or utility highway construction or minor agricultural and sod removal.

Existing Systems: Systems that have been previously inspected and approved by the local unit of government during installation. In addition, all operating systems installed before the adoption of a local permitting and inspection program are considered existing systems.

Expansion: Any increase in a dimension such as number of units or size, area, volume, or height of an existing structure or accessory structure or facility.

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.

Extractive Use, Commercial: The commercial use of extracting mineral resources which may include stockpiling, for retail, wholesale, contract purchase or transfer of mineral products.

Exterior Storage: The storage of goods, materials, equipment, manufactured products and similar items not fully enclosed within a building.

F

Failure to Protect Groundwater: At a minimum, an SSTS that does not protect groundwater includes a seepage pit, cesspool, drywell, leaching pit, or other pit; an SSTS with less than the required vertical separation distance, described in Minnesota Rules Chapter 7080.1500 Subp. 4D and E; and a system not abandoned in accordance with part 7080.2500. The determination of the threat to groundwater for other conditions must be made by an individual licensed or LGU inspector pursuant to Subdivision 4.5 of this Section.

Family Day Care Home: A single-family home, duplex, or apartment unit providing day care for no more than ten children including the day care operator's children under five years of age.

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

Farm-Related Business: A business that relates to commerce in farming and farm related activities, and covers the production, processing, and distribution of farm -based goods.

Farmers Market: A market operating for the retail sale of crops or farm products by a number of vendors, usually in compartmentalized spaces.

Feedlot: A confined area or building or combination of confined areas and buildings intended for the confined feeding, breeding, raising, or holding of animals and specifically designed as a confinement area in which manure may accumulate or where the concentration of animals is such that a vegetative cover cannot be maintained within the enclosure. Open lots for the feeding and rearing of poultry (poultry ranges) shall be considered to be animal feedlots. Pastures shall not be considered to be animal feedlots.

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FEMA: Federal Emergency Management Agency.

Fence: An enclosure or barrier, such as wooden posts, wire, iron, etc., used as a boundary, means of protection, privacy screening or confinement, but not including hedges, shrubs, trees, or other natural growth.

Filling: Earthy material used to fill in depressions or create mounds in construction or landscaping. It typically consists of subsoil and may contain sand, gravel and other materials.

Final Stabilization: Means that all soil disturbing activities on the site or common plan of development have been completed, and that a uniform (evenly distributed, e. g. without large bare areas) perennial vegetative cover with a density of at least seventy (70) percent of the cover for unpaved areas and areas not covered by permanent structures has been established, or equivalent permanent stabilization measures have been employed, and that all temporary erosion control devices are removed, including silt fence, temporary sedimentation basins, and temporary standpipes. Simply sowing grass seed and/ or mulch is not considered final stabilization. Final stabilization of a common plan of development includes completion of building or home construction along with final restoration of all yards and adjacent drainage ways.

Financial Institution: An establishment where the principal businesses is the receipt, disbursement or exchange of funds and currencies, such as: banks, savings and loans, or credit unions.

Fitness Center: A facility that provides equipment or space for the purpose of physical exercise.

Fire Prone Areas: Fire prone areas are areas which contain natural conifer stands or conifer plantations, which due to flammability of the tree needles, associated ground vegetation, accumulation of duff on the ground, and presence of drought soils, pose a great potential for rapidly spreading wildfires.

Fish House: A portable structure constructed and maintained for the purpose of providing shelter during ice fishing.

Fish House, Dead Storage: Fish houses which are not used as temporary residences during the off season.

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.

Flood Frequency: The frequency for which it is expected that a specific flood stage or discharge may be equaled or exceeded.

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

Flood Insurance Rate Map (FIRM): An official map on which the Federal Insurance Administrator has delineated both the special flood hazard areas and the risk premium zones applicable to the County. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).

Flood Insurance Study (FIS): The study referenced in Section 3.2, which is an examination, evaluation and determination of flood hazards, and if appropriate, corresponding surface elevations, or an examination, evaluation, and determination of mudslide (i.e. mudflow) and/or flood-related erosion hazards.

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Floodplain, General: Those floodplains designated on the Flood Insurance Rate Maps referenced in Section 3.2, but that do not have a delineated floodway.

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.

Floodproofing: A combination of structural and non-structural additions, changes, or adjustments to properties and structures subject to flooding, primarily for the reduction or elimination of flood damages.

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.

Food Processing: The preparation, processing, or canning and packaging of food products. Examples of activities included are bakeries and dairies.

Forest Land Conversion: The clear cutting of forested lands to prepare for a new land use other than reestablishment of a subsequent forest stand.

Forest Management: Is the processes of protecting and managing forested areas. It involves evaluating the soil, trees, vegetation with a forest ecosystem and performing a variety of complex tasks to improve land management practices.

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.

Foster Family Home: A family home where persons out of their own homes are cared for 24 hours a day for a period of 30 days or more. **Frontage:** All the property fronting on one side of a street, measured along such street, between an intersecting street and another intersecting street, a right-of-way, waterway, end of a dead end street, or municipal boundary.

G

Garage, Private: A detached or attached accessory structure or carport which is used primarily for storing private vehicles.

Garage, Public: Any premises, except those described as a private garage, used for the storage or care of power-driven vehicles, or where any such vehicles are equipped for operation, repair or are kept for remuneration, hire or sale.

Garden Store: A store that sales gardening supplies, inducing seeds, plants, fertilizer and tools. It serves as a place where customers can purchase items necessary for gardening and maintaining their gardens**.**

Gas Station (formerly called Automobile Service Station): Any building or premises, or portion thereof, used or intended to be used for the retail dispensing or sale of automobile fuels, which activity may be accompanied by accessory uses such as sale of lubricants, tires, accessories or supplies, or minor repairing of automobiles.

Glamping Site: A form of outdoor lodging that combines traditional camping with modern amenities and accommodations such as yurts, safari tents, or tiny cabins. Glamping sites may include communal

facilities and are subject to campground or resort regulations under local zoning and Minnesota Department of Health lodging rules.

Golf Course: A tract of land laid out with at least nine (9) holes for playing a game of golf and improved with tees, greens, fairways, and hazards. A golf course includes a clubhouse and shelters as accessory uses.

Golf Course, Miniature Golf: A theme-oriented recreational facility, typically comprised of nine (9) or eighteen (18) putting greens, each with a “cup” or “hole,” where individual patrons or groups pay a fee to move in consecutive order from the first hole to the last.

Golf Driving Range: A designated area where golfers can practice swing and improve their golf skills.

Government Structure, Permanent: A structure that houses a branch of government or government activity, such as a city hall, courthouse, or community center. Typically owned and operated by government entities and serve various administrative, legislative or judicial purposes.

Government Structure, Temporary: See Government Structure but only assembled for a temporary time.

Government Use: A use operated, owned, or maintained by a local, state, or federal governmental entity to provide public services, administration, safety, or civic functions. Government uses typically include, but are not limited to, offices for public agencies, public safety facilities, public works facilities, courthouses, libraries, and similar publicly funded operations.

Grading: Is the vertical and/or horizontal change in a topography. A grading plan outlines the earthwork activities to be conducted on a project site

Grain Elevator: A tall building used to store grain and containing equipment for conveying grain to the top of a storage bin or bins.

Gravel Pit: An open pit from which gravel is taken to be processed for commercial purposes.

Graveyard: See Cemetery.

Green Burial Ground: A cemetery that uses natural burial practices without embalming fluids, metal caskets, or concrete vaults. Designed to minimize environmental impact and preserve open space. Must comply with Minnesota Statutes Chapter 307 regarding cemeteries and burial grounds.

Green Infrastructure: The use of natural hydrologic features to manage water and provide environmental and community benefits.

Greenhouse: A structure designed for home gardening, providing a controlled environment for plants, vegetables and flowers to grow.

Grocery Store: A retail establishment where most of the floor area is devoted to the sale of food products for home preparation and consumption. Typically also offers other home care and personal care products.

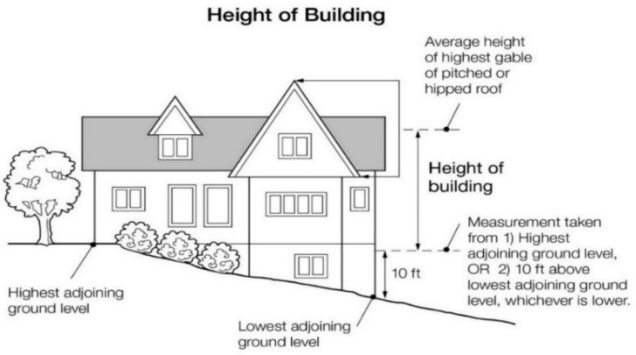
Group Home: See State Licensed Residential Facility.

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H

Height of Building: The vertical distance between the highest adjoining ground level at the building or ten feet above the lowest adjoining ground level, whichever is lower, and the highest point of a flat roof or average height of the highest gable of a pitched or hipped roof (see Figure 4).

Figure 4. Height of Building



Height of Accessory Structure: Vertical distance from ground level to the highest structural point of the roof.

High Power Transmission Line: A 69kv or greater electric transmission line with towers a minimum of 75 feet in height.

Home-Based Elder Care Facility: A residential facility located in a single-family home that provides 24-hour care, supervision, and assistance with daily living activities for up to six elderly or disabled adults. Licensed under Minnesota Statutes Chapter 245A and regulated by the Minnesota Department of Human Services.

Home Business (in an accessory building): Any occupation which is clearly incidental to the principal use of the homestead as a single family dwelling unit, is conducted in a building other than the dwelling, is conducted by a resident occupant, and does not change the character of the principal use.

Home Occupation: Any occupation which is clearly incidental to the principal use of the home as a single family dwelling unit, is conducted within the dwelling, is conducted by a resident occupant, and does not change the character of the principal use, provided:

A. Such occupation is carried on entirely within the principal structure

B. No more than two people are employed other than a member of the household residing on the premises.

C. Not more than 25 percent of the gross floor area of the residence is used for this purpose.

D. One non-illuminated sign is allowed totaling not more than 3 square feet and located on the premises.

E. No articles for sale are displayed so as to be visible from any street.

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F. No mechanical or electrical equipment is used if the operation of such equipment interferes with the desired quiet environment of the area.

G. Such occupation does not generate more than three additional vehicles at any one time.

Hospital: An institution providing health services and medical or surgical care, primarily for inpatients, to three or more nonrelated individuals suffering from illness, disease, injury, deformity, or other abnormal physical or mental conditions, and including as an integral part of the institution related facilities such as laboratories, outpatient facilities or training facilities.

Hotel: A building in which lodging is provided and offered to the public for compensation, and which is open to transient guests, in contradistinction to a boarding house as herein defined. A hotel has more than six guest rooms.

Household: Any number of individuals living together on the premises as a single housekeeping unit, as distinguished from a group occupying a boarding house, lodging house, or hotel as defined herein.

I

Illicit Discharge: Any direct or indirect non-storm water discharge to the County's storm drain system, except as exempted in 17.1, Subdivision 14.1 A-C of this ordinance.

Illicit Connections: Any drain or conveyance, whether on the surface or subsurface that allows an illegal discharge to enter the County's storm drain system including but not limited to any conveyances that allow any non-storm water discharge including sewage, process wastewater, and wash water to enter the storm drain system and any connections to the storm drain system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by an authorized enforcement agency or, any drain or conveyance connected from a commercial or industrial land use to the storm drain system that has not been documented in plans, maps, or equivalent records and approved by an authorized enforcement agency.

Imminent Threat to Public Health and Safety: At a minimum an individual subsurface sewage treatment system with a discharge of sewage or sewage effluent to the ground surface, drainage systems, ditches, or storm water drains or directly to surface water; subsurface sewage treatment system that cause a reoccurring sewage backup into a dwelling or other establishment; subsurface sewage treatment system with electrical hazards; or sewage tanks with unsecured, damaged, or weak maintenance hole covers. The determination of protectiveness for other conditions must be made by an subsurface sewage treatment system inspection business licensed or LGU inspector pursuant to Subdivision 4.5 of this Ordinance.

Impact: As related to the Wetland Conservation Act, adirect and/or indirect change to a wetland, including but not limited to draining, excavating or filling.

Impervious Surface: A compacted or constructed hard surface that prevents or is resistant to infiltration of water into the soil and causes water to run off the surface in greater quantities or at an increased rate of flow than prior to compaction, construction or installation. Impervious surfaces include but are not limited to rooftops; decks; sidewalks; patios; swimming pools; parking lots; driveway areas; concrete; asphalt; compacted materials such as sand, clay and gravel; permeable pavers; and other similar surfaces and structures.

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Improved Parking Surface: An area used for the parking or storage of vehicles that is overlaid or otherwise paved with concrete, asphalt, paving stones, crush gravel or other durable materials approved by the Zoning Administrator or delegated staff.

Individual subsurface sewage treatment system (ISTS): A subsurface sewage treatment systems or part thereof, as set forth in Minnesota Statutes, sections 115.03 and 115.55, that employs sewage tanks or other treatment devices with final discharge into the soil below the natural soil elevation or elevated final grade that are designed to receive a sewage design flow of 5,000 gallons per day or less. ISTS also includes all holding tanks that are designed to receive a design flow of 10,000 gallons per day or less; sewage collection systems and associated tanks that discharge into ISTS treatment and dispersal components; and privies. ISTS does not include those components defined as plumbing under the Minnesota Plumbing code, chapter 4714, except for a building sewer connected to a subsurface sewage treatment system.

Industrial Use: The use of land or buildings for the production, manufacture, warehousing, storage, or transfer of goods, products, commodities, or other wholesale items.

Industry, Heavy: Establishments involved in the manufacturing, processing, warehousing, transfer, or assembly of products with significant external effects, or which pose significant risks due to the involvement of explosives, radioactive materials, poisons, pesticides, herbicides, or other hazardous materials in the manufacturing or other process.

Industry, Light: Establishments involved in the processing, fabrication, manufacturing, warehousing, storage, transfer, or assembly of products where the process involved is relatively clean and nuisance-free, in the creation of finished products for sale on a primarily wholesale basis.

Institutional Use: Any use which typically provides a service on a not-for-profit basis by an organized establishment, foundation or society, including religious, private or public non-profit organizations such as schools, hospitals, churches and government facilities.

Intensive Vegetation Clearing: The complete removal of trees or shrubs in a contiguous patch, strip, row, or block.

Intimate Parts: “Intimate parts” includes the primary genital area, groin, inner thigh, buttocks or breast of a human being.

Interim Use: A temporary use of property until a particular date, until the occurrence of a particular event, until zoning regulations no longer permit it, or until the land occupation of the interim use changes ownership.

K

Kennel, Commercial: Any place where four or more dogs over six months of age are owned, kept, boarded, bred and / or offered for sale.

Kennel, Private: Any place where four or more dogs over six months of age are owned or kept for private enjoyment.

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L

Land Disturbing Activity: Any excavating, grading, clearing, filling, or other disturbances of the soil of one (1) or more acre.

Landscape Nursery: A commercial business involved in the design, installation, and maintenance of outdoor landscaped spaces and the sales of nursery and gardening materials.

Landscaping:

Laundromat: An establishment providing washing, drying or dry cleaning machines on the premises for rental use to the general public for family laundering purposes.

Levee: An embankment built to prevent the overflow of a water source.

Light Industry: The processing or fabrication of certain materials or products where no process involved will produce noise, vibration, air pollution, fire hazard, or noxious emission which will disturb or endanger neighboring properties.

Loading Area: An off street space, dock, door, or berth specifically used for loading and unloading cargo, products, or materials from commercial vehicles.

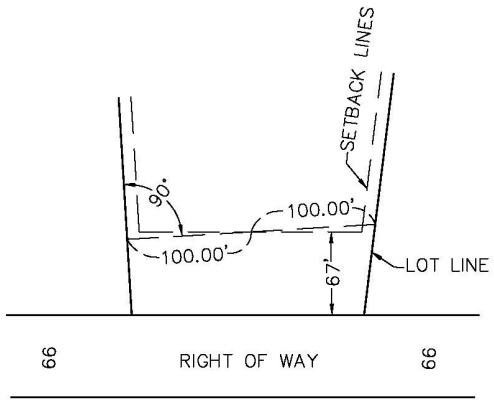
Local Street: Local streets represent the lowest category in the hierarchy of streets. Their primary function is to provide access to abutting land use.

Lot: A parcel 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 legal description for the purpose of sale, lease, or separation.**Lot Corner:** A lot abutting upon two or more streets at their intersection or junction or a lot bounded on two sides by a curving street where it is possible to draw two intersecting chords, one each commencing at each of the two points of intersection of the lot lines and street line, which intersect with each other to form an interior angle of less than 120 degrees.

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Lot Width (Non Shoreland): The shortest distance between lot lines measured at the building front setback line.

Figure 5. Lot Width (Non Shoreland)

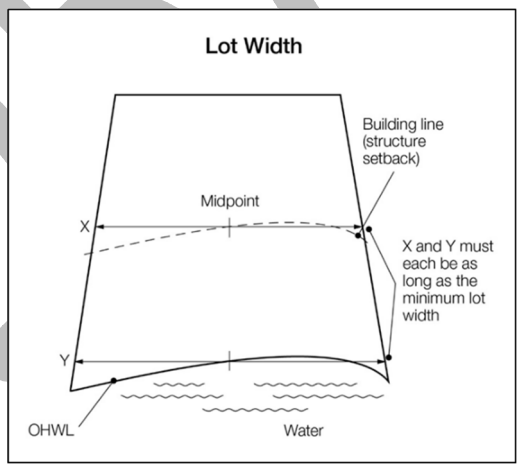


Lot Width (Shoreland): The minimum distance between:

A. Side lot lines measured at the midpoint of the building line; and

B. Side lot lines at the ordinary high water level, if applicable (see Figure 5).

Figure 5. Lot Width (Shoreland)



Lots of Record: All lots which are a part of a subdivision legally recorded with the County Recorder/Registrar of Title and lots described by metes and bounds, the deed to which has been recorded in the Office of the County Recorder/Registrar of Title prior to the passage of this ordinance, shall be considered to be Lots of Record. Such lots may be considered a building site if they were

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created compliant with official controls in effect at the time and the sewage treatment and setback requirements of this ordinance are met.

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.

M

Malfunction: The partial or complete loss of function of an SSTS component, which requires a corrective action to restore its intended function.

Management Plan: A plan that requires the periodic examination, adjustment, testing, and other operational requirements to meet system performance expectations, including a planned course of action in the event a system does not meet performance expectations.

Manufacturing, General: Establishments involved in the manufacturing, fabrication or compounding of products, on a primarily wholesale basis, in particular those involving the use of mechanical power and machinery to produce products from raw materials, or to prepare or alter materials for use in a finished product, or to assemble parts into products where there is the creation of odor, dirt, dust and noise.

Manufactured (Mobile) Home: As defined in Code of Federal Regulations, title 24, section 3280.2.: a structure, transportable in one or more sections, which in the travelling mode, is 8 feet or more in width or 40 feet or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained therein. The term includes any structure that meets all the requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary of Housing and Urban Development and complies with the standards established under State law. The term "manufactured home" does not include the term "recreational vehicle."

Manufactured (Mobile) Home Park: A lot, parcel or tract of land designed, maintained or intended for the purpose of supplying a location or accommodations for any mobile home.

Manure, or Animal Manure: Poultry, livestock, or other animal excreta or a mixture of excreta with feed, bedding, precipitation, or other materials.

Manure Storage Area: An area where animal manure or process wastewaters are stored or processed. Short-term and permanent stockpile sites and manure composting sites are manure storage areas. Animal manure packs or mounding within the animal holding area of an animal feedlot that are managed according to MN Rule 7020.2000, Subp 3, are not manure storage areas.

Marine and Boat Sales: The sale of items related to marine industry, including boat equipment, fishing equipment, hardware and supplies, fishing products and boat repair.

Massage Parlor: An establishment or place primarily in the business or providing massage services.

Meat Food Product: "Meat food product" means a product usable as human food, animal foods, or fertilizer and made wholly or in part from meat or a portion of the carcass of animals.

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Metallic Minerals and Peat: “Metallic minerals and peat” has the meaning given under Minnesota Statutes, Sections 93.44 to 93.51.

Mini-Storage: Facility used for the purposes of renting or leasing individual indoor storage space to occupants who are to have year-around access to such for the purposes of storing and removing personal property.

Mining: Refer to "Excavation."

Mining, Underground: The process of extracting valuable materials and resources from beneath the earths’ surface.

Metallic Minerals: Minerals containing one or more metals.

Mobile Health Clinic: A vehicle or temporary structure equipped to provide medical, dental, or mental health services in underserved or rural areas. May be operated by a hospital, nonprofit, or public agency and must comply with Minnesota Department of Health licensing and mobile unit regulations.

Mobile Food Vendor: A vehicle or trailer equipped to prepare and sell food or beverages to the public. Mobile food vendors must comply with Minnesota Department of Health or Department of Agriculture licensing requirements and local zoning and event regulations. Includes food trucks.

Modular Housing Unit: A dwelling unit constructed off-site in sections and assembled on a permanent foundation. Must comply with the Minnesota State Building Code and is distinct from manufactured or mobile homes.

Motel: A series of sleeping or living units, for the lodging of transient guests, offered to the public for compensation, and with convenient access to offstreet parking spaces for the exclusive use of the guests or occupants.

Motor Sport Facilities and Tracks: Tracks and sites for dirt bikes, all-terrain vehicles, “mud trucks”, race cars and similar vehicles upon which motor racing events are conducted.

Motor Vehicle: Means every vehicle that is self-propelled including, but is not limited to, all-terrain vehicles, buses, motorcycles, passenger cars, recreational vehicles, semi-trucks, snowmobiles, boats and other watercraft, trucks, and vehicles used for racing or demolition derbies.

Mottling: Soil mottling is defined as a soil condition characterized by irregular areas of varying colors, indicating poor aeration and inhibited drainage characteristics. This condition is typically a result of prolonged saturation of the soil, which can be indicative of seasonal high groundwater levels.

MPCA: Minnesota Pollution Control Agency.

Midsized Subsurface Sewage Treatment System (MSTS): A subsurface sewage treatment system, or part thereof, as set forth in Minnesota Statutes, sections 115.03 and 115.55, that employs sewage tanks or other treatment devices with final discharge into the soil below the natural soil elevation or elevated final grade and that is designed to receive sewage design flow of greater than 5,000 gallons per day to 10,000 gallons per day. MSTS also includes sewage collection systems and associated tanks that discharge into MSTS treatment or dispersal components. MSTS does not include those components defined as plumbing under the Minnesota Plumbing Code, chapter 4714, except for a building sewer connected to a subsurface sewage treatment system.

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N

Nature Areas: Are conservation areas which receive protection because of their recognized natural or cultural values. Protected areas are those areas in which human presence or the exploitation of natural resources is limited.

Non-Conforming Use: Any building or land lawfully occupied by a use at the time of the approval of this Ordinance, or any amendment to it rendering such use nonconforming, which does not comply with all of the regulations of this Ordinance, or any amendment hereto, governing use for the zoning districts in which such use is located.

Non-Conforming Building or Structure: Any building or structure lawfully existing at the time of the approval of this Ordinance, or any amendment to it rendering such building or structure nonconforming, which: (a) does not comply with all of the regulations of this Ordinance, or any amendment hereto, governing bulk, height and yard requirements for the zoning district in which such building or structure is located; or (b) is designed or intended for a nonconforming use.

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.

Notice of Noncompliance: A document written and signed by a certified inspector after a compliance inspection that gives notice that an ISTS is not in compliance as specified under part 7080.1500.

Nudity: The showing or the human male or female genitals, pubic area or buttocks with less than a fully opaque covering, or the showing of the female breast with less than a fully opaque covering of any portion thereof below the top of the nipple, or the depiction of covered male genitals in a discernibly turgid state.

Nursing Home: An establishment which provides fulltime convalescent or chronic care, or both, for three or more individuals who are not related by blood or marriage to the operator and who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves. No care for the acutely ill, or surgical or obstetrical services, shall be provided in such an establishment; a hospital shall be construed to be included in this definition.

O

Obstruction: 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.

Occasional Special Event: The use of privately owned land, structures for a gathering at any location, for any purpose. Private gatherings are exempt. Special Events include, but are not limited to: Carnivals, circuses, concerts, fund- raisers, flea markets, craft fairs, or markets

Office: A room, set of rooms, or building used as a place for commercial, professional or bureaucratic work.

Office-Showroom Building: A building in which at least 20 percent of the floor space is devoted to office activities, the remainder being used for either warehousing, display, light manufacturing, or

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research and testing. Floor-to-ceiling joist heights in the warehouse portion would be not more than 14 feet.

Open Space: That portion of a land parcel not occupied by buildings, other structures, or parking areas. Land that is largely free of man-made structures. May include but is not limited to natural areas, parks and agricultural lands.

Open Space Recreation Use: A land use particularly oriented to and utilizing the outdoor character of an area, including hiking and riding trails, primitive campsites, campgrounds, waysides, parks and recreational areas. Open Space may be privately owned or publicly owned and maintained by a local government.

Operable Motor Vehicle: Motor Vehicle must be able to start and drive forward and reverse on its own power and steer, have front and back license plates and current registration tabs, fully intact windshield, working headlights, taillights, and turn signals, and tires that are inflated according to motor vehicle's standards.

Ordinary High Water Level, Shoreland: 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.

Outlot: A lot that is in a plat that is not buildable.

P

Parih House, rectory, parsonage: A house of which a parish priest or minister lives.

Park: A large area of land dedicated to public recreational use, which may be kept in its natural state or contain facilities that support recreation.

Park Trailer: A trailer that: (1) exceeds 8½ feet in width in travel mode but is no larger than 400 square feet when the collapsible components are fully extended or at maximum horizontal width; and (2) is used as temporary living quarters. "Park trailer" does not include a manufactured home.

Parking: Space dedicated to the temporary storage of operable motor vehicles including parking lots, garages, private driveways, and legally designated areas of public streets.

Parking Lot: A cleared area intended for parking vehicles. The term usually refers to an area dedicated only for parking, with a durable or semi-durable surface. **Parsonage:** See parish house.

Pawnbroker: A person who loans money on deposit or pledge of personal property, or other valuable thing, or who deals in the purchasing of personal property or other valuable thing on the condition of selling the same back again at a stipulated price, or who loans money secured by chattel mortgage on personal property, taking possession of the property or any part thereof so mortgaged. This definition includes, but is not limited to personal property such as antiques, boats, motors, snowmobiles, ATVs, fish locators, furs, electronic goods, sporting goods, guns, and woodworking/farm tools.

Periodically saturated soil: The highest elevation in the soil that is in a reduced chemical state due to soil pores filled or nearly filled with water causing anaerobic conditions. Periodically saturated soil is

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determined by the presence of redoximorphic features in conjunction with other established indicators as specified in part 7080.1720, subpart 5, items E and F, or as determined by other scientifically established technical methods or empirical field measurements acceptable to the permitting authority in consultation with the MPCA commissioner.

Permanent Residence: Any trailer, vehicle, or building being used as living quarters between November 1 of the year and May 1 of the following year. These residences shall meet the minimum requirements for a Single Family Residence.

When referenced in Section XXXX, **Stormwater Management and Erosion Control,**means the Stormwater and Erosion Control Permit issued by the County pursuant to this Section.

Permitted Use: A proposed use of land that is allowed in a specific land use district.

Personal Services: Establishments primarily engaged in providing individual services generally related to personal needs, such as a salon, spa, or barber shop.

Place of Business: "Place of business" means every location where food or food items are manufactured, processed, sold, stored, or handled, including buildings, sites, permanent or portable structures, carnivals, circuses, fairs, or any other permanent or temporary location.

Place of Worship: 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.

Planned Unit Development: *(*Shoreland) 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, timeshare 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.

Planned Unit Developments (Commercial): 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.

Planned Unit Development (Highway): A type of development, or redevelopment to allow, or preserve appropriate land uses adjacent to major county, state, and federal highway intersections in order to help meet the goals and objectives of the Sherburne County Comprehensive Land Use Plan, Transportation Plan, and related Ordinances. These developments may be accomplished by incorporating a mixture of dimensional regulations, and or uses as regulated by an Interim Use Permit.

Platted Land: Lands with a legal description described as lot, block and plat name.

Pole Building: A post frame construction building made of wooden or metal parts, with metal panels covering three or more sides, and without a full foundation.

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Pop-Up Retail: A temporary retail or service use operating for a limited duration, often in conjunction with events, festivals, or seasonal markets. May include food trucks, farm stands, or artisan vendors. Subject to local temporary use permits and sales tax registration.

Pool: Any structure, chamber, or tank 5,000 gallons or greater in size, containing an artificial body of water designed primarily for swimming, diving, relaxation, or recreational use including special purpose pools and wading pools.

Pool, Spa: A hot water pool intended for seated recreational use with a water agitation system in addition to the recirculation system. Spa pool is synonymous with the term “whirlpool.”

Pool, Wading: Any pool with a maximum depth of 24” used or designed to be used exclusively for wading.

Power Generation Plant: An installation where electrical power is generated for distribution.

Principal Use: The purpose for which land or a building or structure thereon is designed, arranged, intended or maintained or for which it is or may be used or occupied.

Principal Structure: The main building or other structure on a lot that is utilized for the property’s principal use.

Private: Belonging to or for the use of one particular person or group of people.

Private Club or Lodge: A building and related facilities owned or operated by a corporation, association or group of persons for social, educational or recreational purposes of members regularly paying dues, but not primarily for profit or to render a service which is customarily carried on as a business.

Privy: An above ground structure with an underground cavity meeting the requirements of part 7080.2280 that is used for the storage or treatment and dispersal of toilet wastes, excluding water for flushing and graywater. A privy also means a non-dwelling structure containing a toilet waste treatment device.

Produce Stand: A detached accessory structure used to sell raw, unprocessed fruits, vegetables, flowers, and ornamental plants. May also involve the accessory sales of other unprocessed foodstuffs, home processed food products such as jams, jellies, pickles, sauces, or baked goods, and home-made handicrafts.

Project(s): All Construction Activity that is planned and/or conducted under a Stormwater and Erosion Control Permit issued by the County. The project will occur on the site or sites described in the Permit application, and in the associated plans, specifications and contract documents.

Public: A place accessible or visible to the public.

Public Land: Land owned by Federal, State or local government, or other entities financed by public funds.

Public Facility: Any facility, including but not limited to buildings, property, recreation areas, and roads, which are leased or otherwise operated or funded by a governmental body or public entity.

Public Waters: Any waters as defined in Minnesota Statutes, Section 103G.005, Subd. 15,15a.

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R

Radio Facility: A set of equipment and structures used for communications via the radio waves. It typically includes equipment such as receivers, transmitters, or transceivers, along with antennas.

Railroad: A system of tracks with a train made of steel rails along which passengers or cargo trains run.

Railroad Spur: A short spur of track that branches off the main rail line that leads directly into a facility or industrial site.

Railroad Terminal: A facility where trains stop and load or unload passengers or cargo or both.

Railroad Yard: A series of tracks in a rail network storing, sorting, or loading and unloading rail vehicles and locomotives.

Rap Parlor: An establishment or place primarily in the business of providing nonprofessional conversation or similar services.

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.

Recreational Activity: Any activity that individuals engage in during their leisure time for enjoyment, relaxation or personal satisfaction.

Recreational Vehicle:

A. Any vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational, and vacation uses;

B. Any structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation, and vacation;

C. Any portable, temporary dwelling to be used for travel, recreation, and vacation, constructed as an integral part of a self-propelled vehicle; and

D. Any folding structure, mounted on wheels and designed for travel, recreation, and vacation use.

Recreation, Indoor: A facility that provides completely enclosed space dedicated to recreation activities, such as bowling alleys, amusement arcades, skating rinks, swimming pools, or sport facilities.

Recreation, Outdoor: A public park, playground, trail, athletic field, picnic ground, swimming beach, or fairground where individuals go to do recreational activities.

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

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definition shall be considered a structure for the purposes of this ordinance. For the purposes of this ordinance, the term recreational vehicle is synonymous with the term “travel trailer/travel vehicle.”

Rectory: See Parish House.

Recycling Operations: The process involving the converting of waste material into new products. This includes the collection, sorting, processing, and reusing of materials such as metals, paper, plastics, and glass.

Redevelopment: Any Construction Activity where prior to the start of construction the area to be disturbed has 15 percent or more impervious surface.

Redoximorphic Features: A color pattern in soil, formed by oxidation and reduction of iron or manganese in saturated soil coupled with their removal, translocation, or accrual, which results in the loss (depletion) or gain (concentration) of mineral compounds compared to the matrix color, or a soil matrix color controlled by the presence of ferrous iron. Also described in part 7080.1720 subpart 5 item E.

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.

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.

Remote Work Hub / Co-Working Space: A shared workspace designed to support remote workers, freelancers, and small businesses. May include internet access, meeting rooms, and office amenities. Often located in repurposed commercial or civic buildings and subject to local zoning and building codes.

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.

Research and Development Operations: Sites that are involved in innovative activities undertaken corporations or governments to develop new services or products.

Residential Area: Shall include all platted land and land which has been legally subdivided into tracts less than ten acres for the purpose of residential use, where there are 24 homes or more within a quarter (1/4) mile radius of the proposed tower site.

Residential Treatment Facility: A 24-hour-a-day program for persons under the treatment supervision of a mental health professional or substance use disorder professional, in a community residential setting other than an acute care hospital or regional treatment center inpatient unit, that must be licensed as a residential treatment program by the State of Minnesota.

Resort: Has the meaning in Minnesota Statute, Section 103F.227

Restaurant: An establishment where food and beverage is available to the general public for consumption on the premises.

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Retail Store: Establishments that are retail operations and that carry an assortment of merchandise from varied categories. Such establishments may include, but are not limited to, department stores, discount stores, farm stores, and similar establishments.

Riding Academy: An establishment where horses are boarded and cared for; such facilities may include instructional riding courses.

Road: A public or private 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 otherwise designated.

Road Access: A type of road that connects a specific area such as a residential or commercial property, to a main road.

Road, Accessory: A secondary roadway that is subordinate and incidental to the principal use or principal roadway on a lot or development site. An accessory road provides supplemental access for purposes such as service, maintenance, emergency access, loading, parking circulation, or access to accessory structures or uses. An accessory road is not intended to function as a primary means of ingress or egress for through-traffic.

Road, Private: A road with which a limited number of people have the right to pass, in contrast with a public road that is accessible to everyone.

Rural Tourism: Farm or other historical heritage attractions that include, single family residential properties for day retreats, crafting parties, weddings, receptions, hay rides, corn-mazes and holiday celebrations or similar rural uses. That are shown to have a unique and demonstrable relationship with Sherburne County or the region and its history lore and or natural resources.

S

Sadomasochistic Abuse: Flagellation or torture by or upon a person clad in undergarments, a mask or bizarre costume, or the condition of being fettered, bound or otherwise physically restrained on the part of one so clothed.

Sauna: An establishment or place primarily in the business of providing (i) a steam bath and (ii) massage services.

Salvage and Wrecking Yard: An outdoor facility used by a business engaged in the reclamation of parts or materials from machinery or buildings.

Satellite Antenna: A device for the reception of signals from communication satellites.

School: A public school including elementary, middle, and secondary school as defined under Minn. Stat. 120A.05 or a nonpublic school that must meet the reporting requirements under Minn. Stat. 120A.24.

School, Public: A school supported by public funds.

School, Private: A school supported wholly by the payment of fees.

Scrap Materials: Recyclable materials left over from product manufacturing and consumption, such as parts of a vehicle , building supplies, and surplus materials.

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Screened: When a structure is built to be placed on a lot or vegetation is planted such that when the structure is built it is visually inconspicuous as viewed from the river during the summer months. Visually inconspicuous means difficult to see or not readily noticeable in summer months.

Seasonal Event Venue: A property used for hosting temporary events such as weddings, retreats, or festivals. May require a conditional use permit and must comply with noise, parking, and traffic standards. Fire and building code compliance may be required under Minnesota State Fire Code.

Seasonal or Temporary Businesses: Where the business is an accessory use of the property, and may be utilized for not more than ninety (90) days per calendar year.

Sediment Control: The methods employed to prevent sediment from leaving the site. Sediment control practices include silt fences, sediment traps, earth dikes, drainage swales, check dams, subsurface drains, bio rolls, rock logs, compost logs, storm drain inlet protection, and temporary or permanent sedimentation basins. A floating silt curtain placed in the water is not a sediment control BMP to satisfy perimeter control requirements.

Sell or Sale: "Sell" or "sale" includes the keeping, offering or exposing for sale, use, transportation, transferring, negotiating, soliciting, or exchange of meat or meat food products, or the having in possession with intent to sell, use, transport, negotiate, solicit or exchange the same and the storing or carrying thereof in aid of traffic therein, whether done or permitted in person or through others.

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.

Senior Housing: A multifamily dwelling restricted to occupancy by persons 65 years of age or older.

A. **Senior Housing, Assisted:** Senior housing establishment that offers assistance with daily activities, such as dressing, grooming, bathing, etc.

B. **Senior Housing, Independent:** Senior housing establishment that does not offer support services for daily activities.

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.

Service Use: A use where the purpose of such enterprise is to provide non-personal service, or service to an industry or the public, where such service is conducted and or/provided off site at a location in need of such service, and may include maintenance, caretaking, cleaning, security and trades or contractors.

Setback: The minimum 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. (All dimensions are measured in feet)

Sewage: Waste produced by toilets, bathing, laundry or culinary operations or the floor drains associated with these sources, and includes household cleaners, medications, and other constituents in sewage restricted to amounts normally used for domestic purposes.

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Sewage Treatment System: A septic tank and soil absorption system or other individual or cluster type sewage treatment system with the meaning given under Minnesota Rules, part 7080.1100, Subp. 82.

Sewered Areas: An area that is serviced by a wastewater treatment facility (s), or publicly owned, operated, or supervised centralized septic systems servicing the entire development.

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.

Sexual Conduct: Acts of masturbation, sexual intercourse or physical contact with a person's unclothed genitals, pubic area, buttocks or, if such person be a female, her breast, and includes any of the following acts:

A. the touching by a person of another's intimate parts, or

B. the touching of the clothing covering the immediate area of the intimate parts

C. sexual intercourse, cunnilingus, fellatio, or anal intercourse; or

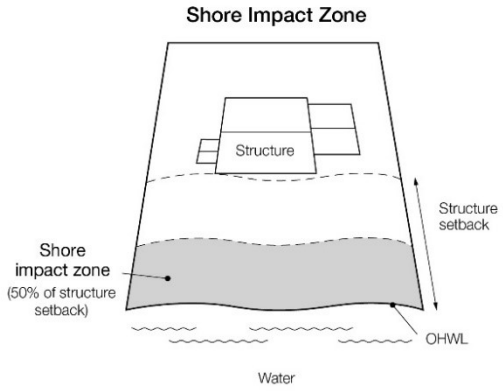
D. any intrusion, however slight, into the genital or anal openings of a person's body by any part of another's body or any object used by the person for this purpose.

Sexual Excitement: The condition of human male or female genitals when in a state of sexual stimulation or arousal.

Sexually-Oriented Business: Any business including, but not limited to, adults-only bookstores or motion picture theaters or adult entertainment centers, massage parlors, rap parlors, saunas. **Shed:** A simple roofed structure used as a storage space, a shelter for animals, or a workshop commonly used to store tools for private use.

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 (see Figure 6).

Figure 6. Shore Impact Zone



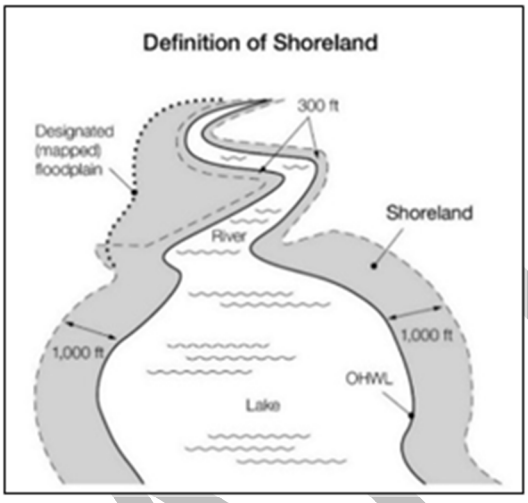
Shoreland: "Shoreland" means land located within the following distances from public waters:

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A. 1,000 feet from the ordinary high water level of a lake, pond, or flowage; and

B. 300 feet from a river or stream, or the landward extent of a floodplain designated by ordinance on a river or stream, whichever is greater (See Figure 7 Below).

Figure 7. Definition of Shoreland



Short-Term Rental (STR): A dwelling unit or portion thereof rented to transient guests for a period of less than 30 consecutive days. STRs may include entire homes, accessory dwelling units, or individual rooms. STRs are subject to local licensing, inspection, and occupancy regulations, and must comply with applicable provisions of Minnesota Statutes Chapter 504B regarding landlord-tenant responsibilities.

Sign: A name, identification, description, display, illustration or device which is affixed to or represented directly or upon a structure or land in view of the general public and which directs attention to a product, place, activity, person, institution or business.

Sign Area: Projecting or freestanding signs: The area of a freestanding or projecting sign shall be the area of the largest face including its border area. If a sign has an irregular shape or has open spaces within its border, the sign area shall be the area of the smallest single rectangular figure that encloses it. If a freestanding sign or sign structure is constructed so that the faces are not back to back, the angles shall not exceed ten degrees, the total area of both sides added together shall not exceed the maximum allowable sign area for that district.

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. **Single Family Residence:** A dwelling which is a minimum of twenty-four (24) feet wide and a minimum of seven hundred and twenty (720) square feet in main floor area.

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Slaughterhouse: Any land, building, place or establishment in which animals are slaughtered, eviscerated, or dressed.

Solar Energy System: A solar energy system whose primary purpose is to harvest energy by transforming solar energy into another form of energy of transferring heat from a collector to another medium using mechanical, electrical or chemical means.

Solar (Accessory) Energy System, Ground-Mount: A solar energy system mounted on a rack or pole that sits on the ground or has its own foundation and is not attached to a building and that is accessory to the principal land use, designed to supply energy only for the principal use.

Solar (Accessory) Energy System, Rooftop: A solar energy system mounted on the roof of a building and is accessory to the principal land use, designed to supply energy only for the principal use.

Solar Farm: A solar energy system composed of multiple solar panels on ground-mounted rack or poles which is not directly connected to or designed to serve the energy needs of the primary use but rather for the primary purpose of wholesale sales of generated electricity. Solar Farms include but are not limited to community solar gardens which are defined as a solar-electric (photovoltaic) array that provides retail electric power (or a financial proxy for retail power) to multiple community members or businesses residing or located off-site from the location of the solar energy system, consistent with the MN Statute 216B.1641 or its successor statute.

Solar Farm Related Business: A facility that supports monitoring, operations, preventive maintenance, corrective or condition-based maintenance (repair), or end of performance period (decommissioning) of a solar energy system, but which does not have solar arrays.

SSTS: Subsurface sewage treatment system or SSTS is either an individual subsurface sewage treatment system as defined in 7080.1100 subpart 41 or a midsized subsurface sewage treatment system as defined in part 7081.0020, subpart 4, as applicable.

Stable: A building in which horses are sheltered.

Stabilize, Stabilized, Stabilization: The exposed ground surface has been covered by appropriate materials such as mulch, staked sod, riprap, erosion control blanket, mats or other material that prevents erosion from occurring. Grass, agricultural crop or other seeding alone is not stabilization. Mulch materials must achieve approximately 90 percent ground coverage (typically 2 ton/acre).

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

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 structures, such as garages or sheds not occupied as dwelling units or not part of the main structure.

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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.

State: The State of Minnesota.

State-Licensed Residential Facilities: A use which is required under M.S. § 462.357, as it may be amended from time to time.

A. **FAMILY DAY CARE:** A day program providing care for not more than ten children at one time, and which is licensed by the county as a family day care home.

B. **GROUP DAY CARE:** A day care program providing care for more than six children at one time. GROUP DAY CARE includes programs for children known as nursery schools, day nurseries, child care centers, play groups, day care centers for school age children, after school programs, infant day care centers, cooperative day care centers and Head Start programs.

C. **GROUP FAMILY DAY CARE:** A family day care program providing care for no more than 14 children at any one time of which no more than ten are under school age.

D. **SUPERVISED LIVING FACILITY:** For persons with developmental disabilities or related conditions where supervision, counseling, housing and DHS-licensed habilitative or rehabilitative program services are provided to serve five or more developmentally disabled clients.

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.

Street: a public or private right-of-way affording primary access by pedestrians and/or vehicles to abutting properties, whether designated as a street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, land, place or however otherwise designated.

Street, Minor: A street that serves to provide direct access to abutting properties. Through traffic is discouraged.

Storage and Stockpiling Yards: An outdoor area where various activities such as loading, unloading, staging, and parking of vehicles and goods takes place. It is a dedicated area for storing a variety of materials and goods,

Storage, Seasonal: Where 25% or more of an agricultural building(s) is converted for the purposes of renting or leasing indoor storage space for storing and removing personal property, and where the facility is open to the public in the spring and fall on a limited seasonal basis, a Conditional Use Permit for Seasonal Storage shall be required.

Storage Facility, Mini: Also known as self-storage, is a commercial service that provides for individual storage units for rent or lease to the general public.

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Storage Structure, Personal: An accessory structure used for non-commercial use that in some cases may be conditionally permitted as the only structure on a parcel.

Stormwater: Precipitation runoff, stormwater runoff, snowmelt runoff, and any other surface runoff and drainage.

Stormwater Pollution Prevention Plan (SWPPP): A plan for stormwater discharge that includes all required content in conformance with this Section and which describes erosion prevention BMPs, sediment control BMPs, construction site/waste control BMPs and Permanent Stormwater Management Systems that, when implemented, will decrease soil erosion on a parcel of land and decrease off-site nonpoint pollution. The plan as required to be submitted with a permit application under this Section consisting of the information and supporting documentation as set forth herein.

Structure: Anything constructed or erected on the ground or attached to the ground or onsite utilities, including, but not limited to, buildings, gas or liquid storage tank, factories, sheds, decks, detached garages, cabins, manufactured homes, travel trailers/vehicles. Recreational vehicles not considered travel ready, as detailed in Section 10.22, shall also be considered a structure for the purposes of this ordinance.

Structure, Public: An edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner which is owned or rented, and operated by a federal, state, or local government agency.

Subdivision: Land that is divided for the purpose of sale, rent, or lease, for uses as allowed in the district ts.

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.

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; or

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" is defined in 44 CFR § 59.1.

Suitability analysis: An evaluation of land to determine if it is appropriate for the proposed use. The analysis considers factors relevant to the proposed use and may include the following features: susceptibility to flooding; existence of wetlands; soils, erosion potential; slope steepness; water supply, sewage treatment capabilities; water depth, depth to groundwater and bedrock, vegetation, near-shore aquatic conditions unsuitable for water-based recreation; fish and wildlife habitat; presence of significant historic sites; or any other relevant feature of the natural land.

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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. T

Temporary Start-Up Business: Any temporary occupation which is clearly incidental to the principal use of the homestead as a single family dwelling unit, is conducted in a building other than the dwelling, is conducted by a resident occupant, and does not change the character of the principal use. The temporary business use shall have a definite expiration date, at which time the business use shall cease operations on the permitted property.

Tennis Court, Private: Dedicated space for playing tennis located on private property.

Theater: A building or part of a building used for dramatic, musical, or live performances, film screenings, or other entertainment events. Theaters may include fixed seating, stages, projection equipment, and concession areas.

Tiny Home: A residential structure under 400 square feet in floor area, designed for permanent or semi-permanent occupancy. Tiny homes must comply with the Minnesota Residential Code, Appendix Q, or HUD standards if classified as RVs. They may be site-built or on wheels and must meet local zoning and utility connection requirements.

Tire Recycling: Is the process of recycling waste tires that are no longer suitable for use on vehicles.

Tool House: See shed.

Tower: Any pole, spire, structure, or combination thereof, including supporting lines, cables, wire, braces, and masts, intended primarily for the purpose of mounting an antenna, or to serve as an antenna. The height of a tower shall be measured from the base of the pole to the highest point. This definition excludes any towers that are less than 60 feet in height.

Tower Accessory Structure: A structure located at the base of the tower housing base receiving/transmitting equipment.

Townhomes: A group of attached single-family dwelling units on a common lot.

Track: A course built for the operation of motorized vehicles which operate in a repetitive, continuous manner or an area where recreational motorized vehicles, through their repetitive use have altered or changed the natural contour of the landscape and created a clearly identifiable track.

Trail Access: A trail that provides access to a specific destination or connects to other trails.

Trailered Equipment: Where permitted equipment may be legally transported on one trailer at one time. Example: If a property is permitted to store one commercial vehicle, one trailer, and trailered equipment, all equipment must be able to be legally transported on that one trailer, at one time.

Transaction, Billable: Every reportable transaction conducted by a pawnbroker is a billable transaction except renewals, redemptions or extensions of existing pawns on items previously reported and continuously in the licensee's possession, voided transactions, and confiscations.

Transaction, Reportable: Every transaction conducted by a pawnbroker in which merchandise is received through a pawn, purchase, consignment or trade, or in which a pawn is renewed, extended or

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redeemed, or for which a unique transaction number or identifier is generated by their point-of-sale software, or an item is confiscated by law enforcement, is reportable except:

A. The bulk purchase or consignment of new or used merchandise from a merchant, manufacturer or wholesaler having an established permanent place of business, and the retail sale of said merchandise, provided the pawnbroker must maintain a record of such purchase or consignment which describes each item, and must mark each item in a manner which relates it to that transaction record.

B. Retail and wholesale sales of merchandise originally received by pawn or purchase, and for which all applicable hold and/or redemption periods have expired.

Treatment Level: Treatment system performance levels as described in Minnesota Rules, Chapter 7083.4030, Table III for testing of proprietary treatment products.

Treatment of Product or Materials: An industrial or processing activity involving the alteration, cleaning, refinement, conditioning, or preparation of raw materials, goods, or products. This may include operations such as washing, grading, drying, crushing, blending, chemical or mechanical treatment, or other processes that change the physical, chemical, or functional characteristics of the material.

Triplex: A dwelling structure on a single lot having three units attached by common walls and each unit equipped with separate sleeping, cooking, eating, living, and sanitation facilities.

Truck, Light Duty: 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.

Truck Terminal: A warehouse and distribution business specializing in the shipment or storage of goods or materials.

Tutoring Center: An establishment where commercial teaching or tutoring services are provided.

U

Unloading Area: A dock or space or area used for the purpose or receiving, shipping, and transporting goods, wares, commodities, or persons.

Used Vehicle Parts or Scrap Material Yards (Junkyard):An establishment or place of storage and deposit which is maintained, operated, or used for storing, buying or selling junk, or for the maintenance or operation of an automobile graveyard, at which the waste, vehicle body, or discarded material stored is equal in bulk to three or more motor vehicles.

Utility Use (Public or Private): A facility or infrastructure used for the generation, transmission, distribution, or storage of essential services including but not limited to electricity (including solar farms and battery storage), water supply, wastewater treatment, stormwater management, and telecommunications. Utility uses may be operated by public agencies, cooperatives, or private entities and are subject to applicable state and local regulations.

Utility Lines: Transmission lines for sewer, water, electricity, or other utilities.

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V

Variance: “Variance” means the same as that defined in Minnesota Statutes, Section 394.27 Subd. 7.

Vehicle: A means of carrying or transporting something.

Vehicle Sales Lot: An open area other than a street, used for the display, sale or rental of new or used motor vehicles, trailers, or farm implements in operable condition and where no repair work is done.

Veterinary Clinic: An establishment for the medical care and surgical treatment of animals and pets.

W

Warehousing: The storage of materials, goods, or equipment within an enclosed building as a principal use.

Waste Collection: Refers to the transfer of solid waste from the point of use to treatment or landfill.

Waste Facility: An area designated for the accumulation or deposit of waste, which can be in solid or liquid form. Waste Facility means all property, real or personal, including negative and positive easements and water and air rights, which is, or may be needed, or useful for the processing or disposal of waste, except for the collection of the waste and property used primarily for the manufacture of scrap metal or paper. Waste facility includes but is not limited to transfer stations, processing facilities, and disposal sites and facilities

Waste, Hazardous: Any solid, liquid or gaseous material that possess significant hazards to human health and the environment due to its quantity, concentration, or physical and chemical characteristics.

Waste, Non-Hazardous: Defined as a materials that do not pose a threat to human health or the environment, making them safe for general disposal.

6.2.2 Water Control Structure:

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.

Water-Dependent Use: The use of land for commercial, industrial, public or semi-public purposes, where access to and use of a public water is an integral part of the normal conduct of operation. Marinas, resorts, and restaurants with transient docking facilities are examples of uses typically found in shoreland areas.

Water-Oriented Accessory Structure or Facility: A small, above ground building or other improvement, except stairways, fences, docks, and retaining walls, which, because of the relationship of its use to surface water, reasonably needs to be located closer to public waters than the normal structure setback. Examples of such structures and facilities include watercraft and watercraft equipment storage structures, gazebos, screen houses, fish houses, pump houses, patios, and detached decks. Boathouses and boat storage structures given the meaning under Minnesota Statutes, Section 103G.245 are not a water-oriented accessory structures.

Wetland: Lands transitional between terrestrial and aquatic systems where the water table is usually at or near the surface or the land is covered by shallow water. For purposes of this Ordinance,

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wetlands must (1) have a predominance of hydric soils; (2) be inundated or saturated by surface water of groundwater at a frequency and duration sufficient to support a prevalence of hydrophytic vegetation typically adapted for life in saturated soil conditions; and (3) under normal circumstances, support a prevalence of hydrophytic vegetation.

"A wetland" or "the wetland" means a distinct hydrologic feature with characteristics of the preceding paragraph, surrounded by nonwetland and including all contiguous wetland types except those connected solely by riverine wetlands. "Wetland are" means a portion of "a wetland" or "the wetland."

Wetlands do not include public waters wetlands and public waters that are designated on the public waters inventory maps prepared under Minnesota Statutes, Section 103G.201.

Wholesale Business: A model where one business sells large quantities of products to other business, typically at a discounted price.

Wholesaling: The selling of goods, equipment, or materials to another business that in turn sells to other customers.

Wildlife Management Areas: A tract of land specifically managed to conserve and protect wildlife and their habitats.

Wildlife Refuge: A designated area that is closed to hunting and trapping wild animals, except for specific permitted activities. **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 metrological towers that operate by converting kinetic energy of the wind into electrical energy. The energy may be used on-site or transferred off-site via transmission lines.

WECS, Commercial: A WECS of equal or greater than forty (40) kW in total name plate generating capacity with not more than five (5) MW.

WECS, Non-Commercial: A WECS of less than forty (40) kW in total name plate generating capacity, not to exceed a maximum height of one hundred fifty (150) feet.

Wooded: A tract of land that has at least 75 percent tree canopy.

Wrecker and Towing Service: An establishment operated for the purpose of temporary storage impounded vehicles for a period no longer than 90 days. If an establishment has impounded vehicles located on-site, stores inoperable vehicles for more than 90 days, stacks vehicles top to bottom, or portions of the vehicles are dismantled or removed for sale, it shall be considered a junkyard. Junk yards are not permitted.

Y

Yard: Any space in the same lot with a structure, open and unobstructed from the ground to the sky.

Yard, Front: A yard extending along the full width of the front property line between side property lines and extending from the adjacent road right-of-way line to depth required in the setback regulations for the zoning district in which such lot is located.

Yard, Rear: An open space unoccupied except for accessory structures on the same lot with the principal structure between the rear line of the principal structure and the rear property line and extending the full width of the lot.

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Yard, Side: An open unoccupied space between the structure and the sideline of the lot and extending from the front lot line to the rear lot line.

Z

Zoning District: An area or areas within the limits of the County of Sherburne for which the regulations and requirements governing land use are uniform.

Zoning Overlay: Zoning districts that extend on top of more than one base zoning district and are intended to protect certain critical features and resources. Where the standards of the overlay and base zoning district are different, the more restrictive standards shall apply.

Zoning Staff: Zoning Administrator, Assistant Zoning Administrator and/or Environmental Specialist.

SECTION 7 - CLASSIFICATION OF DISTRICTS

7.1 DISTRICTS

7.1.1 For the purpose of this Ordinance, Sherburne County is hereby divided into classes of districts which will be designated as follows:

7.1.2 Standard Districts

A. Agricultural District (A)

B. General Rural District (GR)

C. Urban Expansion District (UE)

D. Hamlet District (H)

E. Shoreland Residential District (SR)

F. Commercial District (C)

G. Industrial District (I-1)

H. Heavy Industrial District (I-2)

7.1.3 The following zoning overlays may be superimposed over the zoning districts:

A. Residential PUD Overlay (R-PUD)

B. Floodplain Overlay

1. Floodway (FW)
2. Flood Fringe (FF)
3. Flood General (FG)

C. Shoreland Overlay (SO)

7.1.4 (SR)Mississippi Scenic and Recreational River Districts (See Section 18 for land uses and standards)

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A. Scenic and Recreational River District (SRRD)

B. Mississippi Special Use District (MSUD)

7.1.5 If the district standards and overlay standards are conflicting, the more restrictive standards shall apply.

7.2 ZONING MAP

The location and boundaries of the Districts established by this Ordinance are hereby set forth on the zoning maps. Said maps, known as the "County Zoning Maps," and consisting of sheets and all notations, references and data shown thereon, are hereby incorporated by reference into this Ordinance and shall be as much a part of it as if all were fully described herein. It shall be the responsibility of the Zoning Administrator to maintain said maps, and amendments thereto shall be recorded on said Zoning Maps within thirty days after official publication of amendments. The official Zoning Maps shall be kept on file in the Zoning Administrator's Office.

7.3 DISTRICT BOUNDARIES

The boundaries between districts are, unless otherwise indicated, the center lines of highways, roads, streets or railroad rights-of-way or such lines extended or lines parallel or perpendicular thereto, or section, half-section, quarter-section, quarter-quarter-section or other fractional section lines of the United States public land surveys, as established by law.

7.4 LAND USE TABLE

7.4.1 The following permitted, conditional, interim uses are set forth in the table below, organized by general use types and zoning district. Said table and all the notations, references, and other information shown thereon shall have the same force and effect as if fully set forth herein and thereby made a part of this Ordinance by reference.

7.4.2 Uses which were legally existing uses as of _____2026, the date of adoption of the this Ordinance. Any expansion, intensification of use, additions or rebuilding of structures, except as those permitted by existing special use permits, relating to such businesses will require the issuance of a conditional use permit.

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7.4.3

Use Type P = Permitted C = Conditional I = Interim N = Not allowed	Column 1 Agricultural =A	Column 2 General Rural = GR	Column 3 Urban Expansion = UE	Column 4 Hamlet=H	Column 5 Commercial=C	Column 6 Industrial = I	Column 7 Heavy Industrial=HI	Column 8 Shoreland Residential =SR
Accessory Dwelling Unit (ADU)(See Section 26.20)	P	P	P	P	N	N	N	P
Accessory Structures (See Section 26.10)	P	P	P	P	P	P	P	P
Activities Requiring Rural Isolation	I	I	N	N	N	N	N	N
Agricultural Uses	P	P	P	P	P	P	P	N
Aircraft Landing Strip, Private	C	C	N	N	N	N	N	N
Airport, Public	C	C	N	N	N	N	N	N
Aquaculture	C	C	N	N	N	N	N	N
Arcade / Indoor Recreation	N	N	N	P	P	N	N	N
Asphalt & Concrete Mixing Plants, Portable	I	I	N	N	N	I	I	N
Auctions	I	I	N	I	I	I	N	N
Automobile, Boat and Farm Implement Sales	N	N	I	C	C	N	N	N
Automobile Mechanical and/or Body Repair	N	N	I	I	I	I	N	N
Automobile Service Stations	N	N	N	P				
Bed and Breakfast	I	I	I	I	N	N	N	N
Bus Service	N	N	N	N	N	P	N	N
Business Selling Vehicles, Boats, or Farm Implements	N	N	I	I	I			
Campgrounds, Recreational	I	N	N	N	N	N	N	N
Cannabis Cultivation (Indoor)	I	I	I	I	I	I	I	N
Cannabis Cultivation (Outdoor)	P	P	P	P	P	P	P	N
Cannabis Delivery	P	P	P	P	P	P	P	N
Cannabis Events	I	I	I	I	I	I	I	N
Cannabis Manufacturing	N	N	I	N	I	P	P	N
Cannabis Medical Combination (Cultivate or Manufacture)	I	N	I	I	I	P	P	N
Cannabis Medical Combination (Retail)	N	N	I	P	P	I	N	N
Cannabis Mezzobusiness (Cultivate or Manufacture)	I	N	I	N	I	P	P	N
Cannabis Mezzobusiness (Retail)	N	N	I	N	P	I	N	N
Cannabis Microbusiness (Cultivate or Manufacture)	I	I	I	I	I	I	I	N
Cannabis Microbusiness (Retail or On Site Consumption)	N	N	I	I	P	I	N	N
Cannabis Testing Facility	N	N	N	N	I	P	P	N
Cannabis Transporter	P	P	P	P	P	P	P	P
Cannabis Wholesale	N	N	N	I	I	P	P	N
Car Wash	N	N	C	C	C	N	N	N
Cemeteries/ Graveyards	C	C	C	C	N	N	N	N
Clinic / Medical /Dental Office	N	N	N	P	P	N	N	N
Commercial Development	N	N	C	N	N	N	N	N

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Use Type P = Permitted C = Conditional I = Interim N = Not allowed	Column 1 Agricultural =A	Column 2 General Rural = GR	Column 3 Urban Expansion = UE	Column 4 Hamlet=H	Column 5 Commercial=C	Column 6 Industrial = I	Column 7 Heavy Industrial=HI	Column 8 Shoreland Residential =SR
Concrete or Asphalt Plants	N	N	N	N	N	N	P	N
Conditional uses of the Industrial District except single-family housing	N	N	N	N	N	N	C	N
Contractor's Yard (Small)	I	I	N	N	N	P	N	N
Contractor's Yard (Medium)	I	I	N	N	N	P	N	N
Contractor's Yard (Large)	N	N	N	N	N	I	I	N
Data Centers / Server Farms	N	N	N	N	N	C	C	N
Docks, Temporary	N	P	P	N	N	N	N	N
Duplex	N	N	N	C	N	N	N	N
Essential public or private utilities	N	N	N	N	P	P	P	N
Event Venue / Banquet Hall/ Club/Community Center	C	C	N	C	C	N	N	N
Farmers Market/Produce stands (Temporary/Seasonal)	N	N	N	I	I	N	N	N
Farm-Related Bunkhouse/Dwelling	I	I	N	N	N	N	N	N
Farm-Related Business	C	C	N	N	N	N	N	N
Feedlots (Tier 1-3)	P	P	N	N	N	N	N	N
Feedlots (Tier 2- 5)	C	C	N	N	N	N	N	N
Financial Institution / Bank	N	N	N	C	C	N	N	N
Fitness Center / Gym	N	N	N	C	C	P	N	N
Food Processing (Non-slaughter)	N	N	N	C	N	C	P	N
Food Trucks, Mobile Vendors	N	N	N	P	P	N	N	N
Forestry Uses	P	P	N	N	N	N	N	N
Game Refuge, Private	C	C						
Gas Station	N	N	N	C	C	N	N	N
Golf-courses, Mini-Golf	C	C	C	N	C	N	N	N
Grading, Filling or Excavating (Temporary)	P	P	P	P	P	P	P	N
Grain Elevators	C	C	N	N	N	N	P	N
Greenhouses	C	C	N	C	P	N	N	N
Grocery / Convenience Store	N	N	N	C	C	N	N	N
Heavy Equipment Storage / Repair	N	N	N	N	N	I	I	N
Historical Sites	C	C	C	C	C	N	N	C
Home Business in an Accessory Building	I	I	I	N	N	N	N	I
Home Occupation	P	P	P	P	N	N	N	P
Hotel	N	N	N	N	P	N	N	N
Industrial Use	N	N	C	N	N	P	P	N
Kennels Per Ord 134	P	P	P	P	P	P	N	N
Landscape nursery, garden store	I	N	I	I	P	N	N	N
Licensed Daycare Facility (≤12 persons)	P	P	P	P	P	P	P	P
Licensed Daycare Facility (13- 16 persons)	N	N	N	C	N	N	N	N
Licensed Group Family Daycare (≤14 children)	P	P	P	P	C	C	C	P

Use Type P = Permitted C = Conditional I = Interim N = Not allowed	Column 1 Agricultural =A	Column 2 General Rural = GR	Column 3 Urban Expansion = UE	Column 4 Hamlet=H	Column 5 Commercial=C	Column 6 Industrial = I	Column 7 Heavy Industrial=HI	Column 8 Shoreland Residential =SR
Licensed Residential Facility (≤6 persons)	P	P	P	P	N	N	N	P
Licensed Residential Facility (7- 16 persons)	N	N	N	C	N	N	N	N
Light Industry (General)	N	N	N	C	C	P	P	N
Logistics / Distribution Hubs	N	N	N	N	N	C	C	N
Manufactured Home (Farm Related Seasonal, year-round)	I	I	N	N	N	N	N	N
Manufactured Home (General)	P	P	P	P	N	N	N	N
Manufactured Home (Temporary Family)	I	I	N	N	N	N	N	I
Manufacturing (General)	N	N	N	N	N	P	P	N
Mini Storage Facility	N	N	N	N	P	P		
Mining, Gravel Pits	I	I	I	N	N	I	I	N
Motel	N	N	N	N	I	N	N	N
Motor Vehicle Sport Facility, Public	N	C	N	N	N	C	C	N
Motor Vehicle Sport Track, Private	P	P	P	N	N	P	P	N
Nursery, Retail	C	C	C					
Occasional Special Event	I	I	I	I	I	I	N	I
Offices – Professional/General	N	N	N	P	P	P	P	N
Parks / Open Space	P	P	P	P	P	P	P	C
Pawnbroker	N	N	N	C	C	C	N	N
Permanent Government Structure	C	C	C	C	C	C	C	C
Permitted Uses of the Industrial District	N	N	N	N	N	N	P	N
Personal Services	N	N	N	I	I	N	N	N
Personal Storage Structure	C	C	N	N	N	N	N	C
Places of Worship	C	C	C	C	N	N	N	N
Planned Unit Development (Highway)	I	I	I	I	I	I		
Power Generation Plant (Commercial)	N	N	N	N	N	N	C	N
Public Accesses (Trail / Boat Launch)	P	P	P	N	P	P	P	N
Private Garages	P	P	P					
Public Facility	C	C	C	P	C	C	C	N
Radio Facility	N	C	N	N	C	N	N	N
Railroad Yards and Terminals	N	N	N	N	N	N	P	N
Recreational Activity	I	I	N	N	N	N	N	N
Recycling (Hazardous)	N	N	N	N	N	N	C	N
Recycling (Non-Hazardous)	N	N	N	N	N	C	C	N
Research and Development Operations	N	N	N	N	N	P	N	N
Restaurant – Was a permitted use	N	N	N	C	C	C	C	N
Retail Sales	N	N	N	P	P	N	N	N
Rural Tourism/Agritourism	I	I	N	N	N	N	N	N
Sales or service businesses dealing with business, not retail, customers	N	N	N	N	N	P	N	N

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Use Type P = Permitted C = Conditional I = Interim N = Not allowed	Column 1 Agricultural =A	Column 2 General Rural = GR	Column 3 Urban Expansion = UE	Column 4 Hamlet=H	Column 5 Commercial=C	Column 6 Industrial = I	Column 7 Heavy Industrial=HI	Column 8 Shoreland Residential =SR
Seasonal Storage	C	C	C	N	P	P	N	N
Second Farm Related Dwelling	C	C	N	N	N	N	N	N
School (Public or Private)	N	N	C	N	N	N	N	N
Seasonal or Temporary Business	N	N	I	I	I	I	N	N
Sexually-oriented business (subject to licensing requirements)	N	N	N	N	N	N	P	N
Short-Term Rental <10 occupants	P	P	P	P	P	N	N	P
Short-Term Rental 11 or more occupants	I	I	I	I	I	N	N	I
Single-Family Dwelling	P	P	P	P	C	C	N	P
Slaughterhouse (See Section 21)	P	I	N	N	I	N	C	N
Solar Energy System (Private)	P	P	P	P	P	P	P	P
Solar Farm (Commercial)	I	I	N	N	N	N	N	N
Solar Farm Related Business (Commercial)	I	N	N	N	N	N	N	N
Storage Units (Commercial)	N	N	N	P	P	P	P	N
Storage, Seasonal	I	I	N	N	P	P	P	N
Storage, Accessory (Indoor)	N	N	N	I	P	P	P	N
Storage, Accessory (Outdoor)	I	I	N	N	C	P	P	N
Temporary Start-Up Business	I	I	I	I	I	N	N	N
Temporary Tire, Waste Collection or Recycling Operation	I	N	N	N	N	N	N	N
Temporary Use by Government Entities	I	I	I	I	I	I	N	N
Tire Collection or Recycling	N	N	N	N	N	N	I	N
Truck Terminals	N	N	N	N	N	N	P	N
Theater / Cinema	N	N	N	P	P	N	N	N
Towers (up to 200 feet in height) (See Section 16.5)	P	P	P	P	P	P	P	P
Towers (up to 200 feet in height) (See Section 16.5)	C	C	C	N	N	N	C	N
Tutoring / Learning Center	N	N	N	P	P	C	N	N
Used Vehicles parts or Scrap Material Yards	N	N	N	N	N	N	I	N
Utility Transmission Power Lines or Pipelines	C	C	C	C	N	C	C	N
Veterinary Clinic	I	I	N	C	C	N	N	N
Warehousing	N	N	N	N	N	P	P	N
Waste Facility	N	N	N	N	N	N	C	N
Wholesale Sales	N	N	N	N	N	P	N	N
Wildlife Refuges (Public)	P	N	P	N	N	N	N	N
Windpower (Commercial)	C	N	N	N	N	N	N	N
Windpower Energy System (Private)	P	P	N	N	P	P	P	N
Wrecker and Towing Services	N	N	N	N	N	I	I	N
Yard Waste Composting	I	I	N	N	N	N	N	N

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SECTION 8 - AGRICULTURAL DISTRICT

8.1 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.

8.2 ALLOWED USES

For permitted, conditional and interim uses, see land use table in Section 7.4. All uses not listed as Permitted Uses, Conditional Use Permits or Interim Use Permits shall not be allowed within this district.

8.3 DIMENSIONAL REGULATIONS

	All Lots
Minimum Area	40 contiguous acres – Unplatted 1.5 or 5 contiguous acres - Platted
~~**Wooded Requirement**~~	~~75% or remove wooded requirement?~~ Written out below for "New Lots"
Minimum Buildable Lot Area	40,000 contiguous sq. ft if no public or shared sewage treatment system
Minimum Lot Width	150 feet for 1.5 acres or 300 feet for 5 acres, measured at the building setback line
Minimum Lot Depth	300 feet
Front Yard/Road Setback	Setback requirements based on road classification. See Road Setback Table located XX.XXX.
Maximum Residential Density	1 single family residence and 1 accessory dwelling unit per lot
Maximum Height:	Dwellings: 35 feet Agricultural Structures: No restriction Accessory Structure: 25 feet if on less than 5 acres 35 feet if on 5 acres or more Personal Storage Structure: 25 feet
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.

	Unplatted	Platted
Side Yard Setback	50 feet if abutting active agricultural land 25 feet if not abutting active agricultural land 10* feet elsewhere if lot in question and adjoining lot are 5 acres or less	25 feet if not abutting agricultural land 100 feet for housing abutting agricultural land 50 feet for accessory structures abutting agricultural land 10* feet for interior side
Rear Yard Setback	50 feet if abutting active agricultural land 25 feet if not abutting active	100 feet if non-farm housing abutting agricultural land 50 feet if accessory structures abutting

	Unplatted	Platted
	agricultural land	agricultural land 25 feet if not abutting agricultural land
Other setbacks	50 feet: County Ditch Setback (from top of ditch bank and Septic System) 50 feet: Pipeline Easements/Right of Way 100 feet: Rear or side yard setback if abutting Sherburne County National Wildlife Refuge 50 feet: Rear or side yard setback if publicly owned land in The Sand Dunes State Forest	50 feet: County Ditch Setback (from top of ditch bank and Septic System) 50 feet: Pipeline Easements/Right of Way 100 feet: Rear or side yard setback if abutting Sherburne County National Wildlife Refuge 50 feet: Rear or side yard setback if publicly owned land in The Sand Dunes State Forest

*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.

8.4 ROAD INTERSECTIONS

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

8.5 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.

8.6 NEW LOTS

Minor 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. Minor Plats consisting of two or three lots may be subdivided if each lot is has a minimum of 75 percent of the area contains wetlands, shorelands, floodplain, steep slopes or woodlands or other non-tillable land.

8.7 ADDITIONAL REGULATIONS

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

B. 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 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.

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C. 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.

SECTION 9 - GENERAL RURAL DISTRICT

9.1 PURPOSE

The purpose of the General Rural District is to provide locations for agriculture, agriculturally-related development, and housing on lots without public sewer or water services.

9.2 ALLOWED USES

For permitted, conditional and interim uses, see land use table in Section 7.4. All uses not listed as Permitted Uses, Conditional Use Permits or Interim Use Permits shall not be allowed within the General Rural Zoning District.

9.3 DIMENSIONAL REGULATIONS

	All Parcels
Minimum Area	20 acres – Unplatted 1.5 or 2.5 acres - Platted
Minimum Buildable Lot Area	40,000 contiguous sq. ft if no public or shared sewage treatment system
Minimum Lot Width	150 feet for 1.5 acres or 200 feet for 2.5 acres, measured at the building setback line
Minimum Lot Depth	300 feet
Maximum Residential Density	1 single family residence and 1 accessory dwelling unit per lot
Front Yard/Road Setback	Setback requirements based on road classification. See Road Setback
Side Yard Setback	10* feet 100 feet abutting Sherburne County National Wildlife Refuge 50 feet publicly owned land in The Sand Dunes State Forest
Rear Yard Setback	25 feet 100 feet abutting Sherburne County National Wildlife Refuge 50 feet publicly owned land in The Sand Dunes State Forest
Other setbacks	• 50 feet: County Ditch Setback (from top of ditch bank and Septic System) • 50 feet: Pipeline Easements/Right of Way • 100 feet: Rear or side yard setback if abutting Sherburne County National Wildlife Refuge • 50 feet: Rear or side yard setback if publicly owned land in The Sand Dunes State Forest
Maximum Height	Dwellings: • 35 feet • 25 feet if in shoreland Accessory Structure: • 25 feet if on less than 5 acres • 35 feet if on 5 acres or more

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	• Agricultural Structures: No restriction • Personal Storage Structure: 25 feet
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.

*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.

9.4 ROAD INTERSECTIONS/HIGHWAY ACCESSES

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

9.5 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.

9.6 ADDITIONAL REGULATIONS

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

B. 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 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.

C. 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.

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SECTION 10 - URBAN EXPANSION DISTRICT

10.1 PURPOSE

10.1.1 The purpose of the Urban Expansion District is to identify areas that are planned for future development on public water supply and wastewater services. The goal is to limit development and guide any development that does occur in a manner that would be allow the extension and construction of future urban services in an efficient and least disruptive manner. It is the intention of Sherburne County to involve the applicable City and Township to the greatest degree possible in reviewing site plans and land subdivisions in this District so that orderly, compact municipal expansion is not unduly hindered. The boundaries of the Urban Expansion Districts shall be determined by joint agreement of the affected City and Townships).

10.1.2 The County shall administer zoning regulations in the Urban Expansion District and orderly annexation areas until such time as the property is annexed into the City unless the applicable Township administers its own zoning and subdivision regulations. Those regulations and map may replace this District and may be administered by a joint City-Township commission without involving Sherburne County.

10.2 ALLOWED USES

For permitted, conditional and interim uses, see land use table in Section 7.4. All uses not listed as Permitted Uses, Conditional Use Permits or Interim Use Permits shall not be allowed within the Urban Expansion Zoning District.

10.3 CONDITIONS

10.3.1 Urban Expansion District is an interim holding zone that limits new development within those portions of the city where public wastewater and water supply services are planned to support future development in accordance with the Sherburne County and cities' comprehensive plans.

10.3.2 The future zoning classification for areas within the Urban Expansion District and the timing for any zoning map amendments to rezone property in this district will be determined by the city council upon the annexation to the adjacent city. In the meantime, existing uses, agriculture, and new residential development

10.3.3 Any residential development or subdivision would require cluster development and ghost platting to retain as much of the area as possible for natural resources, continued agricultural purposes or future development.

10.3.4 General Requirements for Conditional and Interim Uses in the Urban Expansion District:

A. *City Plans:* Development shall be consistent with the applicable City plans for land use, road rights-of-way, and drainage; otherwise, development shall meet the requirements set forth in the Sherburne County Subdivision Ordinance.

B. *Site Plans:* Site plans for commercial or industrial development shall meet the criteria for type of development, site planning, and dimensional requirements jointly approved by the applicable City and Township, otherwise regulations from this Zoning Ordinance shall apply.

General Requirements for Interim Uses in the Urban Expansion District:

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A. *City Plans:* Development shall be consistent with the applicable City plans for land use, road rights-of-way, and drainage; otherwise, development shall meet the requirements set forth in the Sherburne County Subdivision Ordinance.

B. *Site Plans:* Site plans for commercial or industrial development shall meet the criteria for type of development, site planning, and dimensional requirements jointly approved by the applicable City and Township, otherwise regulations from this Zoning Ordinance shall apply.

10.4 DIMENSIONAL REGULATIONS

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Minimum Area	20 contiguous acres above high water mark – Unplatted 10 contiguous acres above high water mark - Platted
Maximum Area	
Minimum Buildable Lot Area	40,000 contiguous sq. ft. if no public or shared sewage treatment system
Minimum Lot Width	200 feet at building line
Minimum Lot Depth	300 feet
Maximum Residential Density	1 single family residence per lot and 1 accessory dwelling unit per lot
Front Yard/Road Setback	Setback requirements based on road classification. See Road Setback Table located XX.XXX.
Side Yard Setback	10* feet
Rear Yard Setback	25 feet
Maximum Height	35 feet (Does not apply to structures used for agricultural purposes)
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.

10.5 ADDITIONAL REQUIREMENTS

A. Additional regulations for signs, septic systems, accessory structures, fences, mobile homes, and site plan reviews are presented in Section 17, General Regulations.

B. 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.

C. Any commercial or industrial property that abuts any parcel either zoned or used for housing shall erect and maintain a landscaped buffer consistent with the requirements stated in Section 17, General Development Regulations.

D. No truck dock or truck parking area shall abut any parcel either zoned or used for housing.

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SECTION 11 - HAMLET DISTRICT

11.1 PURPOSE

The purpose of the Hamlet District is to accommodate a mix of residential, small-scale commercial, civic, and light industrial uses that serve local needs and support life-cycle housing. Development within this district may occur at higher densities and with higher level of design. Hamlet districts are intended to function as rural nodes of activity without requiring municipal sewer or water infrastructure.

11.2 TOWNSHIP REVIEW REQUIRED

All proposed residential and commercial development within designated Hamlet districts shall be subject to formal review and comment by the applicable township prior to County approval. The purpose of this review is to ensure alignment with local priorities, infrastructure capacity, and rural character. Township input shall be considered during the site plan review and any discretionary approvals, including conditional or interim use permits.

11.3 ALLOWED USES

Permitted, Conditional, and Interim Uses within the Hamlet District shall be limited to those listed in the Land Use Table in Section 7.4. All other uses are prohibited in order to preserve the district's rural scale and function. Allowed uses must support local needs and remain compatible with the low-density residential, small-scale character of designated hamlet areas, including limited commercial and light industrial activities.

11.4 DIMENSIONAL REGULATIONS

Minimum Area Residential	____ acres
Minimum Lot Width	150 feet, measured at the setback line
Minimum Lot Depth	250 feet
Maximum Residential Density	1 residence per lot 1 accessory dwelling unit per lot
Front Yard/Road Setback	Setback requirements based on road classification. See Road Setback Table located XX.XXX. Commercial driveway or parking area: 10 feet from R-O-W or easement of the public road
Interior Side Setback – Multi-Family	0 feet
Side Yard Setback	10 feet (Single Family Residential) 20 feet (Commercial) 50 feet (Commercial abutting existing housing outside of Hamlet District)
Rear Yard Setback	20 feet (Residential) 20 feet (Commercial) 50 feet (Commercial abutting existing housing outside of Hamlet District)
Other setbacks	50 feet: County Ditch Setback (from top of ditch bank and Septic System) 50 feet: Pipeline Easements/Right of Way
Maximum Height	Residential buildings: 35 feet Non-residential buildings: 50 feet
Maximum Building Depth	Set lowest floor at Lowest Floor Elevation (LFE) or minimum one (1) foot

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Below Grade	above mottling, whichever is higher. If no LFE is established, set lowest floor minimum one (1) foot above mottling.
Impervious Surface	30% lot coverage 25% lot coverage in Shoreland District

11.5 ADDITIONAL REQUIREMENTS

A. 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.

B. Conservation design principles are encouraged to preserve open space and rural character, such as grouping of homes.

C. Use of rain gardens, bioswales, and native landscaping in common areas is encouraged to manage stormwater.

D. Shared driveways or joint access points are encouraged in Hamlet districts to reduce curb cuts, preserve rural character, and enhance pedestrian safety. Easements for shared access shall be recorded and maintained in perpetuity.

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SECTION 12 - SHORELAND RESIDENTIAL DISTRICT

12.1 PURPOSE

The purpose of the Shoreland Residential District is to provide reasonable standards for new development and to allow property owners to maintain and improve the existing homes in the areas with existing development around many of the lakes in the County that occurred prior to the establishment of shoreland zoning regulations.

12.2 ALLOWED USES

For permitted, conditional and interim uses, see land use table in Section 7.4. All uses not listed as Permitted Uses, Conditional Use Permits or Interim Use Permits shall not be allowed within the Shoreland Residential Zoning District.

12.3 DIMENSIONAL REGULATIONS

Minimum Area (New Development)	40,000 s.f General Development or Recreation 80,000 s.f. Natural Environmental Shoreland
Minimum Lot Width	150 feet (measured at OHWL and road) General Development or Recreational 200 on Natural Environmental Lake
Minimum Lot Depth	250 feet
Maximum Residential Density	1 single family residence per lot
ADU's	Lot size width and square feet requirements in shoreland. If qualifies the largest is 700 sq. ft.
Road Setback	Township roads: Platted lots 25 feet to the ROW, Unplatted lots 50 to centerline. Newly created lots 50 feet to ROW. All other roads: Setback requirements based on road classification. See Road Setback Table located XX.XXX.
Side Yard Setback	10 feet
Rear Yard Setback	25 feet
Shoreland Setbacks	30 feet from bluffline, if applicable OHWL Setback per Shoreland Ordinance (See section XX)
Other setbacks	50 feet: County Ditch Setback (from top of ditch bank and Septic System) 50 feet: Pipeline Easements/Right of Way 100 feet: Rear or side yard setback if abutting Sherburne County National Wildlife Refuge 50 feet: Rear or side yard setback if publicly owned land in The Sand Dunes State Forest
Maximum Height	25 feet
Maximum Building Depth Below Grade	Set lowest floor at Lowest Floor Elevation (LFE) or if no LFE is established, the low floor elevation must be placed at a level three feet above the highest known water level or Ordinary High Water Level, whichever is higher.

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12.4 ENVIRONMENTAL PERFORMANCE STANDARDS

The following standards shall be adhered to for all construction projects unless waived by the Zoning Administrator if these standards are not feasible.

12.4.1 Riparian Lots

A. Erosion and Sediment Control: Soil erosion and sedimentation shall be limited through the use of perimeter controls and stabilization. Perimeter controls shall be in place prior to soil disturbance, maintained throughout construction and remain in place until the site achieves 70% uniform vegetation. Disturbed soils must be stabilized within 7 days of inactivity through the use of sod, erosion control blanket, hyrdomulch, hay or other standard stabilization techniques.

B. Stormwater Management: New construction and building additions shall provide adequate stormwater management and prevent runoff from directly discharging into a waterbody. Gutters shall be mandatory for new construction and must discharge to a vegetated area with a sufficient buffer from the waterbody. If a buffer cannot be maintained, other stormwater management features must be utilized, such as a rain garden or infiltration basin or an underground filtration systems.

C. Flood Management: For properties in floodplain, new construction and building additions shall provide adequate flood storage. This storage may be combined with a stormwater feature.

D. Tree Canopy Management: New and redevelopment of riparian lots may require tree replacement as part of a Shoreland Alteration Permit to maintain a tree canopy.

12.4.2 Non-riparian Lots

A. Erosion Control: Soil erosion and sedimentation shall be limited through the use of perimeter controls and stabilization. Perimeter controls shall be in place prior to soil disturbance, maintained throughout construction and remain in place until the site achieves 70% uniform vegetation. Disturbed soils must be stabilized within 14 days of inactivity through the use of sod, erosion control blanket, hyrdomulch, hay or other standard stabilization techniques.

B. Stormwater Management: New construction and building additions shall provide adequate stormwater management and prevent runoff from directly discharging to a waterbody. Gutters shall be mandatory for new construction and must discharge to a vegetated area.

C. Flood management: For properties in floodplain, new construction and building additions shall provide adequate flood storage.

D. For properties outside of the Shoreland Overlay District: Impervious surface shall be less than 50% area for any existing developed lot and 35% of the lot for any new development.

12.5 ADDITIONAL REQUIREMENTS

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

B. 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.

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C. Conservation design principles are encouraged to preserve open space and rural character, such as grouping of homes.

D. If property owner is proposing to go closer than 20’ 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

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SECTION 13 - COMMERCIAL DISTRICT

13.1 PURPOSE

The purpose of the Commercial District is to provide locations for retail and service businesses. This District is intended to be located along a State or Federal Highway, County Road or County State-Aid Highway.

13.2 ALLOWED USES

For permitted, conditional and interim uses, see land use table in Section 7.4. ll uses not listed as Permitted Uses, Conditional Use Permits or Interim Use Permits shall not be allowed within the Commercial Zoning District.

13.3 DIMENSIONAL REGULATIONS

	All Parcels
Minimum Area	20 acres – Unplatted 22,500 square feet if platted
Minimum Lot Width	150 feet, measured at the setback line
Minimum Lot Depth	150 feet
Front Yard/Road Setback	Setback requirements based on road classification. See Road Setback Table located XX.XXX. Commercial driveway or parking area: 10 feet
Side Yard Setback	20 feet Abutting a site currently used for housing: 50 feet Commercial driveway or parking area: 10 feet
Rear Yard Setback	20 feet Abutting a site currently used for housing: 50 feet Commercial driveway or parking area: 10 feet
Other setbacks	50 feet: County Ditch Setback (from top of ditch bank and Septic System) 50 feet: Pipeline Easements/Right of Way
Maximum Height	Commercial buildings: 50 feet, except for exceptions listed in Section 16 Shoreland of this Ordinance
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.

13.4 SCREENING REQUIREMENTS

13.4.1 Any commercial development that abuts any existing residential development or abuts any parcel planned or zoned for housing development shall be screened from view from the housing site using a combination of fencing, plantings and/or berming to the satisfaction of the County Planning Commission.

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13.4.2 If a commercial development occurs prior to an adjacent residential development, it shall be the responsibility of the residential development to provide screening using a combination of fencing, plantings and/or berming to the satisfaction of the County Planning Commission.

13.5 ACCESS REQUIREMENTS

A. The location of any driveway from a public road shall require approval by the County Planning Commission and the local governing body with advice from the County Engineer.

B. The minimum distance between any two driveway-road intersections shall be 75 feet. No driveway shall be located closer than 75 feet to the intersection of the pavement of two public roads.

13.6 ADDITIONAL REGULATIONS

A. Additional regulations for signs, septic systems, accessory structures, fences, mobile homes, and site plan reviews are presented in Section 17, General Development Regulations.

B. 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.

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SECTION 14 - INDUSTRIAL DISTRICT

14.1 PURPOSE

The purpose of the Industrial District is to provide locations for industrial development adjacent to existing industrial development and along a federal, state, county or local road or in locations consistent with a City land use plan as established in the Urban Expansion Zone.

14.2 ALLOWED USES

For permitted, conditional and interim uses, see land use table in Section 7.4. All uses not listed as Permitted Uses, Conditional Use Permits or Interim Use Permits shall not be allowed within the Industrial Zoning District.

14.3 DIMENSIONAL REGULATIONS

	All Parcels
Minimum Area	20 acres – Unplatted Parcels 30,000 square feet if platted
Minimum Lot Width	150 feet, measured at the setback line
Minimum Lot Depth	200 feet
Front Yard/Road Setback	Setback requirements based on road classification. See Road Setback Table located XX.XXX. Industrial driveway or parking area: 20 feet
Interior Side Setback	20 feet
Rear Setback	20 Feet
Minimum Setbacks, Industrial Driveways or Parking Areas	Front 20 feet, side or rear 20 feet.
Other setbacks	50 feet: County Ditch Setback (from top of ditch bank and Septic System) 50 feet: Pipeline Easements/Right of Way
Maximum Height	50 feet except for exceptions listed in Section 16 Shoreland of this Ordinance
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.

14.4 SCREENING REQUIREMENTS

A. Any industrial development that abuts any existing residential development or abuts any parcel planned or zoned for housing development shall be screened from view from the housing site using a combination of fencing, plantings and/or berming to the satisfaction of the County Planning Commission.

If an industrial development occurs prior to an adjacent residential development, it shall be the

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responsibility of the residential development to provide screening using a combination of fencing, plantings and/or berming to the satisfaction of the County Planning Commission.

B. Any outdoor storage or display of goods, materials, or damaged vehicles awaiting body repair shall be screened from view from any non-industrial districts (except farm fields) to the satisfaction of the County Planning Commission using a combination of fencing, coniferous and deciduous plantings and/or berming.

14.5 ACCESS REQUIREMENTS

A. The location of any driveway from a public road shall require approval by the County Planning Commission and the local governing body with advice from the County Engineer.

B. The minimum distance between any two driveway-road intersections shall be 75 feet. No driveway shall be located closer than 100 feet to the intersection of the pavement of the two public roads.

14.6 GENERAL REGULATIONS

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

SECTION 15 - HEAVY INDUSTRIAL DISTRICT

15.1 PURPOSE

The purpose of the Heavy Industrial District is to provide locations for industrial activities that have greater than average off-site effects. This District should be located adjacent to existing industrial development and along a federal, state, county or local road or in locations consistent with a City land use plan as established in the Urban Expansion Zone.

15.2 ALLOWED USES

For permitted, conditional and interim uses, see land use table in Section 7.4. All uses not listed as Permitted Uses, Conditional Use Permits or Interim Use Permits shall not be allowed within the Heavy Industrial Zoning District.

15.3 DIMENSIONAL REGULATIONS

	All Parcels
Minimum Area	10 contiguous acres – Unplatted – 60,000 square feet if platted
Minimum Lot Width	200 feet
Minimum Lot Depth	300 feet
Front Yard/Road Setback	Setback requirements based on road classification. See Road Setback Table located XX.XXX. Industrial driveway or parking area: 30 feet from R-O-W or easement of the public road
Other setbacks	50 feet: County Ditch Setback (from top of ditch bank and Septic System) 50 feet: Pipeline Easements/Right of Way

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Maximum Height	50 feet except for exceptions listed in Section 16 Shoreland of this Ordinance
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.

	Unplatted Parcels	Platted Parcels
Side Yard Setback	50 feet Industrial driveway or parking area: 20 feet from ROW or easement of the public road	30 feet Abutting a site currently used for housing: 100 feet Industrial driveway or parking area: 20 feet from ROW or easement of the public road
Rear Yard Setback	50 feet Industrial driveway or parking area: 20 feet from ROW or easement of the public road	30 feet Abutting a site currently used for housing: 100 feet Industrial driveway or parking area: 20 feet from ROW or easement of the public road

15.4 SCREENING REQUIREMENTS

15.4.1 Any industrial development that abuts any existing residential development or abuts any parcel planned or zoned for housing development shall be screened from view from the housing site using a combination of fencing, plantings and/or berming to the satisfaction of the County Planning Commission.

If an industrial development occurs prior to an adjacent residential development, it shall be the responsibility of the residential development to provide screening using a combination of fencing, plantings and/or berming to the satisfaction of the County Planning Commission.

15.4.2 Any outdoor storage or display of goods, materials, or damaged vehicles awaiting body repair shall be screened from view from any non-industrial districts (except farm fields) to the satisfaction of the County Planning Commission using a combination of fencing, coniferous and deciduous plantings and/or berming.

15.5 ACCESS REQUIREMENTS

15.5.1 The location of any driveway from a public road shall require approval by the County Planning Commission and the local governing body with advice from the County Engineer.

15.5.2 The minimum distance between any two driveway-road intersections shall be 75 feet. No driveway shall be located closer than 100 feet to the intersection of the pavement of the two public roads.

15.6 ADDITIONAL REGULATIONS

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

A. 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.

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SECTION 16 - FLOODPLAIN OVERLAY

16.1 STATUTORY AUTHORIZATION AND PURPOSE

16.1.1 **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.

16.1.2 Purpose

A. This ordinance regulates development in the flood hazard areas of Sherburne County. 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.

16.1.3 **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.

16.1.4 **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 Sherburne County or its officers or employees for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

16.1.5 **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.

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16.2 JURISDICTION AND DISTRICTS

16.2.1 **Lands to Which Ordinance Applies.** This ordinance applies to all lands within the jurisdiction of Sherburne County within the boundaries of the Floodway, Flood Fringe and General Floodplain Districts.

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 (as illustrated in Figure 8), the Base Flood Elevation (BFE) shall be the governing factor in locating the outer boundaries of the one-percent annual chance floodplain.

Figure 8. The Mapped Floodplain May Not Always Align with On-the-Ground Contour Elevations



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.

16.2.2 **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 Sherburne County, Minnesota, and Incorporated Areas, and the Flood Insurance Rate Map Index number 27141CIND0A, both dated November 16, 2011 and prepared by the Federal Emergency Management Agency. These materials are on file in the Sherburne County Government Center.

16.2.3 Districts

A. Floodway District. Those areas within Zone AE delineated within floodway areas as shown on the Flood Insurance Rate Maps referenced in Section 3.2.

B. Flood Fringe District. Those areas within Zone AE located outside of the delineated floodway, as shown on the Flood Insurance Rate Maps referenced in Section 3.2.

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 3.2.

16.2.4 **Municipal Boundary Adjustments & Townships.** The Flood Insurance Rate Map panels referenced in Section 3.2 apply countywide. 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 the County retains jurisdiction under this ordinance on all unincorporated lands, except as provided under Section 3.42 below or through some form of administrative agreement.

B. Townships wishing to adopt official controls under Minnesota Statutes, Section 394.33 may only obtain zoning authority for floodplain controls when they have adopted an ordinance that is approved by the Department of Natural Resources and has formally enrolled in the NFIP. Until this occurs, the county shall retain jurisdiction under this ordinance on all unincorporated lands. In the event that a township returns zoning authority, the county shall resume that authority.

16.3 REQUIREMENTS FOR ALL FLOODPLAIN DISTRICTS

16.3.1 **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 12.13.

B. The construction of a fence, pool, deck, or placement of anything that may cause a potential obstruction. Farm fences, as defined in Section 2.0 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 4.32.

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 significant area above the ordinary high water level is also to be disturbed.

H. Any other type of “development,” as defined in Section 2.0 of this ordinance.

16.3.2 **No Permit Required.** 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

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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.

16.3.3 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 (2) 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	Allowed with Permit	6.23.D(2)

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	types allowed – with CUP		
Accessory Structures – Alt. Elevation Methods	Only specific uses and types allowed – with CUP	Allowed with Permit	6.23.D(3)
Accessory Structures – Wet Floodproofing	Only specific uses and types allowed – with CUP	Allowed with Permit	6.23.D(1)
Accessory Structures – Dry (watertight) Floodproofing	Only specific uses and types allowed – with CUP	Allowed with Permit	6.23.D(4)
Residential – on fill	Not allowed	Allowed with Permit	6.21.A
Residential – Alt. Elevation Methods	Not allowed	Allowed with CUP	6.41
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	6.22.A
Non-Residential – Alt. Elevation Methods	Not allowed	Allowed with Permit	6.22.B
Non-Residential – Dry (watertight) Floodproofing and/or Basement Construction below RFPE	Not allowed	Allowed with Permit	6.22.C

**Note - many of these standards are cross-referenced*

16.4 FLOODWAY DISTRICT

16.4.1 **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 5.2:

A. No structures, as defined in Section 2.0, are allowed in the Floodway District, except structures accessory to the uses detailed in Sections 5.11 and 5.31, which require a CUP under Section 5.32.

16.4.2 **Standards for Permitted Uses in Floodway.** In addition to the applicable standards detailed in Section 4.0:

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.”

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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 11.15 and 14.0.

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 11.15 and 14.0.

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.

16.4.3 **Conditional Uses in Floodway.** The following uses and activities may be permitted as conditional uses, subject to the standards detailed in Sections 5.4:

A. Structures accessory to uses detailed in Sections 5.11 and 5.31.

16.4.4 **Standards for Conditional Uses in Floodway.** In addition to the applicable standards detailed in Sections 4.0, 5.2 and 11.2:

A. Extractive uses and storage of materials require the completion of a site development and restoration plan, to be approved by Sherburne County.

B. Accessory Structures. Structures accessory to the uses detailed in Sections 5.11 and 5.31 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 6.23 of this ordinance.

16.5 FLOOD FRINGE DISTRICT

16.5.1 **Standards for Permitted Uses in Flood Fringe.** In addition to the applicable standards detailed in Section 4.0:

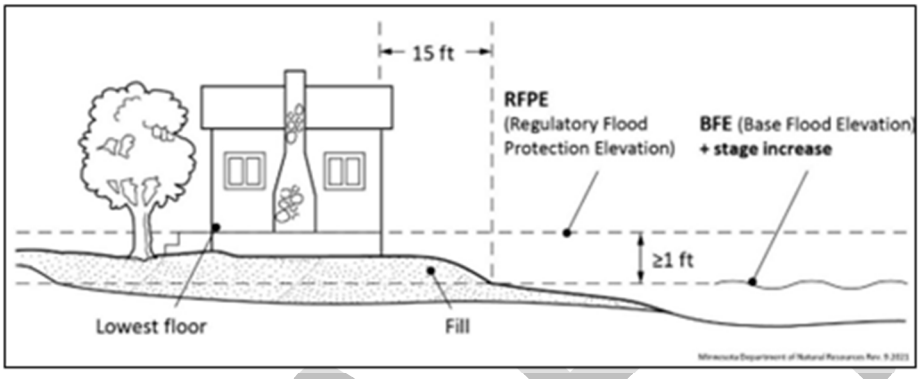
A. Residential Structures.

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 2.0 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

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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 6.31 of this ordinance (Figure 9). 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 9. Overview of Fill Standards for Residential Structures



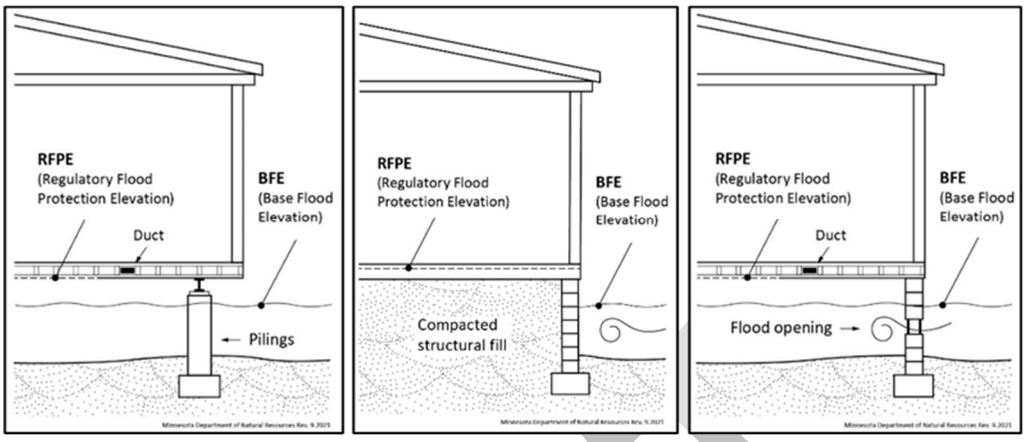
B. Nonresidential Principal Structures. Nonresidential principal structures must meet one of the following construction methods:

1. Elevation on Fill. Structures may be elevated on fill, meeting the standards in Section 6.21.A 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 6.21.A of this ordinance. Such methods include the use of blocks, pilings (Figure 10a), filled stem walls (Figure 10b), or internally-flooded enclosed areas (Figure 10c) such as crawl spaces, attached garages, or tuck under garages.

Figure 10. Alternative Elevation Methods. From left to right: (a) Blocks or Pilings, (b) Filled Stem Walls, (c) Internally Flooded Enclosed Area

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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 2.0 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.

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

1. 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);

2. Must meet the standards of FEMA Technical Bulletin 3, as amended; and

3. 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.

D. Accessory Structures. All accessory structures must meet the following standards:

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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 6.21.A 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 6.23.D(2), and must meet the standards in Section 6.22.B of this ordinance.

    d. Dry Floodproofing. Structures may be dry-floodproofed, or watertight, meeting the standards in Section 6.22.C of this ordinance.

E. All new principal structures must provide vehicular access no lower than one foot below the Base Flood Elevation (BFE).

F. Any facilities used by employees or the general public must be designed with a flood warning system acceptable to Sherburne County 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.

G. Manufactured homes and recreational vehicles must meet the standards of Section 10 of this ordinance.

16.5.2 **Standards for Conditional Uses in Flood Fringe.** In addition to the applicable standards detailed in Sections 4.0, 6.2 and 11.2:

A. All residential structures with lowest floors elevated through alternative elevation methods must meet the standards in Section 6.22.B of this ordinance.

16.6 GENERAL FLOODPLAIN DISTRICT

16.6.1 Permitted Uses in General Floodplain District

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A. Until the floodway is delineated, allowable uses will be restricted to those listed in the Floodway District, Section 5.0

B. All other uses are subject to a floodway/flood fringe determination as provided in Section 7.4, in addition to the standards provided in Sections 7.2 and 7.3. Permitted uses shall be determined as follows:

1. If the development is determined to be in the Floodway District, Section 5.0 applies.

2. If the development is determined to be in the Flood Fringe District, Section 6.0 applies.

16.6.2 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.

16.6.3 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 11.15 and 14.0. 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.

16.6.4 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

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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 A 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 Sherburne County Shoreland Ordinance, whichever distance is greater, land alterations shall be restricted to:

i. 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 7.42, item A; and

ii. The minimum required to accommodate shoreline stabilization projects to correct an identified erosion problem as verified by the Zoning Administrator.

16.7 SUBDIVISION STANDARDS

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 Sherburne County.

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 Sherburne County.

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.

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

A. **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.

B. **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.

C. **Private On-Site Water Supply, Individual Sewage Treatment Systems, and other Service Facilities.** Private facilities shall be subject to applicable provisions detailed in Section 9.2. 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.

16.9 MANUFACTURED HOMES AND RECREATIONAL VEHICLES

16.9.1 **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 6.0 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 8.0 of this ordinance.

16.9.2 **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 10.1, or

B. Be travel ready, meeting the following criteria:

1. The vehicle must be fully licensed.

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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 4.0 and 6.23.

16.10 ADMINISTRATION

16.10.1 **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 5.21, and encroachment analysis ensuring no more than one-half foot of rise in the General Floodplain District, as detailed in Sections 7.22 and 7.31.
   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 12.13, 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

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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, Sherburne County 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.

16.10.2 Conditional Uses and Variances

A. Process.

1. An application for a conditional use permit 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 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:

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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. Sherburne County must consider all relevant factors specified in other sections of this ordinance in granting variances and conditional 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. Sherburne County may attach such conditions to the granting of variances and conditional 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 and the Sherburne County Board of Commissioners and/or Board of Adjustment.

16.10.3 Notifications to the Department of Natural Resources

A. All notices of public hearings to consider variances or conditional uses under this ordinance must be sent via electronic mail to the Department of Natural Resources 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 via electronic mail to the Department of Natural Resources respective area hydrologist within ten (10) days of final action.

16.11 NONCONFORMITIES

16.11.1 **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 7.3, or when the floodway has not been delineated), any expansion or enlargement of uses or structures is prohibited.

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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 12.2, it may not be reconstructed except in conformity with the provisions of this ordinance.

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 4.31.D to the greatest extent practicable. This requirement shall apply regardless of the determinations made in Section 12.2.

16.11.2 **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 2.0 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 County has adopted floodplain standards impacting this structure.

2. If any nonconforming structure experiences a repetitive loss, as defined in Section 2.0 of this ordinance, it shall be considered substantially damaged and must not be reconstructed except in conformity with the provisions of this ordinance.

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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.

16.12 VIOLATIONS AND PENALTIES

16.12.1 **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.

16.12.2 **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 Sherburne County or the Department of Natural Resources.

16.12.3 **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. Sherburne County 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.

16.13 AMENDMENTS

16.13.1 **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 3.2 of this ordinance.

16.13.2 **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.

EFFECTIVE DATE: This ordinance shall be in full force and effect from and after its passage and approval.

SECTION 17 - SHORELAND OVERLAY DISTRICT

17.1 STATUTORY AUTHORIZATION AND POLICY

17.1.1 **Statutory Authorization**. This shoreland ordinance is adopted pursuant to the authorization and policies contained in Minnesota Statutes, Chapter 103F, Minnesota Rules, Parts 6120.2500 - 6120.3900, and the planning and zoning enabling legislation in Minnesota Statutes, Chapter 394.

17.1.2 **Policy.** 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 Sherburne County.

17.2 GENERAL PROVISIONS

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17.2.1 **Jurisdiction.** The provisions of this ordinance apply to the shorelands of the public water bodies as classified in Section 4.1 of this ordinance. Pursuant to Minnesota Rules, 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.

17.2.2 **Enforcement.** The Sherburne County Planning and Zoning Administrator 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 constitutes a misdemeanor and is punishable as defined by law. Violations of this ordinance can occur regardless of whether or not a permit is required for a regulated activity listed in Section 3.2 of this ordinance.

17.2.3 **Severability.** If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

17.2.4 **Abrogation and Greater Restrictions.** It is not intended by this ordinance to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance imposes greater restrictions, the provisions of this ordinance shall prevail. All other ordinances inconsistent with this ordinance are hereby repealed to the extent of the inconsistency only.

17.3 ADMINISTRATION

Purpose. The purpose of this Section is to identify administrative provisions to ensure the ordinance is administered consistent with its purpose.

17.3.1 Permits.

A. A permit is required for the construction of buildings or building additions (including construction of signs), and those grading and filling activities not exempted by Section 17.8.3 of this ordinance.

B. A certificate of compliance, consistent with Minnesota Rules Chapter 7082.0700 Subp. 3, is required whenever a permit or variance of any type is required for any improvement on or use of the property. A sewage treatment system shall be considered compliant if the only deficiency is the system's improper setback from the ordinary high water level.

17.3.2 **Application materials.** Application for permits and other zoning applications such as variances shall be made to the Sherburne County Planning and Zoning Administrator on the forms provided. The application shall include the necessary information so that the Sherburne County Planning and Zoning Administrator can evaluate how the application complies with the provisions of this ordinance.

17.3.3 **Certificate of Zoning Compliance**. The Sherburne County Planning and Zoning Administrator shall issue a certificate of zoning compliance for each activity requiring a permit as specified in Section 3.2 of this ordinance. This certificate will specify that the use of land conforms to the requirements of this ordinance. Any use, arrangement, or construction at variance with that authorized by permit shall be deemed a violation of this ordinance and shall be punishable as provided in Section 2.2 of this ordinance.

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17.3.4 **Variances.** Variances may only be granted in accordance with Minnesota Statutes, Section 394.27 and are subject to the following:

A. A variance may not circumvent the general purposes and intent of this ordinance; and

B. For properties with existing sewage treatment systems, a certificate of compliance, consistent with Minnesota Rules Chapter 7082.0700 Subp. 3, is required for variance approval. A sewage treatment system shall be considered compliant if the only deficiency is the system's improper setback from the ordinary high water level.

17.3.5 **Conditional Uses.** All conditional uses in the shoreland area are subject to a thorough evaluation of the waterbody and the topographic, vegetation, and soil conditions to ensure:

A. The prevention of soil erosion or other possible pollution of public waters, both during and after construction;

B. The visibility of structures and other facilities as viewed from public waters is limited;

C. There is adequate water supply and on-site sewage treatment; and

D. The types, uses, and numbers of watercraft that the project will generate are compatible in relation to the suitability of public waters to safely accommodate these watercrafts.

17.3.6 Mitigation.

A. In evaluating all variances, conditional uses, zoning and building permit applications, the zoning authority shall require the property owner to address the following conditions, when related to and proportional to the impact, to meet the purpose of this ordinance, to protect adjacent properties, and the public interest:

1. Advanced storm water runoff management treatment;
2. Reducing impervious surfaces;
3. Increasing setbacks from the ordinary high water level;
4. Restoration of wetlands;
5. Limiting vegetation removal and/or riparian vegetation restoration;
6. Provisions for the location, design, and use of structures, sewage treatment systems, water supply systems, watercraft launching and docking areas, and parking areas; and
7. Other conditions the zoning authority deems necessary.

B. In evaluating plans to construct sewage treatment systems, roads, driveways, structures, or other improvements on steep slopes, conditions to prevent erosion and to preserve existing vegetation screening of structures, vehicles, and other facilities as viewed from the surface of public waters assuming summer, leaf-on vegetation shall be attached to permits.

17.3.7 Nonconformities.

A. All legally established nonconformities as of the date of this ordinance may continue but will be managed according to Minnesota Statutes, Sections 394.36 Subd. 5 and other regulations of

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this community for alterations and additions; repair after damage; discontinuance of use; and intensification of use.

B. All additions or expansions to the outside dimensions of an existing nonconforming structure must meet the setback, height, lowest floor elevations, and other requirements of Sections 5.0 to 8.0 of this ordinance. Any deviation from these requirements must be authorized by a variance.

17.3.8 Notifications to the Department of Natural Resources.

A. All amendments to this shoreland ordinance must be submitted to the Department of Natural Resources for review and approval for compliance with the statewide shoreland management rules. Sherburne County Planning and Zoning Department will submit the proposed ordinance amendments to the Department of Natural Resources' Commissioner (DNR Commissioner) or the DNR Commissioner's designated representative at least 30 days before any scheduled public hearings.

B. All notices of public hearings to consider variances, ordinance amendments, or conditional uses under shoreland management controls must be sent to the DNR Commissioner or the DNR Commissioner's designated representative at least ten (10) days before the hearings. Notices of hearings to consider proposed subdivisions/plats must include copies of the subdivision/plat.

C. All approved ordinance amendments and subdivisions/plats, and final decisions approving variances or conditional uses under local shoreland management controls must be sent to the DNR Commissioner or the DNR Commissioner's designated representative and postmarked within ten days of final action. 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 shall also include the summary of the public record/testimony and the findings of facts and conclusions which supported the issuance of the variance.

D. Any request to change the shoreland management classification of public waters within Sherburne County must be sent to the DNR Commissioner or the DNR Commissioner's designated representative for approval, and must include a resolution and supporting data as required by Minnesota Rules, part 6120.3000, subp.4.

E. Any request to reduce the boundaries of shorelands of public waters within Sherburne County must be sent to the DNR Commissioner or the DNR Commissioner's designated representative for approval and must include a resolution and supporting data. The boundaries of shorelands may be reduced when the shoreland of water bodies with different classifications overlap. In these cases, the topographic divide between the water bodies shall be used for adjusting the boundaries.

17.3.9 **Mandatory EAW.** An Environmental Assessment Worksheet consistent with Minnesota Rules, Chapter 4410 must be prepared for projects meeting the thresholds of Minnesota Rules, part 4410.4300, Subparts 19a, 20a, 25, 27, 28, 29, and 36a.

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17.4 SHORELAND CLASSIFICATION SYSTEM AND LAND USES

17.4.1 Shoreland Classification System.

A. **Purpose.** To ensure that shoreland development on the public waters of Sherburne County is regulated consistent with the classifications assigned by the DNR Commissioner under Minnesota Rules, part 6120.3300.

B. The shoreland area for the waterbodies listed in Sections 4.13 to 4.15 are defined in Section 2.554 and are shown on the Official Zoning Map.

C. Lakes are classified as follows:

1. General development (GD);

General Development Lake Name	DNR Public Waters I.D. #
Fremont	710016
Elk (East)	710055
Eagle	710067
Keller	710083
Elk (West)	710141

2. Recreational development (RD); and

Recreational Development Lake Name	DNR Public Waters I.D. #
Sandy	710040
Birch	710057
Ann	710069
Julia	710145
Briggs	710146
Rush	710147
Pickerel	710158
Long	710159
Blacks	710097

3. Natural environment (NE).

Natural Environment Lake Name	DNR Public Waters I.D. #
Rice	480010
Twin	710001
Kliever Marsh	710003
Rice	710015
Unnamed	710017

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Natural Environment Lake Name	DNR Public Waters I.D. #
Unnamed	710018
West Hunter	710022
East Hunter	710023
Unnamed	710025
Unnamed	710026
Unnamed	710027
Stone	710029
Prairie Hill	710031
Margaritte	710034
Unnamed	710035
Long Pond	710036
Unnamed	710038
Unnamed	710039
Cantlin	710041
Unnamed	710042
Unnamed	710043
Little Diamond	710044
Helene	710045
Diann	710046
Unnamed	710047
Unnamed	710048
Unnamed	710049
Unnamed	710051
Lake of the Woods	710053
Unnamed	710054
Mud	710056
Unnamed	710061
Preusse	710063
Unnamed	710065*
Josephine	710068
Unnamed	710070
Unnamed	710072
Unnamed	710074
Unnamed	710075
Unnamed	710077
Rice	710078
Unnamed	710080
Johnson Slough	710084

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Natural Environment Lake Name	DNR Public Waters I.D. #
Big Mud	710085
Unnamed	710086
Unnamed	710087
Unnamed	710089
Bucks	710093
Hidden	710094
Unnamed (Strand)	710095
Thompson	710096
Wood	710098
Beulah Pond	710101
Unnamed	710104
Danzel Slough	710105
Unnamed	710106
Duffy	710107
Lundberg Slough	710109
Fredrickson Slough	710110
Unnamed	710111
Unnamed	710113
Unnamed	710115
Clitty	710116
Boyd	710118
Unnamed (Eilers)	710119
Unnamed	710120
Unnamed	710122
Camp	710123
Unnamed	710124
Prairie	710125
Mosford	710126
Unnamed	710127
Unnamed	710128
Jones	710129
Crescent	710132
Unnamed	710134
Unnamed	710135
Unnamed	710137
Unnamed	710138
Rice	710142
Unnamed	710143

Natural Environment Lake Name	DNR Public Waters I.D. #
Unnamed	710144
Unnamed	710148
Stickney	710149
Unnamed	710150
Unnamed	710152
Clear	710153
Unnamed	710154
Unnamed	710155
Cater	710157
Unnamed	710161
Unnamed	710165
Round	710167
Unnamed	710168
Unnamed	710172
Unnamed	710173
Unnamed	710185
Unnamed	710187
Unnamed	710188
Unnamed	710189
Unnamed	710191
Unnamed	710197
Unnamed	710201
Unnamed	710205
Unnamed	710213
Unnamed	710215
Unnamed	710216
Unnamed	710218
Unnamed	710228
Unnamed	710229
Unnamed	710237
Unnamed	710244
Unnamed	710245
Unnamed	710361
Unnamed	710292
Unnamed	710295
Unnamed	710296
Unnamed	710297
Unnamed	710310

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Natural Environment Lake Name	DNR Public Waters I.D. #
Unnamed	710311
Unnamed	710337
Unnamed	710338
Unnamed	710339
Unnamed	710342
Unnamed	710344
Unnamed	710361
Unnamed	710367

4. Special Overlay District for Public Water Unnamed Basin 71- 65*

   a. The purpose of the special overlay district is to allow uses and zoning standards normally allowed in a Recreational District RD lake while providing for special protections to offset these uses and zoning standards to protect this Natural Environment classified lake.

   b. Uses. All permitted and conditional uses allowed in lakes classified as RD shall be allowed on Unnamed Basin 71- 65.

   c. Zoning standards. All zoning standards for lakes classified as RD shall apply including an impervious surface limit.

D. Rivers and Streams are classified as follows:

1. Agriculture;

Agriculture River Name	Legal Description
Elk	**Full length**

NOTE: Elk River is a designated tributary to the Mississippi River and portions of it will be affected by MN Rules Parts 6105.0110, Subp 3, Item B, Subitem (3) and 6105.0120 relating to statewide standards and criteria for Wild, Scenic and recreational Rivers.

2. Transition;

Transition River Name	Legal Description
St Francis River	Full Length
All Tributaries	Listed below

3. Forested; and

Forested River Name	Legal Description
Briggs Creek	Full Length

Snake River	Full Length

E. All public rivers and streams shown on the Public Waters Inventory Map for Sherburne County, a copy of which is adopted by reference, not given a classification in Section 4.14 shall be considered "Tributary." *(See list below)*

Non-Classified Watercourses on the Sherburne County Protected Waters List:

Name	Section	From Twp	Range	Section	To Twp	Range
Battle Brook	3	35	27	3	35	27
Battle Brook	1	35	27	1	34	27
Unnamed to Rum River	3	35	26	3	35	26
Unnamed to Blue Lake	35	35	26	36	35	26
Unnamed to Elk River	31 (Basin 67)	34	27	1	33	28
Unnamed to Elk River	17	34	28	19	34	28
Lilly Creek	34 (Basin 147)	35	29	34(Basin 141)	35	29
Unnamed to Rush Lake	27 (Basin 146)	35	29	27 (Basin 147)	35	29
Rice Creek	9 (Basin 142)	35	29	32	35	29
Stony Brook	3	35	29	3	35	29
Stony Brook	2	35	29	3 Basin (142)	35	29
Unnamed to Rice Lake	3	35	29	3	35	29
Unnamed to Rice Creek	13	35	30	29	35	29
Unnamed to Elk River	8 (Hwys 10 & 52)	35	30	15	35	30
Unnamed to Elk River	4 (Basin 119)	34	29	3	34	29

NOTE: The Rum and Mississippi Rivers are also regulated by the Mississippi and Rum and Scenic and Recreational River Ordinance.

17.4.2 Land Uses.

A. Purpose. To identify land uses that are compatible with the protection and preservation of shoreline resources in order to conserve the economic and environmental values of shoreland and sustain water quality.

B. Shoreland district land uses listed in Sections 4.23 and 4.24 are regulated as:

1. Permitted uses (P). These uses are allowed, provided all standards in the Zoning Ordinance are followed;

2. Conditional uses (C). These uses are allowed through a conditional use permit. The use must be evaluated according to the criteria in Section 3.6 and any additional criteria and standards applicable to the property and the use contained in the Zoning Ordinance; and

3. Not permitted uses (N). These uses are prohibited.

C. Land uses for lake classifications:

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Land Uses	General Development	Recreational Development	Natural Environment
Single residential	P	P	P
Duplex, triplex, quad residential	N	N	N
Residential PUD	N	N	N
Water-dependent (Resorts are also Commercial PUDs)	N	N	N
Commercial	P	P	C
Commercial PUD (Expansion of PUD involving up to six additional units or sites allowed as a permitted use provided the provisions of Section 10.0 are satisfied.)	N	N	N
Solar Power Facilities (principal land use)	N	N	N
Parks & historic sites	C	C	C
Public, semipublic	P	P	C
Industrial	C	C	N
Agricultural: cropland and pasture	P	P	P
Agricultural feedlots: New	N	N	N
Agricultural feedlots: Expansion or resumption of existing	C	C	C
Forest management	P	P	P
Forest land conversion	C	C	C
Extractive use	C	C	C
Mining of metallic minerals and peat	P	P	P

D. Land uses for river and stream classifications:

Land Uses	Remote	Forested	Transition	Agriculture	Urban	Tributary
Single residential	P	P	P	P	P	P
Duplex, triplex, quad residential	C	P	P	P	P	P
Residential PUD	N	N	N	N	N	N
Water-dependent commercial - Accessory to residential PUD	N	N	N	N	N	N
Commercial	C	C	C	C	P	P
Commercial PUD - Expansion of PUD involving up to six additional units or sites allowed as a permitted use provided the provisions of Section 10.0 are satisfied.	N	N	N	N	N	N

Solar Power Facilities (principal land use)	N	N	N	N	N	N
Parks & historic sites	C	C	C	C	C	C
Public, semipublic	C	C	C	C	P	P
Industrial	N	C	N	N	C	C
Agricultural: cropland and pasture	P	P	P	P	P	P
Agricultural feedlots: New	N	N	N	N	N	N
Agricultural feedlots: Expansion or resumption of existing	C	C	C	C	C	C
Forest management	P	P	P	P	P	P
Forest land conversion	C	C	C	C	C	C
Extractive use	C	C	C	C	C	C
Mining of metallic minerals and peat	P	P	P	P	P	P

17.5 SPECIAL LAND USE PROVISIONS

17.5.1 **Commercial, Industrial, Public, and Semipublic Use Standards.** Water-dependent uses may be located on parcels or lots with frontage on public waters provided that:

A. The use complies with provisions of Section 7.0;

B. The use is designed to incorporate topographic and vegetative screening of parking areas and structures;

C. Uses that require short-term watercraft mooring for patrons must centralize these facilities and design them to avoid obstructions of navigation and to be the minimum size necessary to meet the need; and

D. Uses that depend on patrons arriving by watercraft may use signs and lighting, provided that:

1. Signs placed in or on public waters must only convey directional information or safety messages and may only be placed by a public authority or under a permit issued by the county sheriff; and

2. Signs placed within the shore impact zone are:

a. No higher than ten feet above the ground, and no greater than 32 square feet in size; and

b. If illuminated by artificial lights, the lights must be shielded or directed to prevent illumination across public waters; and

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3. Other lighting may be located within the shore impact zone or over public waters if it is used to illuminate potential safety hazards and is shielded or otherwise directed to prevent direct illumination across public waters. This does not preclude use of navigational lights.

Commercial, industrial, public, and semi-public uses that are not water-dependent 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 ordinary high water level setback or be substantially screened from view from the water by vegetation or topography, assuming summer, leaf-on conditions.

17.5.2 Agriculture Use Standards.

A. Buffers.

1. 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.

2. General cultivation farming, grazing, nurseries, horticulture, truck farming, sod farming, and wild crop harvesting are permitted uses if steep slopes and shore and bluff impact zones are maintained in perennial vegetation or operated under an approved conservation plan consistent with the field office technical guides of the local soil and water conservation district or the Natural Resource Conservation Service, and as approved by the local soil and water conservation district.

B. New animal feedlots are not allowed in shoreland. Modifications or expansions to existing feedlots or resumption of old feedlots are conditional uses and must meet the following standards:

1. Feedlots must be designed consistent with Minnesota Rules, Chapter 7020;

2. Feedlots must not further encroach into the existing ordinary high water level setback or the bluff impact zone and must not expand to a capacity of 1,000 animal units or more; and,

3. Old feedlots not currently in operation may resume operation consistent with Minnesota Statutes, Section 116.0711.

17.5.3 Forest Management Standards.

A. The harvesting of timber and associated reforestation must be conducted consistent with the applicable provisions of the Sustaining Minnesota Forest Resources: Voluntary Site-Level Forest Management Guidelines for Landowners, Loggers and Resource Managers.

B. Intensive vegetation clearing for forest land conversion to another use is a conditional use subject to an erosion control and sedimentation plan developed and approved by the soil and water conservation district.

17.5.4 **Extractive Use Standards.** Extractive uses are conditional uses and must meet the following standards:

A. Site Development and Restoration Plan. A site development and restoration plan must be developed, approved, and followed over the course of operation. The plan must:

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1. Address dust, noise, possible pollutant discharges, hours and duration of operation, and anticipated vegetation and topographic alterations;
2. Identify actions to be taken during operation to mitigate adverse environmental impacts, particularly erosion; and
3. Clearly explain how the site will be rehabilitated after extractive activities end.

B. Setbacks for Processing Machinery. Processing machinery must meet structure setback standards from ordinary high water levels and from bluffs.

17.5.5 **Metallic and Peat Mining Standards**. Mining of metallic minerals and peat is a permitted use provided the provisions of Minnesota Statutes, Sections 93.44 to 93.51, are satisfied.

17.6 DIMENSIONAL AND GENERAL PERFORMANCE STANDARDS

17.6.1 The lot area (in square feet) and lot width standards (in feet) for single residential lots created prior to the date of enactment of this ordinance for the lake and river/stream classifications are shown in the chart below.

17.6.2 **Purpose.** To establish dimensional and performance standards that protect shoreland resources from impacts of development.

17.6.3 **Lot Area and Width Standards.** After the effective date of this ordinance, all new lots must meet the minimum lot area and lot width requirements in Sections 6.25 and 6.26, subject to the following standards:

A. Only lands above the ordinary high water level and excluding private easements and public rights-of-way can be used to meet lot area, depth and width standards;

B. Lot width standards must be met at both the ordinary high water level and at the building line;

C. The sewer lot area dimensions can only be used if publicly owned sewer system service is available to the property;

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D. Lake Minimum Lot Area and Width Standards:

1. General development lake – **No sewer**.

Lot Type	Riparian Lot Area (sf)	Riparian Lot Width (ft)	Nonriparian Lot Area (sf)	Nonriparian Lot Width (ft)
Single	20,000	100	40,000	150
Duplex	40,000	180	80,000	265
Triplex	60,000	260	120,000	375
Quad	80,000	340	160,000	490

2. General development lake – **Sewer**

Lot Type	Riparian Lot Area (sf)	Riparian Lot Width (ft)	Nonriparian Lot Area (sf)	Nonriparian Lot Width (ft)
Single	15,000	75	10,000	75
Duplex	26,000	135	17,500	135
Triplex	38,000	195	25,000	190
Quad	49,000	255	32,500	245

3. Recreational development lake – **No sewer**

Lot Type	Riparian Lot Area (sf)	Riparian Lot Width (ft)	Nonriparian Lot Area (sf)	Nonriparian Lot Width (ft)
Single	40,000	150	40,000	150
Duplex	80,000	225	80,000	265
Triplex	120,000	300	120,000	375
Quad	160,000	375	160,000	490

4. Recreational development lake – **Sewer**

Lot Type	Riparian Lot Area (sf)	Riparian Lot Width (ft)	Nonriparian Lot Area (sf)	Nonriparian Lot Width (ft)
Single	20,000	75	15,000	75
Duplex	35,000	135	26,000	135
Triplex	50,000	195	38,000	190
Quad	65,000	255	49,000	245

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5. Natural environment lake – **No sewer**

Lot Type	Riparian Lot Area (sf)	Riparian Lot Width (ft)	Nonriparian Lot Area (sf)	Nonriparian Lot Width (ft)
Single	80,000	200	80,000	200
Duplex	120,000	300	160,000	400
Triplex	160,000	400	240,000	600
Quad	200,000	500	320,000	800

6. Natural environment lake – **Sewer**

Lot Type	Riparian Lot Area (sf)	Riparian Lot Width (ft)	Nonriparian Lot Area (sf)	Nonriparian Lot Width (ft)
Single	40,000	125	20,000	125
Duplex	70,000	225	35,000	220
Triplex	100,000	325	52,000	315
Quad	130,000	425	65,000	410

E. **River/Stream Minimum Lot Width Standards.** There are no minimum lot area requirements for rivers and streams. The lot width standards in feet are:

Lot Type	Forested	Transition	Agriculture	Tributary No Sewer	Tributary Sewer
Single	200	250	150	100	75
Duplex	300	375	225	150	115
Triplex	400	500	300	200	150
Quad	500	625	375	250	190

17.6.4 Special Residential Lot Provisions.

A. Subdivisions of duplexes, triplexes, and quads are conditional uses on Natural Environment Lakes and must also meet the following standards:

1. Each building must be set back at least 200 feet from the ordinary high water level;

2. Each building must have common sewage treatment and water systems in one location and serve all dwelling units in the building;

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3. Watercraft docking facilities for each lot must be centralized in one location and serve all dwelling units in the building; and

4. No more than 25 percent of a lake's shoreline can be in duplex, triplex, or quad developments.

B. One Accessory Dwelling Unit may be allowed on lots meeting or exceeding the duplex lot area and width dimensions presented in Sections XXXX and XXXX, provided the following standards are met:

1. For lots exceeding the minimum lot dimensions of duplex lots, the accessory dwelling unit must be located within an area equal to the smallest duplex-sized lot that could be created including the principal dwelling unit;

2. An accessory dwelling unit must not cover more than 700 square feet of land surface and must not exceed 15 feet in height; and

3. An accessory dwelling unit 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.

C. Controlled access lots are permissible if created as part of a subdivision and in compliance with the following standards:

1. The lot must meet the area and width requirements for residential lots, and be suitable for the intended uses of controlled access lots as provided in item D;

2. 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 a percentage of the requirements for riparian residential lots for each watercraft beyond six, consistent with the following table:

Ratio of lake size to shore length (acres/mile)	Required percent increase in frontage
Less than 100	25%
100 – 200	20%
201 – 300	15%
301 – 400	10%
Greater than 400	5%

3. The lot 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

4. Covenants or other equally effective legal instruments must be developed that:

a. Specify which lot owners have authority to use the access lot;

b. Identify what activities are allowed. The activities may include watercraft launching, loading, storage, beaching, mooring, docking, swimming, sunbathing, or picnicking;

c. 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;

d. Require centralization of all common facilities and activities in the most suitable locations on the lot to minimize topographic and vegetation alterations; and

e. 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.

D. **Private Access Easements**. Easements providing access to boat docking and mooring facilities to non-riparian property owners are prohibited.

17.6.5 Placement, Height, and Design of Structures.

A. OHWL Setback for Structures and Sewage Treatment Systems. When more than one setback applies to a site, structures and facilities must be located to meet all setbacks, and comply with the following OHWL setback provisions. The structure setback standards for sewered properties can only be used if the structure is connected to a publicly owned sewer system.

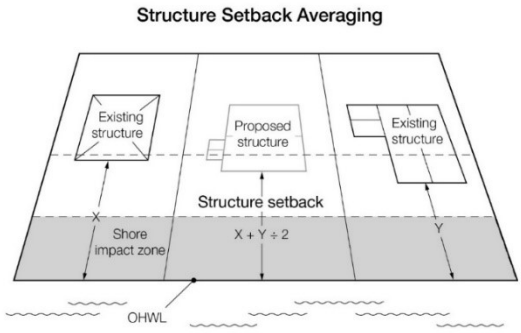
Waterbody Classification	Structures with No Sewer	Structures with Sewage Treatment Sewer	Systems
Natural Environment Lakes	150	150	150
Recreational Development Lakes	100	75	100
General Development Lakes	75	50	75
Forested and Transition Rivers	150	150	150
Agriculture & Tributary Rivers	100	50	100

1. *OHWL Setbacks*. Structures, impervious surfaces, and sewage treatment systems must meet setbacks from the Ordinary High Water Level (OHWL), except that one water-oriented accessory structure or facility, designed in accordance with Section 7.3 of this ordinance, may be set back a minimum distance of ten (10) feet from the OHWL:

2. *Setback averaging*. Where principal structures exist on the adjoining lots on both sides of a proposed building site, structure setbacks may be altered without a variance to conform to the adjoining principal structure setbacks from the OHWL, provided the proposed structure is not located in a shore impact zone or in a bluff impact zone (see Figure 11);

Figure 11. Structure Setback Averaging

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3. *Setbacks of decks.* Deck additions may be allowed without a variance to a structure not meeting the required setback from the ordinary high water level if all of the following criteria are met:

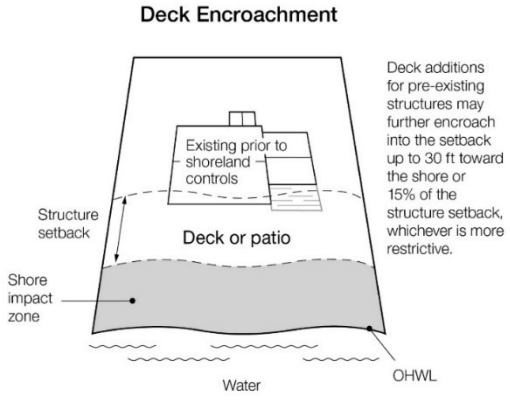
   a. The structure existed on the date the structure setbacks were established (1971);

   b. 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;

   c. The deck encroachment toward the ordinary high water level does not exceed 15 percent of the existing setback of the structure from the ordinary high water level or is no closer than 30 feet from the OHWL, whichever is more restrictive; and

   d. The deck is constructed primarily of wood, and is not roofed or screened (see Figure 12).

Figure 12. Deck Encroachment



4. *Additional structure setbacks.* In addition to the setbacks required in the applicable zoning district, structures must also meet the following setbacks, regardless of the waterbody classification:

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Setback from:	Setback (ft)
Top of bluff	30
Unplatted cemetery	50

5. *Bluff Impact Zones.* Structures, impervious surfaces, and accessory facilities, except stairways and landings, must not be placed within bluff impact zones.

B. **Height of Building.** All structures in residential districts except churches and nonresidential agricultural structures, must not exceed 25 feet in height.

C. **Lowest Floor Elevation.**

1. Determining elevations. Structures must be placed at an elevation consistent with the applicable floodplain regulatory elevations. Where these elevations are not known, the lowest floor, including basement, must be placed or flood-proofed at an elevation determined using the following methodology:

   a. For lakes, by placing the lowest floor at a level at least three feet above the highest known water level, or three feet above the ordinary high water level, whichever is higher (see Figure 10);

   b. For rivers and streams, by placing the lowest floor at least three feet above the highest known flood elevation. If highest known flood elevation is not available, by placing the lowest floor at least three feet above the ordinary high water level (see Figure 10), or by conducting a technical evaluation to establish a flood protection elevation. Technical evaluations must be done by a qualified engineer or hydrologist consistent with Minnesota Rules, parts 6120.5000 to 6120.6200.

2. Methods for placement.

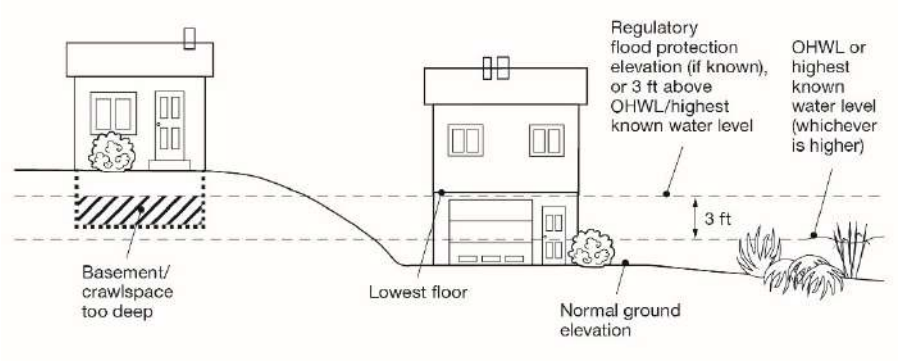
   a. In addition to the lowest floor, all service utilities must be elevated or water-tight to the elevation determined in part A.

   b. If elevation methods involving fill would result in the placement of fill within the shore impact zone, then structures must instead be elevated through floodproofing methods in accordance with 6.43(B)(3) below;

   c. If the structure is floodproofed, then it must be built to resist hydrostatic pressure through elevation methods such as blocks, pilings, filled stem walls, elevated concrete pad, internally flooded enclosed areas, or through other accepted engineering practices consistent with FEMA technical bulletins 1, 2 and 3.

Figure 13. Lowest Floor Elevation

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E. **Significant Historic Sites.** No structure may be placed on a significant historic site in a manner that affects the values of the site unless adequate information about the site has been removed and documented in a public repository.

17.6.6 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 connected to a publicly-owned sewer system, where available or comply with Minnesota Rules, Chapters 7080 – 7081.

17.7 PERFORMANCE STANDARDS FOR PUBLIC AND PRIVATE FACILITIES

17.7.1 **Placement and Design of Roads, Driveways, and Parking Areas. These** facilities must be designed to take advantage of natural vegetation and topography to achieve maximum screening as viewed from public waters. They must be constructed to minimize and control erosion to public waters consistent with the field office technical guides of the local SWCD and comply with the following standards:

A. Roads, driveways, and parking areas must meet 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;

B. 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;

C. Private watercraft access ramps, approach roads, and access-related parking areas are prohibited;

D. For public roads, driveways and parking areas, documentation must be provided by a qualified individual that they 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.

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17.7.2 **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, lifts, and landings must meet the following design requirements:

A. Stairways and lifts must not exceed four (4) feet in width on residential lots. Wider stairways may be used for commercial properties, public recreational uses, and planned unit developments;

B. 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-space recreational uses, and planned unit developments;

C. Canopies or roofs are not allowed on stairways, lifts, or landings;

D. 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;

E. 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

F. Facilities such as ramps, lifts, or mobility paths for physically handicapped persons are also allowed for achieving access to shore areas, if they are consistent with the dimensional and performance standards of sub items 7.21 to 7.25 and the requirements of Minnesota Rules, Chapter 1341.

17.7.3 **Water-oriented Accessory Structures or Facilities.** Each residential lot may have one water-oriented accessory structure or facility if it complies with the following provisions:

A. 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. The structure or facility may include detached decks not exceeding eight feet above grade at any point or at-grade patios;

B. The structure or facility is not in the Bluff Impact Zone;

C. The setback of the structure or facility from the ordinary high water level must be at least ten feet;

D. The structure is not a boathouse or boat storage structure as defined under Minnesota Statutes, Section 103G.245;

E. 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, assuming summer, leaf-on conditions;

F. The roof may be used as an open-air deck with safety rails, but must not be enclosed with a roof or sidewalls or used as a storage area;

G. The structure or facility must not be designed or used for human habitation and must not contain water supply or sewage treatment facilities;

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H. Water-oriented accessory structures may have the lowest floor placed lower than the elevation specified in Section 6.43 if the structure is designed to accommodate internal flooding, constructed of flood-resistant materials to the elevation, electrical and mechanical equipment is placed above the elevation and, if long duration flooding is anticipated, the structure is built to withstand ice action and wind-driven waves and debris.

17.7.4 **Fences.** Fences between principal structures and the waterbody are allowed if fences are:

A. Not higher than (4) four feet outside shore impact zone and bluff impact zone but within required lake setback.

B. Not located within the shore impact zone and bluff impact zone, except for farm fences.

C. Not located in the regulatory floodplain, except for farm fences.

17.7.5 **Lighting.** Within the OHWL setback:

A. Lighting shall be fully shielded and directed away from the water.

B. Uplighting viewable from the water is prohibited.

17.8 VEGETATION AND LAND ALTERATIONS

17.8.1 **Purpose.** Alterations of vegetation and topography are regulated to prevent erosion into public waters, fix nutrients, preserve shoreland aesthetics, preserve historic values, prevent bank slumping, sustain water quality, and protect fish and wildlife habitat.

17.8.2 Vegetation Management.

A. A Shoreland Alteration permit is required prior to vegetative clearing within the setback to the waterbody No Shoreland Alteration is allowed until a plan is submitted and approved consistent with these vegetation management provisions.

B. Removal or alteration of vegetation must comply with the provisions of this subsection except for:

1. Vegetation alteration necessary for the construction of structures and sewage treatment systems under validly issued permits for these facilities;

2. The construction of public roads and parking areas if consistent with Section 7.1 of this ordinance;

3. Forest management uses consistent with Section 5.3 of this ordinance; and

4. Agricultural uses consistent with Section 5.2 of this ordinance.

C. Intensive vegetation clearing in the shore and bluff impact zones and on steep slopes is prohibited. Intensive clearing outside of these areas is allowed if consistent with the forest management standards in Section 5.3 of this ordinance.

D. Limited clearing and trimming of trees and shrubs within the setback to the waterbody is allowed, with a Shoreland Alteration Permit, to provide a view to the water from the principal dwelling and to accommodate the placement of stairways and landings, picnic areas, access

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paths, livestock watering areas, beach and watercraft access areas, and permitted water-oriented accessory structures or facilities, provided that:

1. Vegetation must be maintained to structures, vehicles, or other facilities by at least 50% as viewed from the water, assuming summer, leaf-on conditions. The maximum view corridor shall be less than 50 feet or one-third of the parcel width, whichever is less;
2. Existing shading of water surfaces along rivers is preserved.
3. Cuttings, tree waste or other debris shall be scattered and not mounded on the ground; and
4. Perennial ground cover is retained.
5. Picnic areas, access paths, livestock watering areas, beaches and watercraft access areas are prohibited in bluff impact zones.

E. Removal of trees, limbs, or branches that are dead, diseased, dying, or pose safety hazards is allowed without a permit.

F. Fertilizer and pesticide runoff into surface waters must be minimized through use of vegetation, topography or both.

G. In addition to the enforcement penalties provided elsewhere in the Zoning Ordinance, violations of this Section 8 will require an after-the-fact Shoreland Alteration Permit along with a vegetation restoration and maintenance plan.

17.8.3 Grading and Filling.

A. Grading and filling activities must comply with the provisions of this subsection except for the construction of public roads and parking areas if consistent with Section 7.1 of this ordinance.

B. Permit Requirements.

1. A Shoreland Alteration is required for:
   a. the movement of more than 10 cubic yards of material on steep slopes or within shore or bluff impact zones; and
   b. the movement of more than 50 cubic yards of material outside of steep slopes and shore and bluff impact zones.
   c. placement of retaining walls, including boulder walls within the shore impact zone and bluff impact zone, provided that:
      i. if the project includes work at or below the OHWL, the DNR Commissioner has already approved or permitted the project.
      ii. the structures are used only to correct a documented or otherwise verified existing erosion problem and not for aesthetic reasons.
      iii. the height and length are the minimum necessary to control the erosion problem and are not higher than 4 feet or longer than 10 feet, unless the zoning

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administrator determines that a larger wall is necessary to correct the erosion problem; and

iv. walls are screened by vegetation so as not to be visible from the waterbody.

d. Placement of natural rock rip rap, including associated grading of the shoreline and placement of a filter blanket requires a Shoreland Alteration Permit, provided that:

i. if the project includes work at or below the OHWL, the DNR Commissioner has already approved or permitted the project;

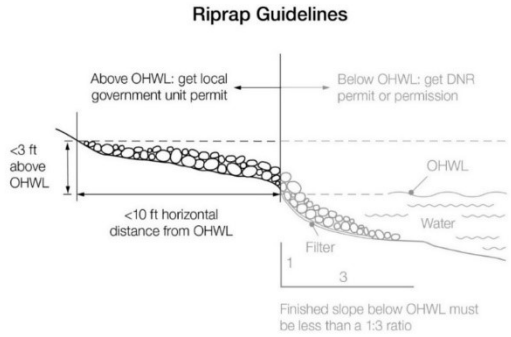
ii. the finished slope does not exceed three feet horizontal to one-foot vertical;

iii. the landward extent of the riprap is within ten feet of the ordinary high water level; and

iv. the height of the riprap above the ordinary high water level does not exceed three feet (see Figure 14).

v. A vegetative buffer, consisting of deep rooted and woody vegetation, must be established at a distance no less than ten feet from the landward extent of the riprap.

Figure 14. Riprap Guidelines



2. A Shoreland Alteration Permit (SAP) is required for the addition of driveways, sidewalks, patios, etc., regardless of the size, on all riparian lots in the Shoreland District.

C. Grading, filling and excavation activities must meet the following standards:

1. Grading or filling of any wetland must meet or exceed the wetland protection standards under Minnesota Rules, Chapter 8420 and any other permits, reviews, or approvals by other local state, or federal agencies such as watershed districts, the DNR or US Army Corps of Engineers;

2. Land alterations must be designed and implemented to minimize the amount of erosion and sediment from entering surface waters during and after construction consistently by:

a. Limiting the amount and time of bare ground exposure;

b. Using temporary ground covers such as mulches or similar materials;

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c. Establishing permanent, deep-rooted and dense vegetation cover as soon as possible;

d. Using sediment traps, vegetated buffer strips or other appropriate techniques;

e. Stabilizing altered areas to acceptable erosion control standards consistent with the field office technical guides of the soil and water conservation district;

f. Not placing fill or excavated material in a manner that creates unstable slopes. 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;

g. Fill or excavated material must not be placed in bluff impact zones;

h. Any alterations below the ordinary high water level of public waters must first be authorized by the DNR Commissioner under Minnesota Statutes, Section 103G; and

i. Alterations of topography are only allowed if they are accessory to permitted or conditional uses and do not adversely affect adjacent or nearby properties

D. Connections to public waters. Excavations to connect boat slips, canals, lagoons, and harbors to public waters require a public waters permit and must comply with Minnesota Rules, Chapter 6115.

17.8.4 Stormwater Management.

A. General Standards:

1. When possible, existing natural drainageways, and vegetated soil surfaces must be used to convey, store, filter, and retain stormwater runoff before discharge to public waters.

2. 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 as soon as possible and appropriate facilities or methods used to retain sediment on the site.

3. When development density, topography, soils, and vegetation are not sufficient to adequately handle stormwater runoff, constructed facilities such as settling basins, skimming devices, dikes, waterways, ponds and infiltration may be used. Preference must be given to surface drainage, vegetation, and infiltration rather than buried pipes and man-made materials and facilities.

B. Specific Standards:

1. Impervious surfaces of lots must not exceed 25 percent of the lot area.

2. 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 district or the Minnesota Stormwater Manual, as applicable.

3. New constructed stormwater outfalls to public waters must be consistent with Minnesota Rules, part 6115.0231.

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17.9 SUBDIVISION/PLATTING PROVISIONS

17.9.1 **Purpose.** To ensure that new development minimizes impacts to shoreland resources and is safe and functional. These standards are in addition to the standards provided for in the Sherburne County Subdivision Ordinance. In the event of a conflict between the standards contained in this Section 9 and the Standards in the Subdivision Ordinance, the more restrictive standard, as determined by the Zoning Administrator, shall apply.

17.9.2 **Land suitability.** Each lot created through subdivision must be suitable in its natural state for the proposed use with minimal alteration A suitability analysis must be conducted for each proposed subdivision to determine if the subdivision is suitable in its natural state for the proposed use with minimal alteration and whether any feature of the land is likely to be harmful to the health, safety, or welfare of future residents of the proposed subdivision or of the community.

17.9.3 **Consistency with other controls.** Subdivisions and each lot in a subdivision shall meet all official controls so that a variance is not needed later to use the lots for their intended purpose.

17.9.4 Water and Sewer Design Standards.

A. A potable water supply and a sewage treatment system consistent with Minnesota Rules, Chapters 7080 – 7081 must be provided for every lot.

B. Each lot must include at least two soil treatment and dispersal areas that support systems described in Minnesota Rules, parts 7080.2200 to 7080.223 or site conditions described in part 7081.0270, subparts 3 to 7, as applicable.

C. Lots that would require use of holding tanks are prohibited.

17.9.5 **Information requirements.** The following information must be included with each subdivision application for lands located within Shoreland areas.

A. Topographic contours at two (2) foot intervals or less from United States Geological Survey maps or more current sources, showing limiting site characteristics;

B. The surface water features required in Minnesota Statutes, section 505.021, Subd. 1, to be shown on plats, obtained from United States Geological Survey quadrangle topographic maps or more current sources;

C. Adequate soils information to determine suitability for building and 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.

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17.9.6 **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.

17.9.7 **Controlled Access Lots.** Controlled access lots within a subdivision must meet or exceed the lot size criteria in Section 6.33 of this ordinance.

17.10 PLANNED UNIT DEVELOPMENTS (PUDs)

No PUDs are allowed in the shoreland districts.

SECTION 18 - MISSISSIPPI SCENIC AND RECREATIONAL RIVER ORDINANCE

18.1 POLICY AND AUTHORIZATION

An ordinance for the controlling of bluffland and riverland development, in order to protect and preserve the outstanding scenic, recreational natural, historical and scientific values of the Mississippi River in Sherburne County, Minnesota, as required by Minnesota Statutes, Chapter 103F.301-103F.35, Minnesota Rules, Chapter 6105.0010-6105.0250, the Management Plans for the Mississippi River (MR 6105.0800-6105.0960).

18.2 TITLE

Short Title. This ordinance shall be known, cited and referred to as the County of Sherburne Mississippi Scenic and Recreational River Ordinance; except as referred to herein, where it shall be known as, "This Ordinance."

18.3 PURPOSE

This ordinance is adopted to achieve the policy of Subdivision 1 and to:

A. Designate land use districts along the bluffland and shoreline of the Mississippi River.

B. Regulate the area of a lot, and the length of the bluffland and water frontage suitable for building sites.

C. Regulate the setback of structures and sanitary waste treatment facilities from blufflines and shorelines to protect the existing and/or natural scenic values, vegetation, soils, water quality, floodplain areas, and bedrock from disruption by man-made structures or facilities.

D. Regulate alterations of the natural vegetation and topography.

E. Maintain property values and prevent poorly planned development.

F. Conserve and protect the natural scenic values and resources of the Mississippi River and maintain a high standard of environmental quality.

18.4 GENERAL PROVISIONS

18.4.1 **Jurisdiction.** The Jurisdiction of this ordinance shall include all unincorporated land designated within the Mississippi River Districts within Sherburne County as shown on the official Sherburne County Zoning Map.

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18.4.2 **Compliance.** The Use of any land within the Mississippi River Districts(s); the size and shape of lots; the use and location of structures on lots; the installation and maintenance of waste disposal facilities; the filling, grading, lagooning, or dredging of any river area; the cutting of vegetation or alteration of the natural topography within the district; and the subdivision of land shall be in full compliance with the terms of this ordinance and other applicable regulations. Permits from the Zoning Administrator are required by this ordinance and the Sherburne County Zoning Ordinance for the construction of buildings, public or private sewage treatment systems, the grading and filling of the natural topography and erection of signs within the Mississippi River Scenic and Recreational District(s).

18.4.3 Rules:

A. It is not intended by this ordinance to repair, abrogate or impair any existing easement, covenants, deed restrictions, or land use controls. Where this ordinance imposes greater restrictions, the provision of this ordinance shall prevail.

B. In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements, and shall not be deemed a limitation or repeal of any powers or rights granted by Minnesota Statutes.

C. The provisions of this ordinance shall be severable, and the invalidity of any paragraph, subparagraph, or subdivision thereof shall not make void any other paragraph, subparagraph, subdivision or any other part. If any court of competent jurisdiction shall adjudge invalid any provision of this ordinance or the application of this ordinance to a particular property, building or other structure, such judgement shall not affect any other provision of this ordinance or any other property, building or structure not specifically included in said judgement.

18.5 LAND USE DISTRICT PROVISIONS

18.5.1 Designation of Districts:

A. In order to preserve and protect the Mississippi River and adjacent lands which possess outstanding scenic, recreational, natural, historical, scientific and similar values; the Mississippi a River in Sherburne County has been given the Scenic and Recreational River classifications and the uses and classification of the rivers and their adjacent lands are hereby designated by land use zoning districts, which are shown on the Sherburne County Zoning Map and shall be as follows:

1. Scenic River Management Zone: All l lands along the Mississippi River which are between the State Highway #24 bridge at Clearwater and the St. Cloud City limits as identified in Minnesota Rule 6105.0830.

2. Recreational River Management Zone: All lands along the Mississippi River which are downstream from the State Highway #24 bridge at Clearwater as identified in Minnesota Rule 6115.0950-6105.0960.

18.5.2 Minimum area, setbacks and other requirements:

The following chart sets forth the minimum area, setbacks, and other requirements on each district:

	Scenic	Recreational

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1. Minimum lot size above high water mark	20 acres or 4 if platted	20 acres or 2 if platted
2. Lot width at building line	250 feet	200 feet
3. Lot width at ordinary high water mark	250 feet	200 feet
4. Structure setback from ordinary high water mark	150 feet	100 feet
5. Structure setback from bluffline	30 feet	25 feet
6. On site sewage treatment system setback from ordinary high water mark	100 feet	75 feet
7. Maximum structure height*	35 feet	35 feet
8. Controlled vegetative cutting area (See Subdivision 8)		
9. Setback from bluffline	30 feet	25 feet

*Does not apply to structures used for agricultural purposes

18.5.3 Minimum Setbacks, Principal or Accessory Structures:

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.

A. No structure shall be placed on any slope greater than 13 % (13 feet vertical rise in 100' horizontal distance).
B. No structure shall be placed in any floodway. Structures proposed within a floodplain shall be consistent with the statewide Standards and Criteria for Management of Floodplain Areas of Minnesota (Minnesota Rules 6120.5000-6120.6200) and Section 13 of the Sherburne County Zoning Ordinance.

18.5.4 Lot Requirements for Scenic River District

Minimum Area	20 contiguous acres above high water mark – Unplatted 4 contiguous acres above high water mark - Platted
Maximum Area	
Minimum Buildable Lot Area	40,000 contiguous sq. ft. if no public or shared sewage treatment system
Minimum Lot Width	250 feet at building line 250 feet at high water mark
Minimum Lot Depth	300 feet
Maximum Residential Density	1 single family residence per lot
Structure setback from ordinary high water mark	150 feet
Structure setback from bluffline	30 feet
On site sewage treatment system setback from ordinary high water mark	100 feet
Road Setback	Setback requirements based on road classification. See Road Setback Table located XX.XXX.
Side Yard Setback	10* feet
Rear Yard Setback	25 feet
Shoreland Setbacks	30 feet from bluffline, if applicable OHWL Setback per Shoreland Ordinance (See section XX)
County Ditch Setback (from top of ditch bank)	50 feet
Pipeline Easements/Right of Way	50 feet

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Maximum Height	35 feet (Does not apply to structures used for agricultural purposes)
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.

*Author's note: If property owner is proposing to go closer than 20' 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 ft.

18.5.5 Lot Requirements for Recreational River District

Minimum Area	20 contiguous acres above high water mark – Unplatted 2 contiguous acres above high water mark - Platted
Maximum Area	
Minimum Buildable Lot Area	40,000 contiguous sq. ft. if no public or shared sewage treatment system
Minimum Lot Width	200 feet at building line 200 feet at high water mark
Minimum Lot Depth	300 feet
Maximum Residential Density	1 single family residence per lot
Structure setback from ordinary high water mark	100 feet
Structure setback from bluffline	25 feet
On site sewage treatment system setback from ordinary high water mark	75 feet
Road Setback	Setback requirements based on road classification. See Road Setback Table located XX.XXX.
Side Yard Setback	10* feet
Rear Yard Setback	25 feet
Shoreland Setbacks	30 feet from bluffline, if applicable OHWL Setback per Shoreland Ordinance (See section XX)
Other setbacks	50 feet: County Ditch Setback (from top of ditch bank and Septic System) 50 feet: Pipeline Easements/Right of Way
Maximum Height	35 feet (Does not apply to structures used for agricultural purposes)
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.

*Author's note: If property owner is proposing to go closer than 20' 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 ft.

18.5.6 Substandard Lots:

A. Lots of record in the office of the Sherburne County Recorder on the effective day of enactment of this ordinance which do not meet the dimensional requirements of this ordinance shall be allowed as building sites, provided: such use is permitted in the land use district; the lot was in separate ownership on the date of enactment of this ordinance; and all sanitary and dimensional requirements are complied with, as practicable.

B. If in a group of contiguous lots under a single ownership, any individual lot does not meet the lot width minimum requirements of this Ordinance, such individual lot cannot be considered as a separate parcel of land for purposes of sale or development, but must be combined with adjacent lots under the same ownership so that the combination of lots will equal one or more parcels of land each meeting the lot width requirements of this ordinance, except that such lots which are 50 percent or more of the lot width standards of these regulations may be considered as a separate parcel of land for the purpose of sale or development, if on-site sewage treatment systems can be installed so as to comply with this ordinance.

18.6 USES WITHIN THE DISTRICTS

18.6.1 **Purpose:** The purpose of establishing standards and criteria for uses in the Mississippi River Districts shall be to protect and preserve existing natural, scenic, historical, scientific, and recreational values, to maintain proper relationships between various land use types, and to prohibit new residential, commercial, or industrial uses that are inconsistent with the standards and criteria for Scenic and Recreational Rivers.

18.6.2 Permitted and Conditional Uses:

A. In the following table of uses "P" means Permitted Use, "C" means Conditional Use and "N" means Nonpermitted Use.

B. Certain of the following uses are subject to the zoning dimension provisions and sewage treatment system provisions of Subdivisions 5 and 7 of this District. All of the following uses are subject to the vegetative cutting provisions of Subdivision 8 of this District. All uses not listed as permitted or conditional uses shall not be allowed within the applicable land use districts.

C. In addition to uses in Subdivision 6, Subsection 2, the following uses shall be considered conditional uses with the Mississippi Special Use District which includes all of the Mississippi River land use district legally described as all of Government Lots 1,2,3,4 of Section 35, Township 33N, Range 28W, and is shown on the Sherburne County Zoning Map.

Use Type P = **Permitted** C = **Conditional** Blank = **Not allowed**	**SR**	**RD**	**MS UD**
Agricultural uses	P	P	P
Automobile service stations			C
Bowling alleys			C
Car washes			C
Churches and graveyards	C	C	C
Drive in restaurants or similar uses that provide goods and services to patrons in automobiles			C
Drive in retail stores or service uses			C

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Essential services	P	P	P
Forestry uses	P	P	P
Franchised auto and farm implement dealers			C
Governmental campground, subject to management plan specifications	P	P	P
Governmental resource management for improving fish and wildlife habitat; wildlife management areas; nature areas; accessory roads	P	P	P
Landscape nursery, garden store			C
Marine and boat sales			C
Mini-golf, archery or driving range			C
Motel, hotel or tourist camp			C
Other governmental open space recreational uses, subject to management plan specifications	P	P	P
Other private open space recreational uses, subject to management plan specifications	C	C	C
Private campgrounds, subject to management plan specifications	C	C	C
Private roads and minor public streets	P		P
Professional offices			C
Public accesses, road access type with boat launch facilities subject to management plan specifications	P	P	P
Public accesses, trail access type, subject to management plan specifications	P	P	P
Public roads, subject to the conditions and criteria of Minnesota Rules 6105.0190 and 6105.0200	C	C	C
Restaurant, café, tavern			C
Sewage disposal systems	P	P	P
Signs approved by federal state or local government which are necessary for public health and safety and signs indicating areas that are available or not available for public use	P	P	P
Signs not visible from the river that are not specified in (14). In accordance with Section 17 of Sherburne County Zoning Ordinance	P	P	P
Single family residential uses	P	P	P
Temporary docks	C	C	C
Underground mining that does not involve surface excavation in the land use district	C	C	C
Utility transmission power lines and pipelines subject to the conditions and criteria of Minnesota Rules 6105.0170	C	C	C

18.7 SEWAGE TREATMENT SYSTEMS

18.7.1 Any premises intended for human occupancy must provide for an adequate method of sewage treatment. Public or municipal collection and treatment facilities must be used where available and feasible. Where public or municipal facilities are not available, all on-site individual sewer treatment systems shall conform to the minimum standards and administrative procedures set forth in the Sherburne County Zoning Ordinance (Subdivision 17.5) and the minimum standards of the Minnesota Pollution Control Agency, the Minnesota Department of Health and Subdivision 5, Subsection 2, of this Ordinance.

18.7.2 No person, firm, or corporation shall install, alter, repair or extend any individual sewer disposal system without first obtaining a permit for such from the Zoning Administrator for the specific installation, alteration, repair, or extension.

18.8 LANDSCAPE ALTERATIONS

18.8.1 Vegetative Cutting:

A. General Provisions, within designated setback areas:

1. Clear cutting except for any authorized public services such as roads and utilities, shall not be permitted.

2. Selective cutting of trees in excess of four inches in diameter at breast height shall be permitted providing cutting is spaced in several cutting operations and a continuous tree cover is maintained.

3. The cutting provisions of Subdivision 8, Subsection 2, shall not be deemed to prevent:

   a. The removal of diseased or insect infested trees, or of rotten or damaged trees that present safety hazards.

   b. Pruning understory vegetation, shrubs, plants, brush, grass, or from harvesting crops, or cutting suppressed trees or trees less than four inches in diameter at breast height.

B. Clear Cutting: Clear cutting anywhere in the designated land use district on the Mississippi River is subject to the following standards and criteria:

1. Clear cutting shall not be used as a cutting method where soil, slope, or other watershed conditions are determined by the zoning authority to be fragile and subject to severe erosion and/or sedimentation.

2. Clearcutting shall be conducted only where clear-cut blocks, patches or strips are, in all cases, shaped and blended with the natural terrain.

3. The size of clear cut blocks, patches or strips shall be kept at a minimum necessary.

4. Where feasible all clear cuts shall be conducted between September 15 and May 15. If natural regeneration will not result in adequate vegetative cover, areas in which clear cutting is conducted shall be replanted to prevent erosion and to maintain the aesthetic quality of the area. Where feasible, replanting shall be performed in the same spring, or the following spring.

5. Clear cutting, except for public services such as roads and utilities, is not permitted within the following distances from the Ordinary High Water Mark
   150’ of the Scenic River District
   100’ of the Recreational River District
   100’ of designated tributaries or scenic and recreational rivers identified in the rules.

6. Clear cutting, except for public services such as roads and utilities, is not permitted within the 30 feet from blufflines in both the Scenic and Recreational River Districts.

18.8.2 Grading, Filling, Alterations of the Beds of Public Waters:

A. Any grading and filling work done within the designated land use districts(s) of this ordinance shall require a permit from the Zoning Administrator and shall comply with the following:

1. Grading and filling of the natural topography which is not accessory to a permitted or conditional use shall not be permitted in the land use district(s).

2. Grading and filling of the natural topography which is accessory to a permitted or conditional use shall not be conducted without a grading and filling permit from the zoning

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authority. A grading and filling permit may be issued only if the conditions of Subdivision 8, Subsection 2, are properly satisfied.

3. Grading and filling of the natural topography shall be performed in a manner which minimizes earthmoving, erosion, tree clearing, and the destruction of natural amenities.

4. Grading and filling of the natural topography shall also meet the following standards:

   a. The smallest amount of bare ground is exposed for as short a time as feasible.

   b. Temporary ground cover such as mulch is used and permanent ground cover, such as sod is planted.

   c. Methods to prevent erosion and to strap sediment are employed.

   d. Fill is stabilized to accepted engineering standards.

B. Excavation of material from, or filling in a Scenic or Recreational River, or construction of any permanent structures or navigational obstructions therein is prohibited unless authorized by a permit from the Commissioner of DNR pursuant to Minnesota Statutes Section 103G.315.

C. Drainage or filling in of wetlands is not allowed within the land use district(s) designated by this ordinance.

18.9 LAND SUBDIVISION

Land Suitability:

A. No land shall be subdivided which is determined by the Sherburne County Board of Commissioners to be unsuitable by reason of flooding, inadequate drainage, soil and rock formations with severe limitations for development, severe erosion potential, unfavorable topography, inadequate water supply or sewage treatment capabilities or any other feature likely to be harmful to the health, safety, or welfare of the future residents of the proposed subdivision or the community.

B. The provisions otherwise set forth in this ordinance and in the Sherburne County Subdivision Ordinance shall apply to all plats.

18.10 ADMINISTRATION

18.10.1 Organization Provisions:

A. The provisions of this ordinance shall be administered by the Sherburne County Zoning Administrator.

B. The Board of Adjustment of Sherburne County shall act upon all questions as they arise in the administration of this ordinance; to hear and decide appeals; and to review any order, requirements, decisions or determination made by the Zoning Administrator, who is charged with enforcing this ordinance as provided by Minnesota Statutes.

C. Permit fees and inspection fees as may be established by resolution of the Sherburne County Board shall be collected by the Zoning Administrator for deposit with Sherburne County and credited to the appropriate general fund.

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18.10.2 Nonconforming Uses, Substandard Uses:

A. **Nonconforming Uses.** Uses which are prohibited by this ordinance but which are in existence prior to the effective date of this ordinance shall be non-conforming uses. Such uses shall not be intensified, enlarged, or expanded beyond the permitted or delineated boundaries of the use or activity as stipulated in most current permits issued prior to the adoption of this ordinance.

B. **Substandard Uses.** All uses in existence prior to the effective date of enactment or amendment of this ordinance which are permitted uses within the newly established land use district, but do not meet the minimum lot area, setbacks or other dimensional requirements of this ordinance are substandard uses. All substandard uses, except for substandard signs, shall be allowed to continue subject to the following conditions and exception:

1. Any structural alteration or addition to a substandard use which will increase the substandard dimensions shall not be allowed.

2. Where a setback pattern from the ordinary high watermark has already been established on both sides of a proposed building site, the setback of the proposed structure may be allowed to conform to that pattern. This provision shall apply to lots which do not meet the minimum lot width requirements (Subdivision 5 of this ordinance).

18.10.3 Plats:

A. Copies of all plats within the boundaries of the Mississippi River District(s) shall be forwarded to the DNR Commissioner within ten (10) days of approval by Sherburne County.

B. Inconsistent Plats: Approval of a plat which is inconsistent with this ordinance is permissible only if the detrimental impact of the inconsistency is more than overcome by other protective characteristics of the proposal.

18.10.4 Conditional Use Permit Review:

A copy of all notices of any public hearing, or where a public hearing is not required, a copy of the application to consider issuance of a conditional use permit shall be sent so as to be received by the DNR Commissioner at least ten (10) days prior to such hearings or meeting to consider issuance of a conditional use permit. A copy of the decision shall be forwarded to the DNR Commissioner within ten (10) days of such action.

18.10.5 Approval by DNR Commissioner:

A. Certain land use decisions which directly affect the use of land within the designated land use districts and involve any of the following actions must be approved by the DNR Commissioner.

B. Adopting or amending an ordinance regulating the use of land including rezoning of particular tracts of land.

C. Granting a variance from a provision of this ordinance which relates to the zoning dimension provisions of Subdivision 5 of this ordinance.

D. Approving a plat which is inconsistent with the local land use ordinance.

E. Review Procedure:

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F. A copy of all notices of any public hearings, or where a public hearing is not required, a copy of the application to consider zoning amendments, variances, or inconsistent plats under local ordinance shall be sent so as to be received by the DNR Commissioner at least ten (10) days prior to such hearings or meetings to consider such actions. The notice of application shall include a copy of the proposed ordinances or amendment.

G. The action of Sherburne County shall become effective when and only when either:

H. The action has previously received approval from the DNR Commissioner.

I. Sherburne County receives approval after its final decision; or

J. Thirty (30) days have elapsed from the day the DNR Commissioner received notice of the final decision, and no response has been sent by the DNR Commissioner; or

K. The DNR Commissioner certifies his approval within 30 days after conducting a public hearing.

18.10.6 **Permits**: The following table summarizes the permit and certification process within the land use districts designated by this ordinance.

A. LP: Permit issued by Sherburne County in accordance with this ordinance and all other County ordinances.

B. AC: Approval by the Commissioner of Natural Resources prior to final local approval.

C. PH: Public hearing necessary by the local authority giving 10 days notice of the hearing to the Commissioner of Natural Resources.

D. FD: Sherburne County forwards any decisions to the Commissioner of Natural Resources within 10 days after taking final action.

SECTION 19 - GENERAL DEVELOPMENT REGULATIONS

19.1 ROAD SETBACKS

The following minimum building setback requirements from adjacent roadways shall apply based on classification:

Roads	Unplatted Parcels: Setback from Road Centerline	Platted Parcels: Setback from Road Right-of-Way
Township Road	100 feet	67 feet
County Road	100 feet	50 feet
County State-Aid Highway	130 feet	70 feet
Highways 24 and 25	150 feet	80 feet
Highways 10 and 169	Greater of 200 feet from centerline of highway or 80 feet from centerline of service road	100 feet

19.2 SIGN REGULATIONS

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19.2.1 All signs hereafter erected or maintained, except official, public traffic and street signs shall conform with the provisions of this Subdivision and any other ordinances or regulations of Sherburne County.

19.2.2 General Sign Provisions

A. Unless otherwise provided by this Section, all signs shall require permits. No permit is required for the maintenance of a sign or for a change copy on printed, or changeable copy signs. The content of the sign shall not be reviewed or considered in determining whether to approve or deny a sign permit.

B. Prohibited signs: The following types of signs are prohibited in all districts:

1. Abandoned signs which no longer identify or advertise a bona fide business, service, product, or activity or for which no legal owner can be found;

2. Signs imitating or resembling official traffic or government signs or signals;

3. 3. Any sign located within public right-of-way, public easement, or attached to a tree or utility pole unless required by local, state, or federal regulations;

4. Signs placed on vehicles or trailers which are parked or placed for the primary purpose of displaying said sign except for portable signs or lettering on buses, taxis, or vehicles operating during the normal course of business;

5. Signs suspended beneath a canopy, overhang, roof, or marquee without a minimum clearance from grade of eight (8) feet in a vehicular way or seven (7) feet in a pedestrian way;

6. Any roof sign or sign erected above the roof line of a building;

7. Any sign or sign structure which attempts or appears to attempt to direct the movement of traffic, or obstructs the view of, or resembles any official traffic sign, signal, or device;

8. Structurally unsafe/dangerous signs.

C. Signs Not Requiring Permits: The following types of signs are exempt from permit requirements but must otherwise be in conformance with all requirements of this section:

1. Temporary on premise construction sign on each street frontage. A sign advertising a subdivision or commercial construction may have a maximum size of 32 square feet per side (64 sq ft total), with a maximum height of six (6) feet. A sign advertising a single residential or agricultural construction project may have a maximum sign area of six (6) square feet. Construction signs shall be removed after a Final Building permit has been issued. A Subdivision sign shall be removed once 75% of the lots have been sold.;

2. Temporary on-premises or off-premise real estate, garage sale, civic or cultural event signs having a maximum sign area of six (6) square feet and a maximum height of three (3) feet. Off-premise signs are limited to two (2) signs on any street frontage of any site. Off-premise signs shall be removed when the event is over;

3. Holiday decorations;

4. On-premise nameplates having a sign area of four (4) square feet or less;

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5. Political advertising in compliance with MN Statute 211B.045 or its successors;
6. On-premise real estate signs having a sign area of six (6) square feet or less.
7. Sign advertising a Home Occupation, with a maximum size of three (3) square feet.
8. Sign advertising a Home Business in an Accessory Building, with a maximum size of twelve (12) square feet.

D. Electronic Signs. Changeable electronic variable message signs are subject to the following conditions:
   1. The message on an electric sign may change at a rate of no less than 6 seconds.
   2. The images and messages displayed must be static, and the transition from one static display to another does not exceed two seconds in duration.
   3. The message brightness does not exceed 0.3 foot-candles over ambient light, as measured using a foot candle meter from the following distances:
      a. For signs with a nominal face size of 12 feet by 25 feet, from 150ft
      b. For signs with a nominal face size of 10 feet, six inches, by 36 feet, from 200 feet: and
      c. For signs with a nominal face size of 14 feet by 48 feet from 250 feet: and
      d. The sign must not cause beams or rays of light to be directed at the traveled way if the light is of such intensity or brilliance as to cause glare that impairs the vision of the driver of a motor vehicle or interfere with any driver's operation of a motor vehicle.

E. The brightness measurement under D.3 must be conducted at least 30 minutes after sunset or at least 30 minutes before sunrise. Each CEVMA must have automatic dimming technology that adjust the device's brightness levels in response to changes in ambient light.

F. Changeable electronic signs are allowed only on freestanding signs.

G. Maintenance: All signs shall be properly maintained including the ground around the sign. Exposed surfaces shall be clean and painted if paint is required. Defective parts shall be replaced on conforming signs. The Zoning Administrator shall have the right to order the repair or removal of any sign which is defective, damaged, or substantially deteriorated.

19.2.3 Regulation of Signs by Districts

A. Signs Permitted in all districts: The following signs are allowed in all districts:
   1. All signs not requiring permits as set forth in paragraph 3 (C) of this Section;
   2. One (1) on-premise temporary combination area identification, construction and real estate sign not to exceed ninety-six (96) square feet in sign area or fifteen (15) feet in height.
   3. One (1) on-premise attached nameplate per occupancy, not to exceed four (4) square feet in sign area;

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4. Political signs are permitted in any district. Such signs shall be consistent with State Statute. Political signs may be placed only on private property and only with the permission of the property owner. Such signs shall not be illuminated;

5. On-premise Directional/Informational signs not to exceed (4) square feet per sign in sign area.

B. Signs permitted in Agricultural, General Rural, Urban Expansion, Scenic River, Recreational River and Shoreland Districts:

1. All signs permitted in paragraph 4A of this section;

2. One (1) permanent area identification sign per neighborhood, subdivision, or development, not to exceed thirty-two (32) square feet in sign area. The area identification sign shall be placed on the same premise as the development which it identifies.

3. For permitted nonresidential uses, such as churches, synagogues, and schools, one (1) on-premise freestanding sign and one (1) wall business sign not to exceed ninety-six (96) square feet in total sign area;

4. Any combination of on-premise freestanding and wall mounted real estate signs for model homes having a combined total sign area not to exceed thirty-two (32) square feet. Freestanding signs for model homes shall have a maximum height of five (5) feet.

5. Agricultural crop demonstration signs having a sign area of six (6) square feet or less.

C. Signs permitted in Commercial, Industrial and Heavy Industrial Districts:

1. All signs permitted in paragraph 4A of this Section;

2. One (1) permanent area identification sign per subdivision or development, not to exceed sixty four (64) square feet in sign area. The area identification sign shall be placed on the same premise as the development which it identifies;

3. One (1) free standing on-premise sign not to exceed one hundred sixty four (164) square feet. Such signs may not exceed a maximum of forty (40) feet in height."

4. One (1) on-premise business wall sign per premise, not to exceed one (1) square foot of sign area for each linear foot of building frontage up to a maximum of one hundred twenty eight (128) square feet;

19.2.4 Signs requiring Conditional Use Permits

A. Off-premise billboards shall be permitted subject to the following requirements:

1. Off-premises signs are prohibited within three hundred (300) feet of the intersection of the highway right-of-way and any other right-of-way or driveway.

2. Advertising signs are prohibited within one thousand two hundred (1,200) feet of another advertising sign on the same side of the right-of-way.

3. All advertising signs shall be erected with a single pole or mono-pole structural standard and shall have underground wiring.

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4. The base of any advertising sign must be landscaped with at least grass and must be properly maintained.

5. Advertising signs shall not exceed four hundred (400) square feet in area nor twenty-five (25) feet in height as measured perpendicularly from the height of the highest point of the sign structure to the grade level directly below the sign. The existing grade may not be altered for the purpose of increasing sign height.

6. Advertising signs shall be considered a principal use of the property. Existing advertising signs must be removed when the parcel upon which they are situated is devoted to another principal use.

7. Off premise signs shall only be considered the principle use for the parcel of land it is located on and shall only be permitted on property adjacent to right-of-way for State Highways number 10, 169, 25 and 24.

19.2.5 Nonconforming Signs:

A. It is recognized that signs exist within the county which were lawful before this Section was enacted, which would be prohibited, regulated or restricted under the terms of this Subdivision or future amendments. It is the intent of this Section that nonconforming signs shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other signs or uses otherwise prohibited by this Subdivision. It is further the intent of this Section to permit legal nonconforming signs existing on the effective date of this Section, or amendments thereto, to continue as legal nonconforming signs provided such signs are safe, are maintained so as not to be unsightly, and have not been abandoned or removed subject to the following provisions:

1. No sign shall be enlarged or altered in a way which increases its nonconformity.

2. Should such sign or sign structure be destroyed by any means to an extent greater than 50% of its replacement cost and no building permit has been applied for within 180 days of when the property was damaged, it shall not be reconstructed except in conformity with the provisions of this Section.

3. Should such sign or sign structure be moved for any reason for any distance whatsoever, it shall thereafter conform to the requirements of this section.

19.3 FEEDLOTS AND/OR MANURE STORAGE AREAS

19.3.1 All feedlots shall comply with MN Rule 7020.

19.3.2 Manure Storage Areas shall be designed, constructed and maintained in compliance with MN Rule 7020.2100.

19.3.3 The following required and minimum setbacks are applicable to feedlots, manure storage areas and residences not located on the same property as these operations, provided, however, that residences located on parcels adjacent to the feedlot property that are owned by persons having an ownership interest in the feedlot or feedlot property shall be treated in the same manner as residences located on the feedlot property for purposes of this Section:

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		LLP Req	CLP Req	EAW Req	non-feedlot residence	residential platted lot	property line	road centerline	City Limits	Public Park	Lake	River, Stream, or County Ditch	Private Well
Agricultural Dist.													
Tier 1	>2 - <50 AU	No	No	No	0'	0'	10'	N/A	200'	200'	1,000'	300'	100'
Tier 2	50 - <500 AU	Yes	No	No	660'	660'	250'	100'	1,320'	1,320'	1,000'	300'	100'
Tier 3	500 - <1,000 AU	Yes	No	Yes *	660'	800'	250'	100'	2,640'	1,320'	1,000'	300'	100'
Tier 4	1,000 AU & greater	No	Yes	Yes	660'	1,000'	250'	100'	3,960'	1,320'	1,000'	300'	100'
General Rural Dist.													
Tier 1	>2 - <50 AU	No	No	No	200'	0'	10'	N/A	200'	200'	1,000'	300'	100'
Tier 2	50 - <250 AU	No	Yes	No	660'	660'	250'	100'	1,320'	1,320'	1,000'	300'	100'
Tier 3	250 - <500 AU	No	Yes	No	660'	660'	250'	100'	1,320'	1,320'	1,000'	300'	100'
Tier 4	500 - <1,000 AU	No	Yes	Yes *	1320'	1320'	250'	100'	2,640'	2,640'	1,000'	300'	100'
Tier 5	1,000 AU & greater	No	Yes	Yes	2,640'	2,640'	250'	100'	3,960'	3,960'	1,000'	300'	100'

* An EAW is required for new or expanding feedlots for more than 500 animal units only if located in a "Sensitive Area". A Sensitive Area includes; shorelands; delineated flood plains; Recreational or Scenic River districts; within 1,000' of a karst feature (sinkhole, cave, disappearing spring, resurgent spring, karst window, dry valley or blind valley); and vulnerable parts of delineated drinking water supply management areas.

19.3.4 For the purposes of this section, Manure Storage Areas shall be regulated according to the number of animal units the Manure Storage Area is designed and constructed to accommodate.

19.3.5 A Land Use Permit or Conditional Use Permit issued for any feedlot and any manure storage area shall authorize the feedlot owner/operator to maintain any number of animal units within the allowable range of the tier designated in the permit. The number of animal units contained in the feedlot must not exceed the maximum number allowed in the designated tier unless the feedlot owner/operator first obtains a new or amended Land Use Permit or Conditional Use Permit for the appropriate higher tier.

19.3.6 An MPCA registered feedlot or manure storage area existing prior to November 8, 2014 that does not comply with the setbacks established in this Section may continue as a non-conforming use within the same tier or a lesser tier.

19.3.7 An MPCA registered feedlot or manure storage area existing prior to November 8, 2014, that does not comply with the setbacks established in this Section may expand in area so long as the expansion does not further encroach upon the setbacks and the expansion does not result in the feedlot increasing to a higher tier.

19.3.8 New feedlots and manure storage areas, and the expansion of existing feedlots and manure storage areas are prohibited within the Shoreland and Floodplain districts, in compliance with MN Rule 7020.2005.

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19.3.9 All proposed feedlots and/or manure storage areas requiring a Land Use Permit shall submit an application to the Zoning Department, along with the required fee and the following information:

A. A complete Land Use Permit application with a map or aerial photo indicating dimensions of the feedlot and any manure storage area, and showing all existing homes, buildings, lakes, ponds, water courses, wetlands, dry-runs, rock outcroppings, roads, wells, and general contour and north arrow.

B. A copy of approval from the MPCA to operate a feedlot.

C. Designation of applicable Tier (e.g. Tier 1, Tier 2/3, etc.)

19.4 PARKING AND LOADING REGULATIONS

19.4.1 All parking hereafter constructed or maintained shall conform with the provisions of this Subdivision and any other ordinance or regulations of Sherburne County.

19.4.2 **Minimum Size Regulations:** Each space shall have a width not less than 9 by 18 feet. Each space shall be adequately served by access drives. All loading spaces shall be sufficient to meet the requirements of each use and shall provide adequate space for storage and maneuvering of the vehicles they are designed to serve.

19.4.3 **Reduction and Use of Parking and Loading Space:** On-site parking facilities existing at the effective date of this Ordinance shall not subsequently be reduced to an amount less than that required under this Ordinance for a similar new building or use. On-site parking facilities provided to comply with the provisions of this Ordinance shall not subsequently be reduced below the requirements of this Ordinance. Such required parking or loading space shall not be used for storage of goods or for storage of vehicles that are inoperable or for sale or rent.

19.4.4 **Computing Requirements:** In computing the number of such parking spaces required, the following rules shall govern:

A. Floor space shall mean the gross floor area of the specific use.

B. Where fractional spaces result, the parking spaces required shall be constructed to be the nearest whole number.

C. The parking space requirement for a use not specifically mentioned herein shall be the same as required for a use of similar nature, as determined by the Board of County Commissioners and the County Planning Commission.

19.4.5 **Buffer Fences and Planting Screens:** On-site parking and loading areas near or abutting residence of residential district shall be screened by a buffer fence of adequate design or a planting buffer screen; plans of such screen or fence shall be submitted for approval as a part of the required site or plot plan, and such fence or landscaping shall be installed as part of the initial construction.

19.4.6 Access:

A. Parking and loading space shall have proper access from a public right-of-way.

B. The number and width of access drives shall be so located as to minimize traffic congestion and abnormal traffic hazard.

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C. Vehicular access to business or industrial uses across property in any residential district shall be prohibited.

19.4.7 **Location of Parking Facilities and Combined Facilities:** Required on-site parking space shall be provided on the same lot as the principal building or use, except that combined or joint parking facilities may be provided for one or more buildings or uses in Commercial or Industrial Districts, provided that the total number of spaces shall equal the sum of the requirements for each building or use.

19.4.8 Construction and Maintenance:

A. In the Commercial and Industrial Districts, parking areas and access drives shall be covered with a dust-free, all-weather surface with proper surface drainage, as required by the County Engineer.

B. The operator of the principal building or use shall maintain parking and loading areas, access drives and yard areas in a neat and adequate manner.

19.4.9 **Lighting:** Lighting shall be reflected away from the public right-of-way and nearby or adjacent residences.

19.4.10 **Required Site Plan:** Any application for a building permit shall include a site plan or plot plan drawn to scale and dimensioned, showing on-site parking and loading space to be provided in compliance with this Ordinance.

19.4.11 **Required Number of On-Site Parking Spaces:** On-site parking areas of sufficient size to provide parking for patrons, customers, suppliers, visitors and employees shall be provided on the premises of each use. The minimum number of required on-site parking spaces for the following uses shall be as follows:

A.

Use	Minimum Required Parking Spaces
Assembly or exhibition hall, auditorium, theater or sports arena	1 space for each 3 seats
Churches	1 space for each 4 seats in the main seating area
Bowling alley	5 spaces for each bowling lane
Convenience food restaurant	2 spaces for each table
Elderly persons' housing	Reserve 1 space for each dwelling unit. Initial development must include ½ space for each dwelling unit.
Grocery store	7 spaces per 1,000 square feet of floor area
Manufacturing plant	1 space for each employee on the major shift, and 1 space for each company vehicle when customarily kept on the premises
Medical and dental clinics and animal hospital	3 spaces for each doctor
Motel	1 parking space for each rental room or suite, and 1 additional space for every 10 units, and 1 additional space for each employee on the major shift, and additional spaces as may be required herein for related uses contained within the principal structure
Multiple dwelling or mobile home	2 off-street parking spaces per dwelling unit for residents' use, and

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park	½ off-street parking space per dwelling unit for visitors' use The driveway in front of a garage may not be counted as a parking space.
Office buildings	1 parking space for each 250 square feet of floor area
Restaurant, café, nightclub, tavern or bar	1 parking space for each 75 square feet of customer floor area
Retail stores and service establishments	5 spaces per 1,000 square feet of floor area
Single family dwelling	2 parking spaces No garage shall be converted into living space unless other acceptable on-site parking space is provided
Shopping center	Where several business uses are grouped together according to a general development plan, on-site automobile parking shall be provided in a ratio of not less than five spaces per 1,000 square feet of gross floor area.
Warehouse	1 space for each company vehicle customarily kept on the premises, plus the greater of: 1 parking space for each 2 employees on the major shift 1 parking space for each 2,000 square feet of floor area

19.4.12 **Required Loading Areas:** Loading and unloading areas for goods, supplies and services shall be sufficient to meet the requirements of each use.

19.5 PERFORMANCE STANDARDS

19.5.1 It is the intent of this Subdivision to provide that uses of land and buildings in all Commercial or Industrial Districts shall be established and maintained with proper appearance from streets and adjoining properties and to provide that each permitted use shall be a good neighbor to adjoining properties by the control of the following:

19.5.2 Standards:

A. **Noise.** Noise shall be measured on any property line of the tract on which the operation is located. Noise shall be muffled so as not to become objectionable due to intermittence, beat frequency, shrillness or intensity.

B. **Odors.** Odors from any use hereafter begun shall not be discernible at the property line to a greater degree than odors from plants for the manufacture or fabrication of books, textile weaves, electronic equipment or other plants in which operations do not result in greater degree or odors. Detailed plans for the prevention of odors crossing property lines may be required before the issuance of a building permit.

C. **Glare.** Glare, whether direct or reflected, such as from floodlights or high temperature processes, and as differentiated from general illumination, shall not be visible beyond any property line.

D. **Exterior Lighting.** Any lights used for exterior illumination shall direct light away from adjoining properties.

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E. **Vibration.** Vibration shall not be discernible at any exterior property line to the human sense of feeling for three minutes or more duration in any one hour.

F. **MPCA Requirements:** Any use established, enlarged, or remodeled after the effective date of this ordinance shall be so operated as to meet the minimum requirements of the Minnesota Pollution Control Agency for the omission of smoke or other particulate matter.

G. **Fumes or Gases.** Fumes or gases shall not be emitted at any point in concentrations of amounts that are noxious, toxic or corrosive. Detailed plans for the elimination of fumes or gases may be required before the issuance of a building permit.

H. **Hazard.** Every operation shall be carried on with reasonable precautions against fire and explosion hazards.

I. **Sewer & Water.** Any use established, enlarged, or remodeled after the effective date of this ordinance requiring private sewer and water systems must have adequate site conditions for such facilities to ensure public health. Site conditions such as soils, groundwater quality and quantity and other applicable conditions shall be considered.

19.5.3 **Compliance:** In order to insure compliance with the performance standards set forth above, the Board of County Commissioners may require the owner or operator of any permitted Interim Use or Conditional Use to have made such investigations and tests as may be required to show adherence to the performance standards. Such investigation and tests as are required to be made shall be carried out by an independent testing organization as may be selected by the County.

19.6 EXCEPTIONS TO HEIGHT AND SETBACK REGULATIONS

19.6.1 Exceptions to Height Limits:

A. Except as hereafter provided, the maximum height limitation for structures within Sherburne County will be 200 feet.

B. Structures in excess of 200 feet shall be permitted if there is accompanying the building or other permit application or filing, a letter of clearance from the Federal Aeronautics Administration.

C. All other modifications of height restrictions shall be by Variance (Sec 18, Subd 3).

D. Where the average slope of a lot is greater than one foot rise or fall in seven feet of horizontal distance from the established street elevation at the property line, one story in addition to the number permitted in the district in which the lot is situated shall be permitted on the downhill side of any building.

E. Height limitations set forth elsewhere in this Ordinance may be increased by 100 percent when applied to the following:

1. Monuments
2. Flag poles
3. Cooling towers
4. Grain elevators

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F. Height limitations set forth elsewhere in this Ordinance may be increased with no limitation when applied to the following:

1. Church spires, belfries or domes which do not contain usable space
2. Water towers
3. Chimneys or smokestacks
4. Radio or television transmitting towers
5. Utility poles and towers.

19.6.2 Exceptions to Setback Regulations:

Measurements shall be taken from the nearest point of the wall of a building to the lot line in question, subject to the following qualifications:

A. Cornices, canopies or eaves may extend into the required front, side or rear yard a distance not exceeding four feet, six inches.

B. Fire escapes may extend into the required front, side or rear yard a distance not exceeding four feet, six inches.

C. A landing place may extend into the required front, side or rear yard to a distance not exceeding six feet, if the landing place or porch has its floor no higher than the entrance floor of the building. An open railing no higher than three feet, six inches may be placed around such a place.

D. A wall, fence or hedge may occupy part of the required front, side or rear yard.

E. On double frontage lots, the required front yard shall be provided on both streets.

F. The required front yard of a corner lot shall not contain any wall, fence or other structure, tree, shrub or other growth which may cause danger to traffic on a road or public road by obscuring the view.

G. The required front yard of a corner lot shall be unobstructed above a height of three feet in a triangular area, two sides of which are the lines running along the side road lines between the road intersection and a point 50 feet from the intersection, and the third side of which is the line between the latter two points.

19.7 YARD LANDSCAPING

In the Commercial or Industrial Districts, all required yards shall be either open landscaped and green areas or be left in a natural state. If any yards are to be landscaped, they shall be landscaped attractively with lawn, trees, shrubs, etc. Any areas left in a natural state shall be properly maintained in an attractive and well-kept condition. Yards adjoining any residence or residentially zoned property shall be landscaped with planting buffer screens. Plans for such screens shall be submitted as a part of the application for building permit and installed as a part of the initial construction.

19.8 CONTROLS DURING CONSTRUCTION

The following procedures shall be followed during site alteration or building construction:

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A. **Erosion Control:** Soil erosion and sedimentation shall be limited through the use of perimeter controls and stabilization. Perimeter controls shall be in place prior to soil disturbance, maintained throughout construction and remain in place until the site achieves 70% uniform vegetation. Disturbed soils must be stabilized within 14 days of inactivity through the use of sod, erosion control blanket, hyrdomulch, hay or other standard stabilization techniques.

B. **Nuisance Control:**

1. Noise that would disturb neighbors shall be minimized by performing noisy work during 7AM to 8PM on weekdays, 8AM to 6PM on weekends,

2. Reasonable appearances shall be maintained by eliminating blowing litter and by considerate storage of building materials and equipment.

3. All waste generated by construction must be contained and disposed according to the Sherburne County Solid Waste regulations.

C. **Landscaping:** All disturbed areas must be permanently stabilized with an established turf or native planting soil cover. Unstabilized soil surfaces (bare ground, dirt piles and the like) are allowed only when required by a construction project.

D. Building in Fire Prone Areas:

1. The solid portion of a conifer stand shall be removed for a distance of thirty (30) feet around the perimeter of the building. Single, well spaced trees may be left in this buffer area.

2. An alternate, passable driveway shall be installed. Two driveways will allow an escape route to inhabitants of the building should one become blocked by fire, and allow for entrance and movement of emergency equipment.

3. Building construction materials shall conform to reflect the relative fire danger of the area. Roofs and exteriors of buildings should be of fire resistant nature.

19.9 EXTERIOR STORAGE OF MATERIALS

In any Commercial or Industrial Districts, open storage of materials or goods in any required front, side or rear yard shall be prohibited. Any other outside storage shall be located or screened from view from any public street or residence with landscaping, berming and/or fencing.

19.10 ACCESSORY STRUCTURES

19.10.1 On parcels less than 5 acres, an accessory structure may not exceed 25 feet in height, as measured from the ground floor to the highest point. On parcels 5 acres or more, an accessory structure may not exceed 35 feet in height, as measured from the ground floor to the highest point.

19.10.2 A detached accessory structure shall not occupy the only land available for sewer system replacement.

19.10.3 Accessory structures larger than two hundred (200) square feet shall require a building permit. All accessory structures, including those that do not require building permits, must adhere to the setbacks and other requirements of this Ordinance.

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19.10.4 Residential accessory structures are limited to the following sizes, no variance may be granted to the building size limitations provided in the section:

Lot Size	Maximum Size of Any Single Structure	Maximum Lot Coverage for All Accessory Structures
Lots .01 acres to .75 acres	Single building 864 sq. ft.	Maximum Accessory structures up to 3% of the lot size sq. ft.
Lots .75 acres to 2.5 acres.	Single building 1,200 sq. ft	Maximum Accessory structures up to 3% of the lot size sq. ft.
Lots 2.5 to 5 acres.	Single building ~~1,800~~ 2,400 sq. ft.	Maximum Accessory structures up to 3% of the lot size sq. ft.
Lots 5 acres and above.	Single building 5,500 sq. ft.	Maximum Accessory structures up to 3% of the lot size sq. ft.

-1 MN Building Code maximum size for a U occupancy Type V, B construction.

19.10.5 Shipping/storage containers and semi-trailers are prohibited for use as an accessory structure on any platted lot and on non-platted residential lots less than 5 acres. Shipping containers on 5 acres or more shall be of earth tone and comply with applicable setback requirements. Unless that a shipping/storage container or semi-trailer is used as a temporary storage unit for moving purposes for a period of not more than one consecutive month in a twelve-month period or as a temporary construction project container not to exceed three consecutive months. Shipping/storage containers and semi-trailers used for these purposes on platted lots must comply with the parking requirements for vehicles provided for in Section 17, Subd. 2 of this Ordinance.

19.10.6 Agricultural Buildings that are exempt from obtaining a building permit must obtain a Land Use Permit from the Zoning Administrator prior to construction to ensure that the Agricultural Building complies with setbacks and other requirements of this Ordinance. Any additional improvements to the Agricultural Building will require the appropriate permit(s).

19.11 NON-CONFORMING BUILDINGS, SIGNS, SEWAGE SYSTEMS OR OTHER USES

19.11.1 **Existing Uses.** Any use of lands or structures, lawfully existing as of the date this Ordinance was adopted, may be continued only at the same size and the same manner of operation existing upon such date except as hereinafter specified.

19.11.2 **Damaged Uses.** No building or structure that has been damaged by fire, explosion, act of God or the public enemy to the extent or more than fifty percent of its value shall be restored except in conformity with the regulations of this Ordinance.

19.11.3 **Discontinued Uses.** In the event that a non-conforming use of any building is discontinued or its normal operation stopped for a period of one year, the use of same shall thereafter conform to the regulations of the District in which it is located.

19.11.4 **New Non-Conforming Uses.** When any lawful non-conforming uses has been changed to a conforming use, it shall not thereafter be changed to a non-conforming use.

19.11.5 **Sewage Treatment Systems.** A sewage treatment system not meeting the requirements of this ordinance must be upgraded, at a minimum, at any time a permit or variance of any type is required for any improvement on, or use of, the property. A sewage treatment system not

meeting the requirements of this ordinance must be upgraded prior to property transfer or registration of a contract for deed.

19.11.6 **Non-Conforming Lots of Record.** On non-conforming lots of record, where the normal setbacks from the public road or rear lot line can not be met, an administrative exemption may be granted by the Zoning Administrator under the following conditions:

A. If there are structures on the adjacent lots that are also closer than the required setback and the proposed structure will be no closer to the road or property line than the structures on adjacent lots;

B. If the proposed structure is not located any closer than 50' from the centerline of the road;

C. If the proposed project meets all other structure, sewer and well setbacks;

D. If the project meets building and drainage policies;

E. If the public road is not a County Road, County State Aid Highway, or a U.S. Highway;

F. And if the proposed project can meet any other conditions deemed reasonable by the Zoning Administrator and Building Official.

19.12 CALCULATING LOT SIZES

When calculating a lot size, non-lake wetlands and public road easements may be included but dedicated public road rights-of-way may not, unless in a Simple Plat. Property beneath the normal high-water elevation of a lake recognized by the Minnesota Department of Natural Resources and property within the meander line of a stream may not be included.

19.13 TREE AND WOODLAND PRESERVATION

19.13.1 Developers, contractors and homeowners shall prevent the introduction and spread of tree disease into wooded building sites, and to reduce the impacts of construction on those and adjoining properties. Developers, contractors and subcontractors shall use construction practices which protect trees to be saved, and shall properly remove and dispose of diseased or damaged trees.

19.13.2 Developers, proposing new residential subdivision areas with forested landscape components shall schedule an on-site inspection with the SWCD Forester to discuss insect and disease (emerald ash borer, two-lined chestnut borer, pine bark beetle, oak wilt, etc.) concerns with the proposed development. If any insect or disease concerns are identified, they will be included in the report from the SWCD Forester and will be forwarded to the Planning Commission and County Board for consideration within thirty (30) days.

19.14 COMPLIANCE WITH WETLAND CONSERVATION ACT REGULATIONS

19.14.1 Overview

Landowners and/or applicants must obtain a wetland exemption certificate, no-loss certificate, wetland replacement approval, or wetland excavation permit prior to impacting a wetland. The application with required fees must be submitted to the Sherburne County Zoning Department and processed as per the Minnesota Wetland Conservation Act.

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A landowner and/or applicant may impact a wetland under the precise conditions as stated in the wetland exemption certificate, no-loss certificate, wetland replacement plan approval letter or wetland excavation permit.

Side slopes of excavated, filled or created wetlands shall not be steeper than 5:1 (horizontal to vertical) as averaged around the wetland unless otherwise approved by the Technical Evaluation Panel.

Each property is allowed one de minimis. When the total impact to wetlands on a property meet or exceed de minimis, no future impacts are exempt. Sale, transfer or subdivision of the property does nto negate past impacts for purposes of de minimis. If a portion of de minimis was used prior to subdivision, the remainder as determined at the time of subdivision may be split amount the resulting properties.

If no de minimis is available to resulting properties, the developer's agreement shall read "No wetland impact is allowed without a wetland replacement plan approved by the local Government Unit. Call Sherburne County Zoning for details."

19.14.2 Decisions

The Sherburne County Board of Commissioners delegates Zoning Staff to make all necessary wetland decisions pursuant to the requirements of the Minnesota Wetland Conservation Act. Zoning Staffmay defer wetland decisions to the Sherburne County Board of Commissioners.

Wetland boundary or type determinations are valid for five (5) years unless the Technical Evaluation Panel determines that the natural or artificial changes to the hydrology, vegetation, or soils of the area have been sufficient to alter the wetland boundary or type.

Wetland exemptions are valid for two (2) years.

All landowners and/or applicants for any permit or variance request must have all applicable wetland approvals prior to being scheduled for a public hearing with the Sherburne County Planning Commission.

19.14.3 Appeals

Pursuant to MN Statute 103G.2242. Subd 9, appeal of a replacement plan, sequencing, exemption, wetland banking, wetland boundary or type determination, or no-loss decision may be obtained by mailing a petition and payment of a filing fee to the Minnesota Board of Water and Soil Resources.

Pursuant to MN Statute 103G.2242. Subd 9a, a landowner or other responsible party may appeal the terms and conditions of a restoration or replacement order within 30 days of receipt of written notice of the order to the Minnesota Board of Water and Soil Resources.

19.14.4 Wetland replacement and enforcement

A landowner and/or applicant required to restore or create a wetland must escrow funds with Sherburne County in an amount set in the County fee schedule as amended.

Annual monitoring reports must be completed by the landowner and/or applicant and submitted by September 15th of each year. If an annual monitoring report is incomplete or not submitted by September 15th, Zoning Staff or its delegate may complete the monitoring report for the landowner

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and/or applicant and charge time and mileage to the landowner and/or applicant, paid from the escrowed funds.

Zoning Staff will monitor all replacement wetland sites annually to ensure progress is being made, and to ensure Zoning Staff has adequate information to complete a monitoring report should the need arise.

If an as-built is incomplete or not submitted as required, Zoning Staff may hire a surveyor to complete the work for the landowner and/or applicant at the landowner and/or applicant's expense. Payment will be taken from the escrowed funds. If the escrowed funds are insufficient to complete the work, the landowner and/or applicant shall be liable for any additional funds due and owing.

19.15 SWIMMING POOLS AND SPAS

Construction or alteration of swimming pools, wading pools, and spas requiring a building permit, shall comply with the following regulations;

A. All below ground swimming pools and above ground pools holding over 5,000 gallons of water or with a flood rim or deck of at least 48" above the adjacent ground elevation require a building permit.

B. All pools or spas requiring a building permit shall be enclosed and/or fenced, or covered with an automatic pool cover when not in use.

C. Fencing shall be a minimum height of 48" above the adjacent grade elevation and must have self-closing and self-latching devices placed at the top of the gate or otherwise inaccessible to small children and provided with hardware for permanent locking devices for when the pool is not in use.

D. Automatic pool covers for residential in-ground pools can serve as a fence alternative if they meet specific safety standards, primarily ASTM F1346-91 standards, as outlined in MN Rules Part 4717.1575 and Department of Health, and International Swimming Pool and Spa Code (ISPSC 2024) guidelines. These covers must be maintained, secure when in place, and can't replace required fencing for public/commercial pools, but for private homes.

E. An above ground pool with a flood rim or deck of at least 48" above the adjacent ground elevation may be considered enclosed. In this case, ladders and/or stairs used to access an above ground pool shall be removable or enclosed, and secured or locked when not in use.

F. Fencing shall be chain link, vertical pickets or solid. Spaces between the bottom of the fence and the ground or between the pickets shall not exceed four inches.

G. Fencing or automatic pool covers must be installed prior to final inspection and filling the pool with water.

H. All pool and/or spa related chemicals shall be stored inside the home or an accessory structure.

19.16 GRADING, FILLING EXCAVATING TEMPORARY

19.16.1 A permit shall be required for all land disturbing activities involving the grading, filling or excavation of an amount of soil or other material greater than 500 cubic yards and less than 100,000 cubic yards. The purpose of this subdivision is to allow for a one-time project with a

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duration of less than one year. Only one permit may be issued for any property within the County under this subdivision. The permittee shall comply with the terms and conditions of the Permit and the standards contained in this subdivision.

19.16.2 A complete Land Use Permit application provided by the Zoning Department, shall be submitted along with the required fees and the following information;

A. A copy of the Storm Water Pollution Prevention Plan (SWPPP) prepared for the MPCA NPDES Phase II Permit Program for activity associated with the project;

B. Copies of permits or permit applications or approvals relating to the project that may be required by any other governmental entity;

C. A proposed timetable and schedule for completion and installation of all elements of approved erosion control and stormwater management plans and a proposed schedule for completion of construction; and

D. The applicable fee as set forth in the Sherburne County Fee Schedule.

19.16.3 Projects involving grading, filling or excavating more than 10,000 cubic yard must meet the requirements for Mining under Section 16.2 , Subdivision 5 of this Ordinance, unless exempted by the Zoning Administrator.

19.16.4 Projects that are located in Floodplain, Shoreland and Mississippi Recreational & Scenic District or that meet the State's thresholds for a Mandated Environmental Assessment Worksheet or Environmental Impact Statement, an Interim Use Permit is required for Mining under Section 16.2, Subdivision 5 of this Ordinance.

19.16.5 Approval Process:

A. Upon receiving an application the Zoning Department shall determine if the application is complete and whether the application is in compliance with the standards which are identified in the Minnesota Pollution Control Agency's NPDES Phase II construction site stormwater permit and the provisions of this ordinance.

B. If the Zoning Administrator determines that there is need for an outside engineer to review the application, the applicant shall be responsible for the cost, through performance surety.

C. The permit may be denied if the Zoning Administrator determines that the project may result in a substantial environmental impact or adverse impact on surrounding properties.

19.16.6 Permit Conditions:

A. The SWPPP shall be implemented prior to the start of any land disturbing activity and shall be maintained over the duration of the project. Permanent stormwater components of the plan shall be maintained in perpetuity.

B. The permittee(s) is responsible for successful completion of the SWPPP.

C. The permit shall contain restoration and remediation standards so that the property is left in a nuisance-free condition.

D. The permittee(s) shall be liable for all costs incurred, including environmental restoration costs, resulting from noncompliance with an approved plan.

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E. Application for a permit shall constitute express permission by the permittee(s) for the Sherburne County Zoning Department to enter the property for purposes of inspection or enforcement. The application form will contain a prominent provision advising the applicant and landowner of this requirement.

F. Hours of Operation 7:00 AM – 7:00 PM Monday through Saturday.

G. The permit may designate a specific haul road/access road for the project and may be conditioned on the permittee entering into a road restoration agreement with the applicable road authority before any work may commence.

H. Processing machinery and excavation must comply setback standards for structures from ordinary high water levels of public waters and from bluffs.

I. Mining shall not take place within 40 feet of a property line and/or no closer than to accomplish a 2.5:1 slope.

J. No more than 100,000 cubic yards may be graded, filled and/or excavated pursuant to the permit.

K. The project, including any restoration and remediation activity shall be completed no later than one year after the date the permit is issued.

L. The County may condition the approval of any permit on the provision of financial security, in a form and amount acceptable to the County in its sole discretion, to serve the proper performance of the permitted work.

19.16.7 Inspections.

A. Prior to any excavation, all perimeter controls must be inspected by the Zoning Department.

B. The Zoning Department shall inspect the property to verify compliance with the submitted SWPPP within 10 days of notification of soil stabilization.

C. Inspections and maintenance of the permitted site is the responsibility of the owner. The permittee(s) inspection records must be made available to the Zoning Department.

19.16.8 Permit Fees.

The fee for the permit required by this Ordinance will be established by the Sherburne County Board of Commissioners as part of the County Fee Schedule.

19.17 SOLAR ENERGY SYSTEMS AND SOLAR FARMS

All Solar Energy Systems and Solar Farms shall comply with the following standards:

A. Interconnection. All solar energy systems that are connected to an electric distribution or transmission system, either directly or through the existing service of the principal use on the site, shall obtain an interconnection agreement with the electric utility in whose service territory the system is located. Off-grid systems are exempt from this requirement. Interconnection agreements shall be provided to the County if requested.

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B. UL listing. Electric solar system components that are connected to a building electric system must have an Underwriters Laboratory (UL) listing.

C. Building and Electric Code. A building permit must be obtained from the Sherburne County Zoning Office and all Solar Energy Systems must comply with the Minnesota and National Electric Code.

D. Reflector systems. All solar energy systems using a reflector to enhance solar production shall minimize glare from the reflector that may affect adjacent or nearby properties. Steps to minimize glare nuisance may include selective placement of the system, screening on the side of the solar energy system facing the reflectors, reducing use of the reflector system, or other remedies that limit glare.

E. Height standards. Rooftop solar energy systems shall not exceed the maximum allowed height in any zoning district, except that solar energy systems shall be restricted or allowed consistent with other rooftop mechanical devices for the zoning district in which the system is being installed. Rooftop systems shall be designed to blend into the building or roof design. On pitched roofs (with a slope greater than 15%) panels shall be flush-mounted and shall not extend above the peak of the roof. All ground-mount systems shall not exceed height limits for the district in which the collector is located, when the solar energy system is at its maximum (steepest) design tilt.

F. Setbacks. All equipment and structures must comply with setback and impervious surface coverage limitations for the zoning district in which the solar energy system is located.

G. Stormwater and Erosion Control. Solar energy systems shall comply with all regulations related to storm water management, including, without limitation, Ordinance 210 (Illicit Discharge Detection and Elimination).

H. Ground-mount accessory solar energy systems are subject to the accessory structure standards, including, without limitation, setback, height, and impervious surface coverage limits.

I. Within the Shoreland Overlay District, ground-mount accessory solar energy systems shall be located to limit visibility from the water in leaf-on conditions, as determined by the Zoning Administrator.

J. All solar energy systems are subject to the performance standards in the applicable zoning district.

19.18 MOTOR SPORT VEHICLE TRACKS, PRIVATE

This section covers motor sport activities, which include operation of dirt bikes, all terrain vehicles, mud trucks, and racecars used for recreation on private property in the unincorporated areas of the County. Sites which meet the following criteria are permitted uses in Sherburne County, unless prohibited by a more restrictive ordinance through another municipality:

A. The parcel of land is not in a residential subdivision.

B. The track must be located a minimum of 1,000 feet from any residence, except that of the owner.

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C. The track must be located a minimum of 1,000 feet from a livestock shelter and/or or arena, except that of the owner.

D. Landowners wishing to hold a single day or week-end motor sport event or permit holders wishing to schedule a special event in excess of their permit limits may apply for an "Occasional Special Events" via an Interim Use Permit (Section 19)

E. There must be a 50' minimum setback from a track to the property line.

19.19 RECREATIONAL VEHICLE USE AND STORAGE REGULATIONS

Parking of Recreational Vehicles

A. The provisions of this Subdivision do not apply to homeowners who are storing a Recreational Vehicle on their property.

B. One Recreational Vehicle (not to include mobile homes nor park trailers) is permitted for seasonal use on a lot without permanent dwelling unit provided that the following are met:

1. Only one such unit is allowed per lot.
2. Sewage must be properly treated or hauled away.
3. The Recreational Vehicle is for guests or recreational use only. It may not be occupied on any lot for more than 90 days in any calendar year.
4. The unit must have a current license attached in accordance with state law.
5. Placement of the unit shall comply with all lake, river and side setback requirements for a principal structure in the applicable zoning district.

C. A Recreational Vehicle, owned by a non-resident, guest, or visitor, may be parked or occupied by said guest or visitor on property on which a permanent dwelling unit is located for a period not to exceed thirty (30) days in the same calendar year.

19.20 ACCESSORY DWELLING UNIT (ADU)

19.20.1 An ADU may be permitted in the Agricultural, General Rural, Urban Expansion, Shoreland and Hamlet Districts.

19.20.2 Only one (1) ADU is permitted on a parcel with a single-family dwelling.

19.20.3 The parcel on which the ADU is located must be homestead or relative homestead and maintain homestead or a relative homestead status. The ADU cannot be separated from the parcel with the single-family dwelling.

19.20.4 Standards:

A. Attached to, or within the single-family dwelling unit; or located on the same single-family dwelling unit parcel.

B. Only modular, prefabricated, pole barn and stick built homes are allowed as a detached ADU and not exceed 1,500 sq. ft. footprint.

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C. Detached ADU's on platted lots of 5 acres or less must be either modular or stick built and not exceed a 1,000 sq. ft. footprint. Must match the main dwelling's appearance unless the ADU is located in an Accessory structure.

D. ADUs in the Shoreland District are subject to the standard of County Shoreland Regulations. No variances will be allowed to Shoreland Regulations.

E. The applicant must demonstrate to the Zoning Office that there are sufficient parking spaces available on the parcel to prevent the need for residents to park on the street.

F. One driveway access is allowed per parcel for the ADU and single-family dwelling unit on the parcel, unless otherwise approved by the road authority.

19.20.5 Setbacks. The ADU must meet all zoning district setbacks for single-family dwelling units. No variances will be allowed for the placement of an ADU that does not conform to setback requirements.

19.20.6 Building and Septic Code. A building and septic permit for the ADU must be obtained from the Sherburne County Zoning Office and meet state building code and state septic code. A separate septic will be allowed for the ADU if applicant can demonstrate that the septic system will not impede the ability for a future alternate septic site for the primary dwelling. An ADU will not be allowed on a holding tank.

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SECTION 20 - CONDITIONAL AND INTERIM USES

20.1 STATUTORY AUTHORIZATION

20.1.1 Under Minnesota Statutes 394.301, Sherburne County may approve a Conditional Use Permit for a property if:

A. The use conforms to the zoning regulations;

B. Permission of 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

20.1.2 Under Minnesota Statutes 394.303, Sherburne County may approve an Interim Use Permit for a property if in addition to the requirements if:

A. The use conforms to the zoning regulations;

B. The date or event that will terminate the use can be identified with certainty;

C. Permission of 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

D. The user agrees to any conditions that the governing body deems appropriate for permission of the use.

Any interim use may be terminated by a change in zoning regulations

20.2 PURPOSE

20.2.1 This section presents the conditions that must be met for each possible Conditional or Interim Uses listed in the various Zoning Districts.

20.2.2 No person or entity shall allow the existence of the following uses on lands that are partially or entirely owned, leased, or occupied by them without a Conditional or Interim Use Permit (IUP), as listed in Subdivision 4 issued by the Sherburne County Board of Commissioners. Interim Uses must be consistent with the terms of the Conditional and Interim Use Permit and any applicable local, state or federal law, rule or other statutory provision.

20.2.3 The procedure for review and approval of a Conditional Use Permit is presented in Section 5 of this Ordinance..

20.2.4 Conditional and Interim Uses for the Mississippi Special Use District are governed by Section 15 Subdivision 6 (B).

20.2.5 This section presents the conditions that must be met for each possible Conditional or Interim Use listed in the various Zoning Districts.

20.2.6 The procedure for review and approval of an Conditional or Interim Use Permit is presented in this section.

20.3 PERMIT EXPIRATION AND TRANSFERABILITY

20.3.1 Any CUP or IUP issued under this Ordinance, with the exception of Solar Farms as cited in Sec. 16.2, Subd. 5, Item 22 E., and Solar Farm Related Business as cited in Sec. 16.2, Subd. 5, Item

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23 H, is granted solely to the applicant and/or the business entity named in the application, and for the premises named in the CUP or IUP application. No IUP of any sort granted pursuant to this Ordinance is transferable to any other person or premises. No CUP is transferable to any other 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.

20.3.2 The IUP shall expire with a change of ownership, or unless otherwise required by the IUP's conditions as determined by the County Board. The IUP shall expire if the approved use is inactive for one (1) year or longer as determined by the Zoning Administrator and/or tax records indicating the use was inactive.

20.4 CRITERIA FOR CONSIDERING CONDITIONAL OR INTERIM USES

20.4.1 The Board may grant an Interim or Conditional Use Permit, provided the proposed use is listed as such in Section 7.4 Land Use Table for the districts, and upon a showing by the applicant that the requirements and standards of this Ordinance or any other applicable ordinance, rule or statute will be met, the use conforms to the comprehensive plan and is compatible with the existing neighborhood. In determining whether the proposed use is in harmony with the general purpose and intent of this Ordinance and the Comprehensive Plan, the Planning Commission and Board shall consider, but not be limited to, the following:

A. The effect of the proposed use on the Comprehensive Plan including but not limited to, consistency with the Comprehensive Plan; and

B. The ability of the proposed use to meet the standards of this Ordinance or any applicable ordinance, rule, or statute; and

C. The ability of the use to be compatible or separated by distance or screening from adjacent land; and

D. The effect of the proposed use on groundwater, surface water, and air quality; and

E. The effect of the proposed use on property values and scenic views in the surrounding area; and

F. The following should be evaluated when the Planning Commission and Board consider a conditional use permit for a shoreland alteration:

1. The compatibility of the proposed alteration with adjacent land uses;

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2. The effect on fish and wildlife habitat;

3. The effect of the proposal on scenic views as viewed from the waterbody or public place.

G. Whether the proposed use is allowed with a conditional use permit in the applicable zoning district in which the property is located; and

H. The effect that the proposed use will have on existing parks, schools, roads and other public facilities; and

I. The general health, safety, and welfare of the residents; and

J. Financial assurance mechanisms to guarantee reclamation or cleanup.

K. Whether the proposed use is on a working farm and contributes to agricultural operations and practices.

L. In passing upon conditional use applications in the Floodplain Overlay District, the Planning Commission and Board shall consider all relevant factors specified in other sections of this Ordinance, and the danger to life and property due to increased flood heights or velocities caused by encroachments.

20.5 CONDITIONS BY USE

In addition to the general criteria above, the following additional conditions apply for specific uses that may have unique characteristics, requirements, or impacts that need to be addressed:

A

20.5.1 Activities Requiring Rural Isolation, provided:

A. The site must have frontage on a hard surface public road unless access via a gravel road is approved by the Township.

B. The facility shall provide adequate restroom facilities as determined by the IUP.

C. The IUP may restrict the number of people who may use the property at any given time

20.5.2 Aircraft Landing Strip, provided:

A. The airplane landing strip has the approval of the Minnesota Department of Transportation.

B. The use of the airport is limited to the property owner.

20.5.3 Airport, Public Use or Airport, Private Use

A. The public use airport has the approval of the Minnesota Department of Transportation.

B. The use of the airport will not unduly interfere with the use and enjoyment of other properties, including by the effects of noise.

20.5.4 Aquaculture. The use of water or a combination of land and water for the growing, raising, feeding, breeding or holding of aquatic plants or animals and activities appurtenant thereto subject to the following criteria:

A. The provisions of Section 13 (Floodplains) and Section 14 (Shorelands) are met if applicable.

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B. Any required State or Federal permits are applied for and issued.

C. The activity must be located on a minimum of five acres.

D. The Conditional Use Permit shall establish whether retail sales are permitted and if permitted to what extent.

20.5.5 Asphalt & Concrete Mixing Plants, Portable, provided:

A. The plant and equipment must be located and screened in such a manner so as to have the least environmental and aesthetic impact on adjacent properties.

B. Traffic to and from the mining site shall be routed to avoid streets that primarily serve abutting residential properties.

C. All Federal, State and local air, water and noise standards must be met. All necessary Federal, State and local permits shall be obtained by the operator.

D. Hours of operation shall be 6:00 am to 6:00 pm Monday through Saturday unless otherwise required in the IUP based on noise, traffic and air control mitigation measures.

E. Aggregate mined on site must be adequate for use in asphalt or concrete and must be the primary sources of aggregate used in the plant.

20.5.6 Auction Business, provided:

A. The entire operation takes place on ten (10) acres or more.

B. Goods to be auctioned may be displayed outside in a secured area two (2) weeks prior to the auction, and must be removed from outside within two (2) weeks after the auction unless otherwise required by the IUP.

B

20.5.7 Bed & Breakfast, provided;

A. The facility may have no more than eight (8) guest rooms, used by temporary guests.

B. The owner or caretaker shall live in the facility during normal operations.

C. Banquets, weddings, commercial meetings, luncheons, and similar activities serving more than ten (10) guests may require an IUP for “An Occasional Special Event” unless otherwise permitted by the IUP conditions.

D. Rooms used for sleeping shall be part of the primary residential structure. The facility shall have a minimum of one (1) parking stall per guest room, and two (2) parking stalls for staff. All parking shall be off-street.

E. There may be one non-illuminated sign totaling not more than 12 sq ft in size, located on the property, but outside of the public right-of-way.

C

20.5.8 Campgrounds, Recreational, provided:

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A. The campground shall be seasonal, and shall not be in use from November 1st through May 1st. Areas within a floodplain shall not be in use from October 1st through May 1st. Campgrounds shall comply with all local, state, and federal rules and regulations.

B. The campground owner/operator shall provide an operational plan, to be approved by the County Board. In addition to addressing the provisions listed in this section, the operational plan shall include the calendar months of the year which the campground will operate, the maximum number of camping sites including the type of site (i.e. primitive tent camping, RV full hook-ups, etc).

C. The campground owner/operator shall obtain a primary or annual license from the Mn Department of Health in compliance with Minnesota Statutes, prior to recording of the IUP and shall submit a copy of the license to the County.

D. All overnight guests of the campground shall register their names, permanent address(s), make and model of vehicle(s), and license plate number(s). The campground owner/operator shall retain this registration log for at least one-year, and shall be made available to law enforcement officials upon request.

E. Campgrounds shall provide a caretaker or attendant who shall maintain all facilities in a clean, orderly and sanitary condition. The caretaker or attendant shall be readily available at all times in case of an emergency.

F. The storage, collection, and disposal of refuse and garbage in a recreational campground shall be so conducted as to not create a health hazards, rodent harborage, insect breeding areas, accident or fire hazards, or air pollution. In recreational camping areas, garbage and refuse containers shall be provided on the ratio of at least one for every four sites. Refuse and garbage collection shall be made at least twice each week and more often when necessary to prevent nuisance conditions.

G. Campgrounds shall have an adequately sized severe weather shelter(s) on- site, as approved by the Building Official. Temporary campgrounds established as emergency housing in a disaster area as declared by the Governor or President of the United States may be exempt unless its use exceeds a period of 18 months.

H. Campgrounds shall provide an evacuation plan in case of severe weather, flood, fire, or other disaster, as approved by the Sherburne County Emergency Management Director, and shall be provided to campers at the time of registration.

I. All livable structures (i.e. RV's, park trailers, etc) must be road ready, licensed (if applicable) and able to operate on their own power, or towed on public roads in a legal manner.

J. The Campground owner shall maintain streets and roadways in the campground so as to permit passage of emergency vehicles and reverse maneuvering of recreational vehicles.

K. Each RV site shall be a minimum of 16' in width and 70' in depth (minimum area of 2,000 sq ft per RV site) to accommodate an RV and secondary vehicle.

L. Each tent site shall be a minimum of 10' wide and 30' in depth and accommodate the structure and one parking space.

M. On site toilets, bathing, and laundry facilities shall comply with state rules and statutes.

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N. All dead storage fish houses must be accessible to emergency vehicles.

O. All campsites shall comply with applicable DNR setbacks for permanent and temporary structures, and recreational vehicles.

P. No permanent structures shall be permitted within a Floodway.

Q. No domestic animals or pets of occupants of the campground may run at large, or be a public nuisance.

20.5.9 Cannabis Businesses:

A. Cannabis Cultivation (Indoor) provided:

1. The parcel is a minimum of 40 acres in the Agricultural District
2. The parcel is not located in the Shoreland District.
3. Must be located 1,000ft from the nearest residence, except that of the owner.
4. Submittal Information. In addition to submittal requirements set forth in Section 18 (Administration and Enforcement), Subdivision 6.2 (Interim Use Permit, Application), the following information must be provided with an interim use permit application:
    a. General Operational Plans for Cultivation in accordance with MN Rule 9810.2000 and Minn. Stat. 342.23-342.25, and 342.30
    b. Environmental Standards including but not limited to wastewater, ventilation, filtration, water and energy usage, and solid waste handling, in accordance with MN Rule 9810.1200, and Minn. Stat. 342.23 – 342.515.
    c. Security Standards in accordance with MN Rule 9810.1500, and Minn. Stat. 342.23 – 342.515

B. Cannabis Events, provided:

1. The parcel is a minimum of:
    a. 6 acres in the Agricultural District.
    b. 6 acres in the General Rural Zoning District.
2. The parcel is not located in the Shoreland District.
3. Submittal Information. In addition to submittal requirements set forth in Section 18 (Administration and Enforcement), Subdivision 6.2 (Interim Use Permit, Application), the following information must be provided with an interim use permit application:
    a. Anticipated number of attendees
    b. General Operational Plan for Events in accordance with MN Rule 9810.2700 and Minn. Stat. 342.23, 342.24, 342.39, 342.40.

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c. Environmental Standards, including but not limited to wastewater, ventilation, filtration, water and energy usage, and solid waste handling, in accordance with MN Rule 9810.1200, and Minn. Stat. 342.23 – 342.515.

d. Security Standards in accordance with MN Rule 9810.1500, and Minn. Stat. 342.23 – 342.515.

C. Cannabis Manufacturing, provided:

1. The parcel is not located in the Shoreland District.

2. Submittal Information. In addition to submittal requirements set forth in Section 18 (Administration and Enforcement), Subdivision 6.2 (Interim Use Permit, Application), the following information must be provided with an interim use permit application:

a. General Operational Plan for Manufacturing in accordance with MN Rule 9810.2102 and Minn. Stat. 342.23, 342.24, 342.26, and 342.31

b. Environmental Standards including but not limited to wastewater, ventilation, filtration, water and energy usage, and solid waste handling, in accordance with MN Rule 9810.1200, and Minn. Stat. 342.23 – 342.515.

c. Security Standards in accordance with MN Rule 9810.1500, and Minn. Stat. 342.23 – 342.515.

D. Cannabis Medical Combination, provided:

1. The parcel is not located in the Shoreland District.

2. Submittal Information. In addition to submittal requirements set forth in Section 18 (Administration and Enforcement), Subdivision 6.2 (Interim Use Permit, Application), the following information must be provided with an interim use permit application:

a. General Operational Plan for Medical Combination in accordance with MN Rules 9810.2000-9810.4200 and Minn. Stat. 342.23, 342.24, 342.51, 342.515.

b. Environmental Standards including but not limited to wastewater, ventilation, filtration, water and energy usage, and solid waste handling, in accordance with MN Rule 9810.1200, and Minn. Stat. 342.23 – 342.515.

c. Security Standards in accordance with MN Rule 9810.1500, and Minn. Stat. 342.23 – 342.515.

E. Cannabis Mezzobusiness, provided:

a. The parcel is a minimum of 40 acres in the Agricultural District.

b. The parcel is not located in the Shoreland District.

c. Must be located 1,000 ft from the nearest residence, except that of the owner.

d. Submittal Information. In addition to submittal requirements set forth in Section 18 (Administration and Enforcement), Subdivision 6.2 (Interim Use Permit, Application), the following information must be provided with an interim use permit application:

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e. General Operational Plan for Mezzobusiness in accordance with MN Rules 9810.2000-9810.2700 and Minn. Stat. 342.23, 342.24, and 342.29.

f. Environmental Standards including but not limited to wastewater, ventilation, filtration, water and energy usage, and solid waste handling, in accordance with MN Rule 9810.1200, and Minn. Stat. 342.23 – 342.515.

g. Security Standards in accordance with MN Rule 9810.1500, and Minn. Stat. 342.23 – 342.515.

F. Cannabis Microbusiness, provided:

1. The parcel is a minimum of:

a. 5 acres in the Agricultural District and homesteaded by the applicant.

b. 5 acres in the General Rural Zoning District and homesteaded by the applicant.

2. The parcel is not located in the Shoreland District.

3. Submittal Information. In addition to submittal requirements set forth in Section 18 (Administration and Enforcement), Subdivision 6.2 (Interim Use Permit, Application), the following information must be provided with an interim use permit application:

a. General Operational Plan for Microbusiness in accordance with MN Rules 9810.2000-9810.2700 and Minn. Stat. 342.23, 342.24, and 342.28.

b. Environmental Standards including but not limited to wastewater, ventilation, filtration, water and energy usage, and solid waste handling, in accordance with MN Rule 9810.1200, and Minn. Stat. 342.23 – 342.515.

c. Security Standards in accordance with MN Rule 9810.1500, and Minn. Stat. 342.23 – 342.515.

G. Cannabis Retail, provided:

1. The parcel is not located in the Shoreland District.

2. Submittal Information. In addition to submittal requirements set forth in Section 18 (Administration and Enforcement), Subdivision 6.2 (Interim Use Permit, Application), the following information must be provided with an interim use permit application:

a. General Operational Plan for Retail in accordance with MN Rules 9810.2000-9810.2700 and Minn. Stat. 342.23, 342.24, and 342.32.

b. Environmental Standards including but not limited to wastewater, ventilation, filtration, water and energy usage, and solid waste handling, in accordance with MN Rule 9810.1200, and Minn. Stat. 342.23 – 342.515.

c. Security Standards in accordance with MN Rule 9810.1500, and Minn. Stat. 342.23 – 342.515.

H. Cannabis Testing Facility, provided:

1. The parcel is not located in the Shoreland District.

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2. Submittal Information. In addition to submittal requirements set forth in Section 18 (Administration and Enforcement), Subdivision 6.2 (Interim Use Permit, Application), the following information must be provided with an interim use permit application:

    a. General Operational Plan for Testing Facility in accordance with MN Rules 9810.3000-9810.3100 and Minn. Stat. 342.23, 342.24, 342.37, and 342.38.

    b. Environmental Standards including but not limited to wastewater, ventilation, filtration, water and energy usage, and solid waste handling, in accordance with MN Rule 9810.1200, and Minn. Stat. 342.23 – 342.515.

    c. Security Standards in accordance with MN Rule 9810.1500, and Minn. Stat. 342.23 – 342.515.

I. Cannabis Wholesale, provided:

1. The parcel is not located in the Shoreland District.

2. Submittal Information. In addition to submittal requirements set forth in Section 18 (Administration and Enforcement), Subdivision 6.2 (Interim Use Permit, Application), the following information must be provided with an interim use permit application:

    a. General Operational Plan for Wholesale in accordance with MN Rule 9810.2400 and Minn. Stat. 342.23, 342.24, 342.33, and 342.34.

    b. Environmental Standards including but not limited to wastewater, ventilation, filtration, water and energy usage, and solid waste handling, in accordance with MN Rule 9810.1200, and Minn. Stat. 342.23 – 342.515.

Security Standards in accordance with MN Rule 9810.1500, and Minn. Stat. 342.23 – 342.515.

20.5.10 Communication Towers & Antennas shall be allowed if it meets the conditions set forth in Section 16.5 General Standards for Communication Towers.

20.5.11 Contractor's Yard, provided:

A. Classification of Contractor's Yard Small, Medium, and Large is provided:

1. Small Contractor's Yard.

    a. The parcel is a minimum of:

        i. 2.5 acres in the General Rural Zoning District and homesteaded by the applicant.

        ii. 5 acres in the Agricultural Zoning District and is homesteaded by the applicant.

    b. There may be a maximum of four (4) licensed motorized or non-motorized vehicles associated with the Contractor's Yard (includes trucks and trailers). Equipment stored on vehicles or trailers are excluded.

    c. There may be only of 2 (two) employees (full-time and part-time) reporting to the parcel other than a family member residing on the property. This includes employees who are on-site only to pick up and drop off equipment and materials.

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d. Exterior storage of equipment, business supplies or waste material is prohibited except for the permitted commercially licensed vehicles.

e. Setbacks:

i. Agricultural Districts, the contractor's yard and all related uses must be setback a minimum of 50ft from all property lines.

ii. General Rural Districts, the contractor's yard and all related uses must be within the permitted setbacks within the applicable zoning district as outlined in the Sherburne County Zoning Ordinance.

2. Medium Contractor's Yard.

a. The parcel is a minimum of:

i. 10 acres in the General Rural Zoning District

ii. 10 acres in the Agricultural Zoning District

iii. Permitted on existing lot of record in the Industrial, or Heavy Industrial Zoning Districts.

b. There may be a maximum of twenty (20) commercially licensed motorized or non-motorized vehicles associated with the Contractor's Yard (includes trucks and trailers).

c. There may be a maximum of twenty (20) employees (FTE) working on-site. This includes employees who are on-site to pick up and drop off materials and equipment.

d. Setbacks:

i. General Rural Districts, the contractor's yard and all related uses must be setback a minimum of 50ft from all property lines.

ii. Agricultural District, the contractor's yard and all related uses must be setback a minimum of 50ft from all property lines.

iii. Industrial and Heavy Industrial Zoning Districts, the contractor's yard and all related uses must be within the permitted setbacks within the applicable zoning district as outlined in the Sherburne County Zoning Ordinance.

3. Large Contractor's Yard.

a. Property must be in the Industrial and Heavy Industrial Zoning Districts or Highway PUD zoning districts.

b. The maximum number of commercially licensed motorized or non-motorized vehicles (includes trucks and trailers) associated with the Contractor's Yard shall be established through the Interim Use Permit.

c. The maximum number of employees (FTE) working on site shall be established through the Interim Use Permit.

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i. Setback: Industrial and Heavy Industrial Zoning Districts, the contractor's yard and all related uses must be within the permitted setbacks within the applicable zoning district as outlined in the Sherburne County Zoning Ordinance.

B. The contractor's yard may not be located within the Shoreland District or the Floodplain District.

C. The contractor's yard must abut a hard-surface public road unless access via a gravel road is approved by the Township.

D. All outside storage shall be adequately screened from existing or proposed residential areas by fence, wall or vegetated earth berm.

E. Applicants shall include the following information with their IUP application:

1. A written description describing the proposed contractor's business and activities conducted on-site, including the following:

a. The number of employees (full-time and part-time) reporting to the contractor's yard.

b. The type and amount of equipment stored on-site.

c. The type and amount of vehicles, materials and supplies stored on-site.

d. If, how, and where vehicles and equipment will be maintained on-site.

2. A survey or aerial photo showing the following:

a. Parcel acreage.

b. Location and dimensions of all existing and proposed buildings on the property.

c. Location and dimensions of existing and proposed outdoor storage areas.

d. Location and details of existing and proposed screening

e. Location and distance of neighboring residences.

f. Location of well, septic or other sanitary facilities on-site.

F. All outside storage shall be screened from residential areas.

D

20.5.12 Day Care (in-home or commercial), provided:

A. Any state licensing or permitting requirements are met.

B. Meets the requirements of Minnesota State Statute 462.357

E

20.5.13 Event Venue/Banquet Hall/Community Center provided:

A. The facility is on a parcel that is at least 40 acres if located in the Agriculture or General Rural.

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F

20.5.14 Farm-Related Businesses. Business directly related to the conduct of commercial agriculture, provided:

A. The business is primarily farm-related under one or more of the following criteria:

1. The business provides a repair or maintenance service for equipment unique and necessary to agricultural operations.

2. The business produces a product or involves a process that utilizes locally grown or produced commodities.

3. The business involves sales and/or purchasing of products of the local agricultural economy or of goods unique and necessary to agricultural operations.

B. The business is of a scale that the demand for support services such as sewer, water, police, fire protection, roads or streets, can be accommodated within the context of the service levels available in the Agricultural District.

C. The business is operated in conformance with the conditions of an approved plan of operation.

D. The applicant submits a copy of Workers' Compensation Insurance or signs an affidavit stating that he will not have any employees.

20.5.15 Farm Related Bunk House for Temporary Seasonal Residence. Temporary seasonal multi-unit residence allowed solely for the housing of seasonal help for agricultural production needs.

A. A site plan for each parcel with a multi-unit dwelling is submitted showing the following:

1. Adjacent land uses.

2. One multi-unit structure per farming operation.

3. No more than four (4) units per multi-unit structure or a ten bedroom structure.

4. Each unit of the multi-unit structure must contain at least eight hundred (800) square feet of habitable space for four (4) occupants*. Habitable space for this purpose is defined as square footage of the bedroom(s), living room(s) and kitchen areas, excluding bathrooms, corridors and/or hallway areas.*

5. Adequate emergency storm shelter facility.

B. The employer and all seasonal workers are in compliance with all applicable state and federal laws, including all laws regulating seasonal migrant workers.

C. Uniform Building Code capacity load requirements specify a minimum of two hundred (200) square feet of habitable space per occupant. For example, a unit containing 800 square feet of habitable space would have a maximum occupancy load of four (4) occupants.

D. All property taxes and personal property taxes are current.

E. The applicant shall own a minimum of 160 acres of land.

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F. The length of time the multi-unit dwelling shall be occupied is limited to the needs of the farming operation and allowed only during the period of April 15th through November 1st. A temporary residence shall be occupied by farm workers only and the applicant shall provide written notice to Sherburne County as to when the temporary residence(s) will be occupied each year.

G. All solid waste generated by the occupants is disposed of properly in accordance with the Sherburne County Solid Waste Ordinance.

20.5.16 Feedlots and/or Manure Storage Areas, provided:

A. All Feedlots shall comply with MN Rule 7020.

B. Manure Storage Areas shall be designed, constructed and maintained in compliance with MN Rule 7020.2100.

C. All feedlots and/or manure storage areas shall comply with Section 17, Subd 16 and Section 18 Subd 5.

1. A copy of approval from the MPCA to operate a feedlot.

2. Designation of applicable Tier (e.g. Tier 1, Tier 2, etc.)

G

20.5.17 Golf Courses subject to the following criteria:

A. If the course is proposed to be located in the floodplain, the criteria in the Floodplain District of this Ordinance in addition to these criteria must be complied with.

B. The course must be located on either a minor collector, a major collector, a minor arterial or major arterial road as identified in the 1990 Transportation Plan.

C. A permanent club house must be constructed that is adequate in size as per the state building code to serve the proposed number of golfers.

D. The course must be a minimum of 9 holes.

E. There must be adequate fencing to deter trespassing on adjacent property.

F. The applicant will submit information identifying wetlands, watercourses, water bodies and wooded areas. The applicant will also state how the proposal would affect the above natural features. The proposal will be reviewed to determine adverse impact on the above natural features and on areas or sites of historical or archaeological significance. Conditions may be imposed to limit or prevent adverse impact on the above stated or other natural features.

G. Any of the above requirements may be waived by the County Board for golf courses existing at the time of adoption of the subdivision or for golf courses that were once in existence and are being reactivated.

H. Appropriate uses accessory to a golf course include but are not limited to a pro shop, a club house, locker room, restaurant and bar, private parties, tennis courts, racquetball, swimming pool, indoor track, exercise room, sauna or steam room, snowmobiling, snowshoeing, cross country skiing.

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1. These are uses generally or sometimes found in conjunction with golf courses. Those permitted under a particular conditional use permit will be dependent upon additional parking capacity, the capacity of the on-site sewer system and the water supply system.
2. If these uses are to be permitted they must be addressed in the operational plan. Any changes in use requires an amendment to the conditional use permit.

I. The front yard setback area may be utilized for parking purposes. A parking area located in a front yard setback may not be hard surfaced with asphalt, concrete or similar material. At no time shall a parking lot intrude upon or in any way utilize road right-of-way for parking purposes.

H

20.5.18 Historical Sites and activities as recognized by the State Historical Society.

20.5.19 Home Business in an Accessory Structure, provided:

A. The business must be located on the homesteaded property of the business owner.

B. All business activities may be conducted within a maximum area of 1,800 sq ft within one accessory structure. If the accessory structure is to be used for non-business use (i.e. personal storage), a partition wall or similar divider must be used to separate business from non-business use to identify compliance with the 1,800 sq ft maximum floor area. All work must be conducted within the Accessory structure.

C. There may be no more than two (2) employees (FTE) other than a member of the household residing on the premises.

D. There may be no sandblasting, chemical/paint spraying, or similar use associated with the business.

E. There may be no more than one non-illuminated business sign totaling not more than 12 square feet on the premises.

F. The County may limit the daily hours of operation.

G. The applicant and/or property owner shall permit the County to inspect the property at anytime

L

20.5.20 Light Industry, :

M

20.5.21 Manufactured Home, Farm Related (Temporary Seasonal), provided:

A. The owner/applicant can demonstrate a need for the permit.

B. A maximum of three manufactured homes may be located on each farming operation. A farming operation includes all lands under common/joint ownership used predominately for labor intensive agricultural purposes.

C. Farming operations shall have a minimum of 80-acres of land, or if less must demonstrate that there is no local housing available for seasonal workers.

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D. The length of time the temporary residence shall be occupied is limited to the needs of the farming operation and allowed only from April 15th through November 1st. The manufactured home shall be occupied by farm workers only.

E. The total number of occupants in any one manufactured home does not exceed the Code of Federal Regulations 3280.109 as amended, regulating the number of persons per sq ft of bedroom.

F. The employer and employees are in compliance with all applicable state and federal labor laws.

G. An escrow is issued in the name of Sherburne County, payable to Sherburne County, for the sum of $5,000 which may be drawn down by the County in its sole discretion for purposes including but not limited to cost of capping and closing of any separate septic systems, administrative and legal fees for the foregoing, and repayment of delinquent personal property taxes on the manufactured home. The escrow shall be held for as long as the manufactured home is on the property.

H. All solid waste generated by the occupants shall be disposed of properly, in accordance with the Solid Waste ordinance.

20.5.22 Manufactured Home, Farm Related (Temporary Year-Around), One manufactured home may be temporarily located on a property in addition to a permanent home, provided:

A. The residents' income is derived in part from the farmstead of which the manufactured home is intended to be located, or that the majority income of the occupant or owner is derived from past association with the farmstead;

B. An escrow is issued in the name of Sherburne County, payable to Sherburne County, for the sum of $5,000 which may be drawn down by the County in its sole discretion for purposes including but not limited to the cost of capping and closing of any separate septic systems, administrative and legal fees for the foregoing, and repayment of delinquent personal property taxes on the manufactured home. The escrow shall be held for as long as the manufactured home is on the property.

C. Travel trailers, recreational vehicles or any other type of vehicle modified for living space shall not be used as a permanent structure and shall not be connected in any fashion to existing water and septic systems for the purpose of erecting a permanent structure. For the purposes of this section, a Permanent Structure is any trailer or vehicle that is used between November 1st and May 1st of the following year.

20.5.23 Manufactured Home (temporary), for Parents, Grandparents, Children, Sisters or Brothers by Blood or Adoption provided:

A. The manufactured home is to be located on a parcel of at least five acres with one permanent dwelling. The occupant(s) of either the manufactured home or the permanent dwelling must be: 1) the parent(s) or grandparents of the occupant of the other residence or, 2) a child, sister or brother who suffers from a full or total disability as classified by Social Security, Worker's Compensation or a Doctor, and who resides in or will reside in one of the residences.

B. The applicant shall submit with the application and annually thereafter, a signed statement certifying that the occupant of the manufactured home is a parent, grandparent, child, sister or

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brother who suffers a full or total disability as classified by Social Security, Worker's Compensation or a Doctor. The statement shall describe the need that makes it necessary for parents, grandparents or relative of the first degree to live on the same parcel with the children or grandchildren or a release that will allow the Zoning Administrator or his/her designee to verify the disability.

C. The manufactured home shall be removed from the site within 120 days of such time as it or the permanent residence ceases to be occupied by a parent, grandparent, child, sister or brother.

D. The manufactured home shall not be made a permanent structure.

E. The manufactured home shall not require the creation of a separate well.

F. An escrow is issued in the name of Sherburne County, payable to Sherburne County, for the sum of $5,000 which may be drawn down by the County in its sole discretion for purposes including but not limited to cost of capping and closing of any separate septic systems, administrative and legal fees for the foregoing, and repayment of delinquent personal property taxes on the manufactured home. The escrow shall be held for as long as the manufactured home is on the property.

20.5.24 Mining/Gravel Pits. The permit shall be issued only upon findings that there is no substantial environmental impact or that such impact will be alleviated through a restoration program and other condition of the permit and that the activity will have no substantial adverse impact on surrounding property or that such impact will be alleviated through the conditions of the permit. Each permit shall contain the following minimum standards unless modified by the Planning Commission, and all activities shall conform to these and any additional standards:

A. General Operating Requirements must address operating hours, dust control, housekeeping, and safety.

B. Minimum Requirements for the mining operation:

1. No non-granular material shall be removed unless the permit is specifically for such an operation.

2. Vertical faces shall be kept to a minimum except during active mining.

3. Mining shall not take place within 40 feet of a property line and/or no closer than to accomplish a 2.5:1 slope.

4. The permit shall specify what operations are to occur in the permitted area and what general types of equipment may be used in the operation.

5. Processing machinery must be located consistent with setback standards for structures from ordinary high water levels of public waters and from bluffs.

6. Excavation or grading that disturbs an area greater than one (1) acre in size shall submit a National Pollutant Discharge Elimination System Plan (NPDES), and a Storm Water Pollution Prevention Plan (SWPPP) from the MPCA. The applicant shall submit a copy of the NPDES and SWPPP permits to the County prior to any excavation.

C. The following information shall be provided by the person or agency requesting the permit:

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1. The following maps of the entire site and including all areas within three hundred fifty (350) feet of the site. All maps shall be drawn at a scale of one (1) inch to one hundred (100) feet unless otherwise stated below. A digital drawing in a format compatible with the CAD software used by the County of the plat on County coordinates with all the information contained in Maps A, B & C. listed below.
    a. Map A - Existing conditions to include:
        i. Contour map, with two (2) foot intervals
        ii. Existing vegetation
        iii. Wetlands and existing surface water drainage patterns
        iv. Existing structures
        v. Existing wells
    b. Map B - Proposed Operations to include:
        i. Structures to be erected
        ii. Location of a permit, accessible and visible bench mark elevation in the vicinity of the mining boundary
        iii. Location of sites to be mined showing depth of proposed excavation
        iv. Location of any open water
        v. Setback line for property lines and ordinary high water levels of public waters
        vi. Location of storage of mined materials, showing maximum height of storage deposits
        vii. Location of vehicle parking, access roads and local routes to truck routes
        viii. Staging of mining activity
        ix. Resource management plan
    c. Map C - End Use Plan to include: The following information shall be provided by the person or agency requesting the permit:
        i. Final grade of proposed site showing elevations and contour lines at two (2) foot intervals
        ii. Location and species of vegetation to be replanted
        iii. Reclamation staging plan
        iv. Proposed land use and development plan.

D. Haul Route Plan. A plan shall be submitted for approval showing the public roads on which trucks will carry material from the site along with a schedule and means of cleaning the public roads of lost material.

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E. Restoration. All permits shall contain a restoration plan providing for the reuse of the land after resource exhaustion. The permittee is responsible for restoration. The following are the minimum standards for restoration:

1. All areas where the resource is exhausted and not needed for other operations shall be restored at the completion of mining. The entire area shall ultimately be restored.

2. All restoration shall include the application of a minimum of 4 inches of topsoil or similar material that will support plant growth.

3. Grading standards:

   a. Final grades shall be in conformity with the topography of the surrounding land.

   b. If the land is to be restored to crop production, no slope shall exceed 20 percent (5:1 slope).

   c. If the restoration is not for crop production, no grade shall exceed 33 percent (3:1 slope).

4. All restored areas shall be seeded with a mixture recommended by the Soil and Water Conservation District or returned to crop production. The permit may require a reforestation plan. Reforestation requirements shall be based on the recommendation of the Soil and Water Conservation District and/or the County Forester.

5. Standards III and IV above may be raised or modified to accommodate a specific reforestation plan.

F. Performance Securities and Insurance.

1. The permittee shall acquire and keep in force for the duration of the permit, liability insurance specifically covering the mining and/or restoration and related operations. The permittee shall provide certification of insurance.

2. A performance surety shall be provided. The permit shall specify the amount and type of surety required. The surety shall be used to reimburse the County for any monies, labor, or material expended to bring the operation into compliance with the conditions of the permit. The surety may be used after non-renewal of the permit and failure to execute the restoration plan. The surety may also be used if there is a failure to execute a phase of a restoration plan specifically scheduled in the permit. This option may be executed 180 days after written notice of non-compliance to the applicant.

20.5.25 Motor Vehicle Sport Facility, Public

Facilities, tracks and sites for dirt bikes, all terrain vehicles, “mud trucks”, race cars and similar vehicles are conditional uses under the following conditions:

A. The use of the facility is limited to the permitted number.

B. The facility is not allowed in a residential plat.

C. The facility must be located on a minimum of twenty (20) acres.

D. The County may limit the days and hours of operation.

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E. The facility must be located a minimum of 1,000 feet from any residence except that of the landowner and a minimum of ½ mile from ten or more homes existing prior to application for a permit under this provision.

F. The facility must be located a minimum of 1000 feet from a livestock facility.

G. Landowners wishing to hold a single day or week-end motor sport event or permit holders wishing to schedule a special event in excess of their permit limits may apply for an "Occasional Special Events" via a Conditional Use Permit (Section 19)

O

20.5.26 Occasional Special Event under the following conditions:

A. An application is submitted which includes the following:

1. A plot plan showing:

a. Location of any grading, excavation or filling sites, and location of any areas for obtaining fill or for disposing of excavated materials.

b. Location of any temporary buildings, stockpiled materials, and or industrial equipment.

c. Location of storage area for equipment.

2. A letter giving an in depth description of the proposed operation. Said letter should contain at a minimum:

a. The number of employees reporting to the site.

b. Plans for traffic control.

c. A discussion of parts of the special event that may have an adverse impact on the environment or may impact neighboring property owners and methods for mitigation of any adverse factors.

d. Plans for provision of sanitary facilities such as portable toilets for workers and attendees.

3. The Sherburne County Board of Commissioners approves the application.

P

20.5.27 Pawnbrokers, provided that they meet the requirements of County Ordinance _____ that regulates Pawnbrokers.

20.5.28 Permanent Municipal, Township or County Structures or uses of land except roads and their appurtenances and drainage systems established pursuant to Minnesota Statutes Chapter 103E.

20.5.29 Personal Storage Structure, provided:

A. An outbuilding without a primary residence defined as a Personal Storage Structure.

B. Personal Storage Structures will be limited to personal use and cannot be used for any business operation.

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C. Only one Personal Storage Structure be allowed per parcel.

D. The size of the Personal Storage Structure will be limited to 1800 sq. ft. unless the parcel is less than 2.5 acres and then the size limit will be a 1,200 sq. ft. building.

E. A maximum height of the structure is 25 feet from the ground to the peak.

F. The size and location of the Personal Storage Structure should not impede the placement of a future home, or primary and secondary septic system.

G. No plumbing or floor drains shall be allowed.

H. Personal Storage Structures will not be allowed in a platted development, unless in a Shoreland District.

20.5.30 Private Game Refuge and Wildlife Management Areas provided:

A. A permit is issued by the Minnesota Department of Natural Resources.

B. Hunting is allowed only by Conditional Use Permit.

20.5.31 Public Schools or schools which teach a similar curriculum, provided the school has the approval of the State Department of Education.

R

20.5.32 Recreational Activities conducted on a permanent, seasonal or scheduled basis subject to the following criteria:

A. A stipulation is made in the permit as to the number of persons to be using the facility at any one time.

B. Any type of special event that will attract or involve more than the number of people stipulated in D above shall require approval of the County Board.

C. The permit shall be subject to annual administrative renewal

20.5.33 Recycling Operations Facility for Non-hazardous Waste, provided a plan is approved by the County Planning Commission controlling noise, litter, odors, traffic, air pollution and water pollution.

20.5.34 Recycling Operations Facility for Hazardous Waste, provided that a plan is approved by the County Board of Commissioners and Minnesota Pollution Control Agency controlling water pollution, air pollution, noise, litter, odors and traffic.

20.5.35 Riding Academies, Stables and similar uses, provided:

A. The use must be located on a minimum of ten acres. The number of animal units permitted will be regulated by the permit.

B. If the facility has more than ten horses, an MPCA feedlot Certificate of Compliance must be issued.

C. If the facility has ten or fewer horses there must be an acceptable manure handling plan.

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D. The facility is operated in conformance with an approved plan of operation.

20.5.36 Rural Tourism shall include things such as farm or other historical heritage attractions, single family residential properties for day retreats, crafting parties, weddings, receptions, hay rides, corn-mazes and holiday celebrations or similar rural uses.

A. Standards. Rural Tourism businesses shall meet the following standards:

1. A Rural Tourism businesses shall be located on properties within the General Rural and Agricultural Districts.
2. A Rural Tourism business shall be located on a metes and bounds parcel of at least 5 acres in size and is homesteaded by the applicant.
3. Any new buildings must be setback 50 ft. from side and rear lot lines.
4. Rural Tourism business may not be located within ¼ mile of 10 residences.
5. Rural Tourism shall be limited to no more than 300 guest/visitors at one time.

B. Submittal Information. In addition to submittal requirements set forth in Section 18 (Administration and Enforcement), Subdivision 6.2 (Interim Use Permit, Application), the following information must be provided with an interim use permit application:

1. Existing uses on adjacent properties and distance of dwellings within 500 feet of the property boundary.
2. Existing and proposed structures listed for each building where guests will have access and the maximum capacity for each structure as required to comply with building code and applicable fire safety requirements.
3. Location of temporary toilet facilities, which may be required.
4. A written description of the planned activities including maximum number of guests/visitors.
5. Frequency and number of activities proposed in a calendar year. Days of week and hours of operation proposed.
6. Description of any proposed outdoor activities including but not limited to: placement of temporary tents, public address system and amplified music.
7. Proposed site lighting and landscaping.
8. Anticipated maximum number of vehicle trips per day which would include arriving and leaving the site.

C. Conditions. In addition to all other applicable zoning ordinance requirements including but not limited to the review criteria included in Section 18 (Administration and Enforcement), Subdivision 6.4 (Interim Use Permit, Findings), the following items shall be considered by the Planning Advisory Commission and County Board when reviewing an Interim Use Permit Application for Tourism:

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1. The size of the function and the number of expected guests on the property at one time shall be determined at the sole discretion of the County based on parcel size, proximity to adjacent neighbors and the ability of the applicant to demonstrate that there will be no unreasonable adverse impact on the neighbors from the noise, traffic, trespass, light or other impacts deemed relevant by the County.
2. The County must consider the character of the neighborhood and traffic quantity when determining the maximum capacity of people allow and the type of activity generated by the business and the amount of parking required.
3. There is adequate provision for parking of vehicles so that there is no parking on public roads and adequate setbacks from adjacent properties are maintained. Temporary parking areas may be approved at the sole discretion of the County. Parking areas must be a minimum of forty (40) feet from all property lines, and appropriately screened from neighboring property.
4. Driveway access location and any road upgrades required must be approved by the road authority prior to County Board approval.
5. Light sources shall be directed downwards and shielded to prevent light being directed off the premises.
6. The County may require a planted buffer between adjacent properties and parking or building if it is determined that such a buffer is necessary to avoid adverse impacts on adjacent properties.
7. Subsurface Wastewater Treatments Systems (SSTS) which is subject to a change in occupancy or gallon per day loading as a result of an approved interim use permit shall be retrofitted and/or upgraded to conform to current code requirements.
8. All existing buildings or proposed buildings to be used in association with the business shall be certified by an architect or engineer to be in compliance with current structural building and electrical standards for new occupancy prior to any use of the structures.
9. There may be one sign totaling not more than 12 square feet in size, located on the property and outside the public right of way.
10. Outside, activities must be completed during daylight hours. Inside activities must be completed by 11:00 p.m.
11. Any on-site preparation and handling of food or beverages must comply with all applicable Federal, State or Local Standards.
12. The owner will maintain a log of the activities occurring onsite that includes activity/event dates, group identity, times and number of guests.

S

20.5.37 School Bus Service. The operation, maintenance and storage of more than two school buses provided the following criteria are met:

A. The school bus service must be located on a parcel of 10 acres or more.

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B. The parcel must be on a hard surface road unless access via a gravel road is approved by the Township.

C. All buses must be screened from view from the public road by a combination or plantings, berming and/or fencing.

20.5.38 Seasonal or Temporary Businesses, provided a plan for operations and schedule is submitted and approved by the County Planning Commission.

20.5.39 Seasonal Storage, provided:

A. Seasonal Storage Business established after January 3, 2006 must be located on a minimum of twenty acres. Businesses established prior to this date may be located on any sized acreage, however the landowner must provide proof of the year established, such as commercial tax records. The business may not be located within a residentially platted parcel.

B. The existing facility must consist of agricultural buildings converted for seasonal storage.

C. If the buildings used for seasonal storage are damaged or destroyed beyond 50% of their value as determined by the Building Official, they may be rebuilt for the purposes of seasonal storage in accordance with the Minnesota State Building Code.

D. The public shall not have individual access to the storage facilities. All access shall be gained by employees of the storage facility or their agent only.

E. There shall be no exterior storage of any kind.

F. Pre-existing seasonal storage businesses which may qualify for this Conditional Use Permit shall obtain a Conditional Use Permit by July 11, 2006 or shall be in violation of the Sherburne County Zoning Ordinance.

20.5.40 Second Farm-Related Dwelling. A second permanent farm-related dwelling may be located on a parcel of at least 80 acres or 2 quarter-quarter sections without subdividing a lot, provided:

A. The house is occupied by someone employed on the farm at least 20 hours per week.

B. The location of the second farm related dwelling on this parcel must be wooded (refer to Definitions Section) and meet the minimum lot size and dimensional regulations of the underlying zoning district.

C. A boundary survey shall be required if the parcel is to become a separate lot of record.

D. A site plan must be submitted with the application that shows how the second dwelling could meet platting requirements.

20.5.41 Solar Farm

A. A Solar Farm shall be prohibited in the following areas:

1. On parcels less than 5 acres in size.

2. Big Lake Township: areas within ½ mile of TH 10 and in all Sections 23, 24, 25, 26, 35 and 36 Township 33, Range 28 and Section 27, 28, 29, 30, 31, 32, 33 and 34 Township 33, Range 27 north of CSAH 14. except for those parcels that have an existing Solar Farm

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constructed prior to October 1, 2025 or share a boundary line with a parcel that has an existing Solar Farm constructed prior to October 1, 2025.

3. Livonia Township: areas within ½ mile of TH 169.
4. Shoreland Districts designated by the Department of Natural Resources;
5. Within wetlands to the extent required by the Minnesota Wetlands Conservation Act.
6. Within the Mississippi Scenic, Recreational River, and Special Use Districts.

B. Solar Farms shall be setback a minimum of 50' from a side/rear property line, and shall comply with all other structural setbacks within the underlying zoning district.

C. In addition to items required by this Ordinance and on the IUP application form, the following items must be submitted with the IUP application:

1. Site Plan. A detailed site plan for both existing and proposed conditions must be submitted, showing the location of all areas where solar energy systems are to be placed, existing and proposed structures, property line, surface water drainage patterns, floodplains, delineated wetlands, toe and top of bluffs, ordinary high water mark and other protected natural resources, topography, electric equipment, and all other characteristics requested by the County.
2. Natural Resource Impact Assessment. For Solar Farms with a project size exceeding ten (10) acres, the applicant must provide a Natural Resource Impact Assessment. The assessment must address impacts of the project (construction and maintenance phases) to natural resource, defined as natural vegetation, native plant communities, soils, surface waters, wetlands, wildlife and nongame species, and fisheries. The assessment must include a review of the Minnesota DNR Natural Heritage Information System (NHIS) to determine if any rare species or rare natural resource features are located in proximity to the project.
3. Glare Study. Solar Farms utilizing a reflector system shall conduct a glare study (US Dept. of Energy's Solar Glare Hazard Analysis Tool) to identify the impacts of the system on occupied buildings and transportation rights-of-way within a half mile of the project boundary.
4. Agricultural Impact Assessment. If a Solar Farm is proposed to be located on existing agricultural land, the applicant must provide an agricultural impact assessment, which shall include:
    i. The total number of acres of Prime Agricultural Soils (as defined in the USDA National Soil Survey Handbook, Part 622.03(a1) or its successor) to be impacted.
    ii. The total number of acres of actively farmed land to be impacted.
    iii. Whether the property has an existing irrigation system that will be removed.
5. Aviation Analysis. If the project is within the Princeton Municipal Airport Airspace Zoning Plan (1977), or within the St. Cloud Municipal Airport Zoning Ordinance (1977) or St. Cloud Regional Airport Safety Zone A, B, or C, or within 2 miles of an airport, the applicant must complete and provide the results of the Solar Glare Hazard Analysis Tool (SGHAT) for the Airport Traffic Control Tower cab and final approach paths, consistent with the Interim Policy, FAA Review of Solar Energy Projects on Federally Obligated Airports, or most recent version

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adopted by the FAA. If the SGHAT indicates a completion of an Air Space Case Analysis (Form 7460), the applicant must complete the form and provide the results.

6. Decommissioning Plan. A decommissioning plan shall be required for solar farms to ensure that facilities are properly removed after the expiration of the IUP, or, if earlier, after the useful life of solar panels and other facilities. Decommissioning of solar panels and related facilities must occur in the event the IUP expires or is terminated, and/or the solar panels are not in use for twelve (12) consecutive months. The plan shall include provisions for removal of all structures, foundations, equipment and power and communication lines, restoration of soil and vegetation to its pre-developed condition, and a financial guarantee ensuring that financial resources will be available to fully decommission the site. The County Board may require that the applicant provide a bond, letter of credit, escrow or other financial security in a form and amount set by the County Board, naming the County as obligee.

7. Other Standards and Codes. All solar farms shall be in compliance with any applicable local, state and federal regulatory standards for solar energy systems.

8. Power and Communication Lines. Except for power and communication lines that are defined in this Ordinance as Essential Services, all power and communication lines, including those running between banks of solar panels and to electric substations or interconnections with buildings, shall be buried underground. Exemptions may be granted by the Zoning Administrator in instances where shallow bedrock, water courses, or other elements of the natural landscape interfere with the ability to bury lines, or the distance to a substation reasonably precludes burial.

9. Screening. Vegetative screening such as coniferous trees a minimum of 6’ in height or an alternative approved by the Zoning Administrator, shall be installed shall be installed adjacent to residential properties at the time the Solar Farm is installed. The County Board may require that the applicant provide financial security in a form and amount set by the County Board, for the purpose of providing a financial guarantee for a minimum 1-year survival of the vegetative screening.

D. Solar Farms shall comply with Section 17, Subd 17 (General Regulations, Solar Energy Systems and Solar Farms) of this ordinance.

E. Notwithstanding the prohibition against transferring an IUP in Subdivision 2 of this Section 16.2, the applicant and/or business entity that is granted an IUP for a Solar Farm pursuant to this Ordinance may transfer the IUP through a change in ownership or control of the applicant and/or business entity (as defined in Subdivision 2) without applying for a new IUP, so long as the applicant and/or business entity meet the following conditions:

   1. The applicant and/or business entity are in full compliance with all the terms and conditions set forth in the IUP;

   2. The applicant and/or business entity provides a 30 day prior written notice of the change in ownership to the Zoning Administrator by certified letter, which shall include the timeline for when the change will occur and to whom the ownership will transfer; and

   3. Demonstrate that the transfer shall not affect the financial security as required by the County Board and set forth in the conditions of the IUP when it was approved.

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F. This provision allowing for a change in ownership or control shall not permit the applicant and/or business entity to transfer the IUP to a separate entity without submitting a new IUP application for a Solar Farm as required by Section 16.2 Subdivision 2.

20.5.42 Solar Farm Related Business, provided:

A. The owner/applicant can demonstrate a need for the permit.

B. The business may not be located within the Shoreland District or the Floodplain District.

C. The business must abut a hard-surface public road unless access via a gravel road is approved by the Township.

D. The driveways and parking areas for the business shall be setback a minimum of 10ft from the side and rear property lines and 20ft from the front property line.

E. All outside storage is adequately screened from existing or proposed residential areas by fence, wall or vegetated earth berm.

F. The maximum number of commercially licensed motorized or non- motorized vehicles (includes trucks and trailers) associated with the Solar Farm Related Business shall be established through the Interim Use Permit.

G. Applicants shall include the following information with their IUP application:

1. A written description describing the proposed business and activities conducted on-site, including the following:

i. The number of employees (full-time and part-time) reporting to the site.

ii. The type and amount of equipment stored on-site.

iii. The type and amount of vehicles, materials and supplies stored on- site.

iv. Plans for provision of sanitary facilities such as portable toilets for workers.

v. Description of solid waste generated by the business and plans for disposal in accordance with the Solid Waste ordinance.

2. A survey or aerial photo showing the following:

i. Parcel acreage.

ii. Location and dimensions of all existing and proposed buildings on the property.

iii. Location and dimensions of existing and proposed outdoor storage and parking areas.

iv. Location and details of existing and proposed screening.

v. Location and distance of neighboring residences.

vi. Location of well, septic or other sanitary facilities on-site

H. Notwithstanding the prohibition against transferring an IUP in Subdivision 2 of this Section 16.2, the applicant and/or business entity that is granted an IUP for a Solar Farm Related Business pursuant to this Ordinance may transfer the IUP through a change in ownership or

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control of the applicant and/or business entity (as defined in Subdivision 2) without applying for a new IUP, so long as the applicant and/or business entity meet the following conditions:

1. The applicant and/or business entity are in full compliance with all the terms and conditions set forth in the IUP;
2. The applicant and/or business entity provides a 30 day prior written notice of the change in ownership to the Zoning Administrator by certified letter, which shall include the timeline for when the change will occur and to whom the ownership will transfer; and
3. Demonstrate that the transfer shall not affect the financial security as required by the County Board and set forth in the conditions of the IUP when it was approved.

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20.5.43 Temporary Tire and/or Waste Collection and/or Recycling Operations, provided:

A. A mitigation plan is submitted, controlling water pollution, air pollution, traffic, litter, odors and noise.
B. Events held by governmental entities are exempt from obtaining an IUP.

20.5.44 Temporary Start-Up Business, provided:

A. The business must be located on the homesteaded property of the business owner if located within the Agricultural, General Rural, or Urban Expansion districts.
B. The business may be permitted through an IUP for a period no longer than three years, after which time the IUP shall expire, and is not renewable or transferable. At the time of expiration, all business activities must end, and business related vehicles, equipment, and materials must have been removed from the property.
C. The business is located on a minimum of five (5) acres.
D. Days and hours of operation shall be determined by the County Board.
E. The maximum number of employees (FTE) working on-site shall be determined by the County Board.
F. All business activities may be conducted within a maximum area of 1,800 sq ft within one accessory structure. If the accessory structure is to be used for non-business use (i.e. personal storage), a partition wall or similar divider must be used to separate business from non-business use to identify compliance with the 1,800 sq ft maximum floor area. All work must be conducted within the Accessory structure.
G. There may be no more than one non-illuminated business sign totaling not more than 12 square feet on the premises.
H. The applicant and/or property owner shall permit the County to inspect the property at anytime.

20.5.45 Temporary Use by Government Entities under the following conditions:

A. An application is submitted which includes the following:
   1. A plot plan showing the location of the temporary use and any temporary structures,

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parking areas, etc.

2. A cross-section sketch of the proposed work if applicable.
3. A construction erosion control plan.
4. A drainage and restoration plan for a use permitted in the District.
5. A letter giving an in depth description of the proposed operation. Said letter should contain a minimum:
    a. The number of employees reporting to the site.
    b. Plans for traffic control at the temporary site and in the location of the project if at a location other than the site.
    c. A discussion of parts of the operation that may have an adverse impact on the environment or may impact neighboring property owners and methods for mitigation of any adverse factors.
    d. Plans for provision of sanitary facilities for workers.

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20.5.46 Used Vehicle Parts or Scrap Material Yards (Junkyard), provided that the County Planning Commission reviews and approves plans for site planning, pollution prevention, visual screening, traffic operations, noise control, dust control, and surface water ponding and runoff.

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20.5.47 Waste Facility providing the following standards are met:

A. The facility/operation is in compliance with the Sherburne County Solid Waste Ordinance and any other applicable ordinance.

B. The facility/operation is in compliance with the adopted Comprehensive Plan and the Solid Waste Master Plan.

C. The site shall not be located within the Shoreland or Floodplain Districts.

D. Any required environmental assessment documents have been developed and required review procedures have been completed.

E. Any required County, State, or Federal licenses have been issued.

F. The facility/operation is in compliance with all applicable Minnesota Pollution Control Agency and U.S. Environmental Protection Agency rules and regulations.

G. The permit shall be subject to annual renewal. Renewal shall occur during the same month as County license renewal.

H. A site plan is submitted showing adjacent land uses and the type of measures that will be used to buffer the physical impacts to these sites.

20.5.48 Windpower Management

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	Commercial	Hobbyist
Maximum Rated Capacity of Facility	5,000 kilowatts (5 megawatts)	20 kilowatts
Setback Requirements	550 feet from residence, except property owner's residence 500 feet from project boundary/property line 300 feet from public road R-O-W	From all property lines and public road R-O-W: height of the tower plus 25 feet
Minimum Acreage	10 acres	2 acres
Maximum Turbines Allowed	No maximum	Dependent on property size: Less than 5 acres: 1 wind turbine More than 5 but less than 10 acres: 2 wind turbines 10 acres or more: 3 wind turbines
Maximum Height	No maximum	100 feet, exclusive of rotor blades

A. Purpose: The purpose of this ordinance is to regulate all proposed wind energy facilities with a rated capacity of less than 5 megawatts (5,000 kw) as either a permitted use or a Conditional Use.

B. Windpower systems shall be divided into two categories; Hobbyist and Commercial.

   1. Compliance with Codes and Standards: All wind turbines shall be in compliance with all applicable state and federal regulatory standards including:

   2. Uniform Building Code as adopted by the State of Minnesota.

   3. The National Electrical Code as adopted by the State of Minnesota.

   4. The National Electric Safety Code.

   5. FAA requirements.

   6. MPCA / EPA regulation (hazardous waste, construction, storm water, etc.).

C. Certifications required for all turbines:

   1. Equipment shall conform to applicable industry standards for wind turbine design and related standards adopted by the American Standards Institute (ANSI). The equipment shall have a manufacturer's certification that is in compliance with industry standards and all electrical is UAW listed.

   2. Additional information may be required for all turbines that are experimental, used or prototype devices. Maintenance record, inspection by qualified wind energy professionals or some other documentation of unit integrity may be requested.

   3. A professional engineer registered in the State of Minnesota shall certify that the design, construction and operation and that the tower and foundation are compatible with and appropriate for the turbine to be installed.

D. Plan Requirements for Commercial: A description of the project including number and capacity of turbines, height and diameter of turbine rotors, turbine color, and rotor direction shall be

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submitted upon application of a Conditional Use Permit. The description must include the following:

1. A site plan, detailing the location of the project area boundaries, turbines, roads, transformers, power lines, communication lines, interconnection point with transmission lines, and other ancillary facilities or structures. (including support)
2. Topographic map of the project site and surrounding area.
3. Current land use on the site and of the surrounding area.
4. Distance to impacted properties.
5. Decommissioning plan.
6. Engineering certification of tower and foundation design suitability for turbine and soils.
7. Certification by an engineer as to compliance with all codes.
8. On experimental turbines, used or prototype devices, additional information may be requested.
9. All wind turbines must have a manual and automatic braking system device capable of halting operation in high winds as per the manufacturer's design.

E. Setback Requirements for Commercial:

Object	Setback
Residence (except property owner)	550 feet
Project Boundary / Property Line	500 feet
Public Roads (from right-of-way)	300 feet
Minimum Acreage	10

F. Hobbyist. This type of system is designed for small load personal use or to supplement commercial grid supplied electricity. The system may be connected to the commercial electrical grid and electricity sold.

1. Requires a land use permit including a site plan. Site Plan must include the following:
    a. Number, type, name plate generating capacity, tower height, rotor diameter, and total height of all wind turbines and means of interconnecting with the electrical grid, and all related accessory structures. The site layout shall include distances and be drawn to scale.
    b. Manufacturers Certification
2. Towers are free standing and guyed, and do not exceed 100 feet in height (exclusive of the rotor blades).
3. Total maximum electrical output may not exceed 20 kilowatts. The maximum number of wind turbines allowed on a property will be as follows:
    a. One (1) wind turbine for less than 5 acres

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b. Two (2) wind turbines for 5 acres but less than 10 acres.

c. Three (3) wind turbines for 10 acres or more.

4. If a property owner proposed more than listed above, a Conditional Use Permit will be required.

5. Systems that directly connect to the commercial electrical grid shall conform to National Electrical Code (NEC).

6. Applications for wind turbines that directly connect to the commercial electrical grid shall be accompanied by a Net Excess Generation (NEG) contract with the respective electrical power company.

7. Towers shall be setback from all property lines and public road right-of-ways an amount equal to the height of the tower plus 25 feet.

8. Minimum acreage is 2 acres.

9. Allowed only in Commercial District, Industrial District, General Rural District, and Agricultural District. Not permitted in Mississippi Wild and Scenic River District or in Shoreland Overlay District.

10. All Wind Energy Conversion Systems must have a manual and automatic braking system device capable of halting operation in high winds as per the manufacturer's design.

G. Noise Standards: Noise is regulated by the Minnesota Pollution Control Agency under Chapter 7030. These rules establish the maximum night and daytime noise levels that effectively limit wind turbine noise to 50 db at neighboring residences.

H. Decommissioning (required for all Commercial Wind Turbines)

1. The property owner shall ensure that facilities are properly decommissioned upon end of project life or facility abandonment. Decommissioning shall include: removal of all structures and debris to a depth of four feet; restoration of the soil; and restoration of vegetation (consistent and compatible with surrounding vegetation) shall also be required. A notice of the existing footing and location of the wind facility must be recorded on the property’s legal description at the same time the CUP is recorded.

2. The decommissioning plan shall include the following:

a. When and how a facility is to be decommissioned.

b. Estimated cost of decommissioning.

c. Financial guarantee to be used to accomplish decommissioning.

I. Aesthetics: In the grant of the land use of the issuance of the CUP, the following conditions may be imposed to minimize visual impacts:

1. Coatings and Coloring: Non-reflective unobtrusive color. Black blades are acceptable for mitigation of icing.

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2. Signage: Including anything on the tower shall be consistent with other county ordinances pertaining to signage and may only be superseded by State or Federal Ordinance.

3. Lighting: Projects shall utilize minimal lighting. No tower lighting other than normal ground security lighting shall be permitted except as may be required by the FAA.

4. Intra-project Power and Communication Lines: Shall follow codes for all power lines.

5. Security shall be addressed for the tower and any ancillary facilities.

6. All wind turbines which are part of a Commercial Wind Energy Conversion System, shall be installed with a tubular, monopole type tower.

J. Public Services:

1. Roads: Contractor and County will conduct evaluation of current conditions. If damage occurs to road, contractor will be required to pay appropriate amount or repair road to pre-construction condition. Contractor will be required to obtain all required permits.

K. Interference
The applicant shall minimize or mitigate interference with electromagnetic communications, such as radio, telephone, microwaves, or television signals caused by any wind turbines. The applicant shall notify all communication tower operators within two miles of the proposed wind turbine location upon application to the County for permits. No wind turbines shall be constructed so as to interfere with County, State or Federal transmissions of communications for safety. If a tower is found to interfere with the transmission of communications for safety, the landowner shall be responsible for the remediation or removal of the tower at their own expense.

20.5.49 Wrecker and Towing Services

A. All businesses must be active, current, and registered with the State of Minnesota.

B. All outside storage shall be enclosed by a permanently affixed fence of up to eight feet in height. The fence and the materials used to construct it shall be like other styles of fence within the area of the storage location.

C. No vehicles shall be stored within the 100-year floodplain or located within a the Shoreland District of DNR Designated Natural Environment Lake.

D. Upon receiving a motor vehicle which will not be repaired, the business will take measures to ensure that no discharge of any fluids from any motor vehicle shall be permitted into or onto the ground.

E. No dismantling of motor vehicles shall be allowed.

F. The maximum number of impounded vehicles associated with the Wrecker Towing Service shall be established through the Interim Use Permit.

G. Tow vehicles and equipment must be licensed, insured, and maintained in accordance to state and or federal DOT standards.

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20.5.50 Yard Waste Composting

A. Composting of grass clippings and leaves would be allowed as an Interim Use Permit provided the following requirements can be met:

1. Drop-offs are allowed from commercial business and / or licensed haulers. If government entities or citizen drop-offs are allowed, additional conditions will be required for security, and removal of separate waste streams.
2. Only “Yard Waste” as defined in the Sherburne County Solid Waste Ordinance can be accepted at the site.
3. Must obtain a County Solid Waste Facility License Agreement for the operation of a Yard Waste Compost Facility.
4. Cannot be located in a platted development or within 1000 feet of a platted development.
5. Must be located at least 1000 feet from the nearest residence.
6. The site may not be located within the Shoreland District or the Floodplain District.
7. The site must be located on a hard-surface public road unless access via a gravel road is approved by the Township.
8. All outside storage shall be screened from residential areas.
9. The number of employees (full-time and part-time) reporting to the site.
10. All material must be removed prior to transfer or sale of property.
11. Material must be removed prior to the end of the permit.
12. A sunset date shall be set with each permit issued.

B. Must submit the following with the application:

1. Provide an operational plan that would include security plan, hours and days of operation, written description of how residual MSW (petroleum based yard waste bags) brought to the site will be removed, how many trucks are anticipated to bring grass clipping and leaves to the site and assumed route and means of cleaning the public roads of lost material.
2. Explanation of all equipment to be used on-site.
3. Total amount of materials anticipated to be composted annually.
4. Explanation of end use of product. Will it be available for public to buy on-site or sold to commercial operations?
5. State the separation to groundwater from where the compost piles will be located.
6. Location and dimensions of existing and proposed outdoor storage areas.
7. Location and details of existing and proposed screening.

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8. Location and distance of neighboring residences.

SECTION 21 - SLAUGHTERHOUSE ACTIVITIES

21.1 PURPOSE AND INTENT

The purpose of the provisions on Slaughterhouse activities is to:

A. Recognize that food, in its various forms, is essential to the health and well being of Sherburne County, and that the unregulated operation of slaughter houses may create health hazards, or otherwise jeopardize the public health and welfare of the residents of Sherburne County.

B. It is the intent of Sherburne County to attempt to frame this Ordinance consistently with the definitions and regulations already in place in State Statute so as to provide for the consistent and convenient regulation of slaughterhouses.

C. It shall be unlawful for any person to operate a slaughterhouse or custom processing facility for the butchering of animals in Sherburne County except in conformance with this Ordinance.

21.2 REGULATIONS

21.2.1 No person may, with respect to any animal or meat food product, slaughter any animal or prepare an article that is usable as human food, at any establishment or place of business within Sherburne County except in compliance with this Ordinance. Additionally, no person may operate any slaughterhouse or custom processing activity except in compliance with this Ordinance.

21.2.2 The operation of a slaughterhouse or custom processing activity is allowed as an interim use only in the Heavy Industrial, Industrial, and Commercial Zoning Districts. All such uses must, however, be in strict conformance with all Federal and State laws for the operation of such facilities. The following are conditions to govern slaughterhouse and custom processing activities in Sherburne County.

A. Slaughter of animals shall take place inside a closed building in a confined area to prevent the transmission of sound associated with the slaughter to the outside.

B. The transport of animals and by-products from the slaughter or to support the business shall be pursuant to the conditions set forth in the Interim Use Permit issued by Sherburne County.

C. The main entrance to the facility must be located on a state highway, county road, or township road. Access shall not be permitted through a residential area.

D. The facility must have all necessary federal, state and county licenses and approvals, and comply with all state and federal health and safety regulations.

E. The maximum area (indoor, outdoor or combination thereof) for the keeping or slaughtering of animals shall not exceed sixty percent (60%) of the individual lot or parcel site. The Interim Use Permit will limit the number of animals for the keeping or slaughtering.

F. The facility hours of operations shall be pursuant to those set forth in the Interim Use Permit issued by Sherburne County.

G. Exterior storage areas, including animal storage areas, and vehicle and trailer storage, shall be fenced and screened from adjacent property and public rights of way. Fencing shall be

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sufficient to provide adequate screening and contain animals securely on the owner's property at all times.

H. Animals shall be enclosed in gated enclosures with a minimum height of six (6) feet.

I. Manufactured steel pipe panels shall have a minimum pipe diameter of two (2) inches and shall have a minimum of six (6) horizontal pipes.

J. Live animals may be held on the site for no more than twenty-four (24) hours.

K. Waste slaughter byproducts shall be disposed of in accordance with all applicable federal, state, and local regulations. At a minimum, waste shall be disposed of within forty-eight (48) hours of being produced. Waste shall be stored in airtight containers and shall be confined in fully enclosed structures. Manure from holding areas shall be removed from the site daily or stored in a manner to control odor as approved by Sherburne County.

L. The permit shall be subject to a facility management plan, waste handling plan, site plan, and noise and odor control plan approved in writing by the Sherburne County Zoning Department.

M. All exterior structures and improvements or fences for the keeping or confinement of animals shall meet all setbacks as defined by the Sherburne County Zoning Ordinance.

N. All loading and unloading areas shall be screened from view from adjacent properties and public streets.

21.3 PERMITTED USES

Said provisions of Subdivision 3 will not apply in the following cases unless such activity is of a level, nature or scope that a permit, license, or other approval from federal state, or local unit of government is needed. In the event that such approval is warranted, then the provisions of Subdivision 3 shall apply and a Conditional Use Permit shall be required:

A. On parcels of land at least 40 acres in size located in the County's Agricultural District, and or in the General Rural Zoning District, the following may be undertaken as a permitted use:

1. The processing by a person of the person's own animals and the owner's preparation and transportation in intrastate commerce of the carcasses, parts of carcasses, meat, and meat food products of those animals exclusively for use by the owner and members of the owner's household, non-paying guests, and employees, or to the custom processing by a person of animals delivered by the owner for processing. (Reference Minnesota Statutes Section 31A.15, Subd. 1(1) and (2).)

B. The butchering, slaughtering or processing of any wild game taken by permit issued by the Minnesota Department of Natural Resources, or on Private Game Farms, is a permitted accessory use in all zoning districts of the County.

21.4 STATE AND FEDERAL LICENSES OR PERMITS

No person shall operate a slaughterhouse or custom processing facility unless that person has first obtained any required State or Federal licenses or permits.

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SECTION 22 - COMMUNICATION TOWERS

22.1 PURPOSE AND INTENT

The purpose of the provisions on communication towers is to:

A. accommodate the communication needs of residents and businesses while protecting the public health, safety, and general welfare of the community;

B. minimize any adverse visual effects of towers through careful design and siting standards;

C. to ensure a reasonable separation from this commercial use and existing residential homes;

D. avoid potential damage to adjacent properties from tower failure through structural standards and setback requirements; and,

E. maximize the use of existing and approved towers and buildings to accommodate new wireless telecommunication antennas in order to reduce the number of towers needed to serve the community

22.2 GENERAL REQUIREMENTS

22.2.1 All communication facilities shall be in compliance with all Federal, State, and local building, electrical, and other relevant code requirements.

22.2.2 No advertising message nor identification shall be affixed to any communication structure unless otherwise required by law.

22.2.3 All obsolete and unused communication equipment shall be removed within twelve (12) months of cessation of use, unless a written exemption is granted by the Zoning Administrator. In the event that a tower is not removed within 12 months of the cessation of operations at the site, the tower and associated facilities may be removed by the County and the costs of removal assessed against the property. tower operators shall provide at the time of application, a copy of the lease or other instrument obligating them to remove the tower and associated facilities upon cessation of operations at the site.

22.2.4 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 original conditional use permit. Any additions will require written notification to the County Zoning office.

22.2.5 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.

22.2.6 When the landowner applies for the permit, they must affirmatively state that the use is consistent with any land use restrictions that applies to the site.

22.2.7 On a parcel of land zoned for agricultural or general rural, the minimum lot size shall be two and a half acres for construction of a tower over 35 feet in height. On a parcel of land zoned for commercial/industrial or heavy industrial purposes, the minimum lot size is that which is allowed for the zoning district.

22.2.8 The tower location shall provide screening for off-site views of the facility. Associated base equipment must be located within a structure whenever possible, or housed at the base of the

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tower and screened from view for adjoining residents by fencing or landscaping . Tower accessory structures shall be constructed of materials designed to minimize visibility to surrounding areas. All accessory structuress must comply with the local building code requirements. The Planning Commission reserves the right to require design measures to camouflage facilities by integrating them with existing buildings and other existing uses. Existing on-site vegetation shall be preserved to the maximum extent practicable.

22.2.9 Towers and accessory structures shall be situated in the rear yard when located with another principal residential use, unless the Planning Commission finds that another location on the parcel is more appropriate.

22.2.10 Only one communication tower is permitted on a parcel of land. All other standards contained in this ordinance must be met.

22.2.11 Construction of the tower, accessory structuress, landscaping, requirement must be completed within one year of the issuance of the permit.

22.2.12 Towers located within 5 miles of an FAA approved airstrip shall provide evidence of FAA consent and/or MnDoT.

22.2.13 The telecommunication company shall provide the County with evidence of insurance for one million dollars worth of coverage for personal or property damage.

22.3 DESIGN STANDARDS

22.3.1 All towers shall be of a monopole design unless the Planning Commission or County Board deems that an alternative design is necessary or preferred due to the topography or to better blend with existing structures, for safety reasons, or if necessary to allow co-location.

22.3.2 The structural design, mounting, and installation of any antenna and support structure shall be in compliance with the manufacturer's specifications. The construction plans and design of any antenna requiring a permit shall be approved and certified by a registered professional engineer.

22.3.3 All towers shall be reasonably protected against unauthorized climbing. The bottom of the tower from ground level to 12 feet above ground shall be designed in a manner to preclude unauthorized climbing or shall be enclosed by a 6 foot fence with three strands of barbed wire at the top with a locked gate.

22.3.4 Antennas shall not be artificially illuminated unless required by FCC, FAA or any other governmental agency to protect the public health and safety. Antennas in the "Agricultural District" may be lighted to facilitate identification to low flying aircraft used for crop spraying.

22.3.5 Antenna support structures under two hundred (200) feet in height shall be painted or coated silver or have a galvanized finish to reduce the visual impact, unless otherwise required by federal law or required by the County for easy identification in an Agricultural area for low-flying aircraft used for crop spraying. Silver or galvanized finishes shall be required unless the setting or natural surroundings can be used to justify another color. Metal towers shall be constructed of, or treated with a corrosive resistant material.

22.3.6 All towers shall be constructed for co-location of at least one or two additional carriers, depending on the height of the tower, including but not limited to other personal wireless service companies, local police, fire, and ambulance companies. Towers shall be designed in all respects, to

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accommodate both the applicant's antenna and comparable antennas to allow for future re-arrangement of antennas. Support structures shall be designed to accommodate the following:

A. Structures from 100 to 125 feet- a minimum of one tenant beside the owner

B. Structures from 125 and higher - a minimum of two tenants besides the owner

22.3.7 Towers located in the heavy industrial, industrial or commercial districts, where the tower is located closer to a property line than a distance equal to the height of the tower shall be designed and engineered to fail or collapse within the distance between the tower and the property line. The application for any tower shall require the submittal of written documentation explaining tower construction and possible failure. At a minimum, the tower shall comply with the minimum setback requirement for the zone in which it is located. If the tower is located in a Heavy Industrial, Industrial or Commercial zone adjacent to any other district, the tower must meet a setback equal to the height of the tower plus an additional 20 feet from the property line abutting that zone. The setback requirement may be waived, if it is necessary to allow continued operation of an existing farm irrigation system.

22.3.8 Applicants of all towers shall be required to obtain a building permit from the Zoning Office regardless of whether the tower is a permitted use or a conditional use.

22.4 CO-LOCATION REQUIREMENTS

22.4.1 A proposal for a new communication tower shall not be approved unless it can be shown by the applicant that the telecommunication equipment planned for the proposed tower cannot be accommodated:

A. on an existing or approved tower that is within the following minimum distance requirements between towers:

within a one mile radius of another over 120 feet tall;
within 1/2 mile radius for towers under 120 feet;
within 1/4 mile for towers under 80 feet; due to the following reasons:

1. The planned equipment would exceed the structural capacity of the existing or approved tower or building, as documented by a qualified and licensed professional engineer, and the existing or approved tower cannot be reinforced, modified or replaced to accommodate planned or equivalent equipment at a reasonable cost.

2. The planned equipment would cause interference, materially impacting the usability of other existing or planned equipment at the tower or building as documented by a qualified radio frequency engineer and the interference cannot be prevented at a reasonable cost.

3. Existing towers and buildings within the search radius cannot accommodate the planned equipment at a height necessary to function reasonably as documented by a qualified engineer, regardless of whether its location is regulated by the County or adjacent municipality.

4. In spite of its best efforts, the applicant was unable to obtain approval within 60 days, to co-locate on an existing or approved tower or building. The applicants efforts must be documented in writing, and sent by certified mail.

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5. Other reasons that make it impractical to locate the planned telecommunications equipment upon an existing or approved tower or building.

22.4.2 If a variance is requested, the applicant shall demonstrate to staff, by providing a coverage/interference analysis and capacity analysis prepared by a qualified radio frequency engineer that the location of the antennas as proposed is necessary to meet the frequency reuse, capacity and spacing needs of the wireless communication system and to provide adequate coverage.

22.4.3 The antennas shall be located on an existing structure, if possible.

22.5 PROHIBITED USES

22.5.1 No tower or accessory structure shall be erected in any public or private drainage easements.

22.5.2 No tower over 60 feet in height shall be located closer than the height of the tower plus 20 feet from of any residential dwelling other than the dwelling on the parcel on which the tower is to be located unless a waiver for siting is obtained for the necessity of preserving an operating irrigation system.

22.5.3 No tower shall be located closer than the height of the tower from any property line.

22.5.4 No temporary mobile cell sites are permitted except in the case of equipment failure, equipment testing, or in the case of emergency situation as authorized by the County Zoning Administrator. Use of temporary mobile cell sites for testing purposes shall be limited to twenty-four (24) hours; use of temporary mobile cell sites for equipment failure or in the case of emergency situations shall be limited to a term of thirty (30) days. These limits can be extended by the Zoning Administrator.

22.5.5 Permanent platforms or structures, exclusive of antennas, other than those necessary for safety purposes or for tower maintenance are prohibited.

22.6 APPLICATION FOR A COMMUNICATION TOWER

In addition to the submittal requirements required elsewhere in this ordinance, applications for conditional use permits for new towers and antennas shall be accompanied by the following information before being considered a complete application:

A. A report from a qualified and licensed professional engineer which:

1. describes the tower height and design including a cross section and elevation;
2. certifies the tower's compliance with structural and electrical standards;
3. describes the tower's capacity, including the potential number and type of antennas that it can accommodate;
4. describes the lighting to be placed on the tower if such lighting is required by the FCC or FAA;
5. describes that the applicant will avoid causing destructive interference to co-located, previously established public safety communications;

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6. specifies the distance to a DNR protected lake or river, the Mississippi River River areas, and the boundaries of state or county parks within a 1/2 mile or 1 mile, depending on the zone.

7. evidence of insurance

8. permit from the city, township, county or state for right-of-way use.

B. The County will maintain an inventory of all existing and proposed cell site installations and all carriers shall provide the following with each application:

1. a presentation size map of the County which shows the projected plan for cell sites to staff only, or if individual properties are not known, the geographic service areas of proposed cell sites.

2. provide a list of all existing sites, existing sites to be upgraded or replaced.

C. All applications will be signed by a representative from the telecommunications company and the landowner. Written acknowledgment by the same, that they will abide by all applicable permits

D. The Planning Commission may at its discretion, require visual impact demonstrations including mock-ups and/or photo montages; screening and painting plans; network maps; alternative site analysis; lists of other nearby telecommunication facilities; or facility design alternatives for the proposed tower.

E. The Zoning Department is authorized to employ on behalf of the County, an independent technical expert to review technical materials submitted by the applicant or to prepare any technical materials required by not submitted by the applicant. The applicant shall pay the costs of said review and/or independent analysis.

22.7 PERMITTED AND CONDITIONAL USE PERMITS BY ZONING DISTRICT FOR COMMUNICATION TOWERS

Antennas and towers shall be allowed in the following zoning districts with a permit, if it meets the standards set forth in this ordinance and the following criteria are met:

22.7.1 HEAVY INDUSTRIAL DISTRICT

A. Permitted: The following uses are permitted if all general and performance standards are met:

1. Antenna located on a existing high power overhead transmission tower or attached to a pole integrated into the tower.

2. A free standing tower up to 250 feet, which has been constructed to accommodate additional users; the number depending on the tower height.

3. Antenna mounted on an existing structure and does not extend a maximum of fifteen (15) feet above the structure.

B. Conditional Use:

1. Towers over 250 feet built to accommodate at least two additional users.

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2. Antenna and supporting structures mounted on an existing structure, and extends more than fifteen (15) feet beyond the height of the structure.

22.7.2 INDUSTRIAL/COMMERCIAL DISTRICTS

A. Permitted: The following uses are permitted if all general and performance standards are met.

1. Antenna located on a existing high power overhead transmission tower or attached to a pole integrated into the tower.

2. A free standing tower up to 200 feet, which has been constructed to accommodate additional tenants; the number depending on the tower height.

3. Antenna mounted on an existing structure and does not extend a maximum of fifteen (15) feet beyond the height of the structure.

B. Conditional Use:

1. Antennas over 200 feet built to accommodate at least three additional users, depending on the height of the tower.

2. Antenna and supporting structures mounted on an existing structure, and extends more than fifteen (15) feet beyond the height of the structure.

3. Towers up to 200 feet, located more than ¼ mile from the nearest residence other than the applicants, and built to accommodate additional users, the number depending on the height of the tower. The tower must meet the required setback from the property line, which is 50 feet.

22.7.3 AGRICULTURAL

A. Permitted:

1. Antenna located on a existing high power overhead transmission tower or attached to a pole integrated into the tower.

2. Antenna mounted on an existing structure and does not extend a maximum of fifteen (15) feet beyond the height of the structure.

3. Towers up to 200', located more than ¼ mile from the nearest

B. residence other than the applicants, and built to accommodate additional users, the number depending on the height of the tower. The tower must meet the required setback from the property line which is 50 feet.

C. Conditional Use Permit:

1. Towers under 200 feet which will be located within ¼ mile from the nearest residence other than the applicants.

2. Towers over 200 feet, if the applicant can demonstrate a guaranteed occupancy of 3 or more tenants. The tower must meet the required setback for the zone, unless waived by the Planning Commission if in its opinion, the waiver is necessary to preserve an existing irrigation system.

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D. Prohibited:

1. All free standing antenna towers and accessory structures located within a residential area.

22.7.4 GENERAL RURAL

A. Permitted:

1. Antenna located on an existing high power overhead transmission tower or attached to a pole integrated into the tower.

2. Antenna mounted on an existing structure and does not extend a maximum of fifteen (15) feet beyond the height of the structure.

3. Towers up to 175 feet and accessory equipment located on “public land” more than ¼ mile from the nearest residence other than the applicants, and built to accommodate additional users, the number depending on the height of the tower.

B. Conditional Use Permit:

1. Antenna mounted on an existing structure and does extend more than fifteen (15) feet beyond the height of the structure.

2. Free standing antenna towers and accessory structures that are not within a residential area up to a height of 175 feet, and that will accommodate additional users; the number depending on the height of the tower.

C. Prohibited:

1. All free standing antenna towers and accessory structures located within a “residential plat” or “residential area” as defined in this Ordinance.

22.7.5 URBAN EXPANSION

A. Co-approval by the adjoining city and/or township must be obtained as part of the application approval. The proposal must be consistent with the city's long term plan.

B. Permitted:

1. Antennas located on a existing high power overhead transmission tower or attached to a pole integrated into the tower.

2. Antennas mounted on an existing structure and does not extend a maximum of fifteen (15) feet beyond the height of the structure.

C. Conditional Use Permit:

1. Antennas mounted on an existing structure and does not extend a maximum of fifteen (15) feet beyond the height of the structure.

2. Towers up to 175 feet designed to accommodate additional users depending on the height of the tower. The proposal shall meet the requirements of all other sections of this ordinance. The height requirement must be consistent with the City/Township long range plans.

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22.7.6 SHORELAND DISTRICTS

A. Conditional Use Permits:

1. Antenna located on a existing high power overhead transmission tower or attached to a pole integrated into the tower, and does not exceed fifteen (15) feet above the height of the structure.

2. Antennas mounted on an existing structure and does not extend a maximum of fifteen (15) feet above the height of the structure.

B. Prohibited:

1. All free standing antenna towers and accessory structures within a Shoreland area.

22.7.7 SCENIC AND RECREATIONAL RIVER DISTRICT

A. Conditional Use Permit:

1. Antenna located on an existing high power overhead transmission tower or attached to a pole integrated into the tower, and does not exceed a maximum of fifteen feet above the height of the transmission line.

2. Antenna mounted on an existing structure and does not extend a maximum of fifteen (15) feet above the height of the structure.

B. Prohibited:

1. All free standing antenna towers and accessory structures.

SECTION 23 - CANNABIS

23.1 STATUTORY AUTHORIZATION AND PURPOSE

23.1.1 **Authority & Jurisdiction.** Minn. Stat. 342.13(c), 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. The jurisdiction of this Ordinance shall apply to all the area of Sherburne County outside the incorporated limits of municipalities with the exception of Becker Township.

23.1.2 **Purpose.** The purpose of this ordinance is to implement the provisions of Minnesota Statutes, chapter 342, which authorizes Sherburne County to protect the public health, safety, welfare of Sherburne County residents by regulating cannabis businesses within the legal boundaries of Sherburne County.

23.2 REQUIREMENTS FOR CANNABIS BUSINESSES

23.2.1 License Required

No Cannabis or Hemp Business may operate within Sherburne County without first having obtained a license to do so from the Minnesota Office of Cannabis Management.

23.2.2 Minimum Buffer Requirements for Retail, Temporary Events & Onsite Consumption

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Prohibit the operation of a cannabis business within [1,000] feet of a school.

Prohibit the operation of a cannabis business within [500] feet of a day care.

Prohibit the operation of a cannabis business within [500] feet of a place of worship.

Prohibit the operation of a cannabis business within [500] feet of a residential treatment facility.

Prohibit the operation of a cannabis business within [500] feet of an attraction within a public park that is regularly used by minors.

23.2.3 Compliance with State Building Code and State Fire Code

All Cannabis or Hemp Businesses that hold or apply for a license to operate a cannabis or hemp business within Sherburne County shall comply with all applicable State Building Code and State Fire Code rules and regulations.

Documentation of compliance with all applicable State Building Code and State Fire Code rules and regulations shall be provided by the Cannabis or Hemp Business to Sherburne County prior to operation of the business.

23.2.4 Zoning and Land Use

Land Use for Cannabis Operations are identified in the Cannabis section of Section 7.4 Land Use Table.

~~Cannabis Operations~~	~~Agricultural~~	~~Urban Expansion~~	~~General Rural~~	~~Commercial~~	~~Industrial~~	~~Heavy Industrial~~	~~Wild & Scenic~~
~~Cultivation~~	~~P-Outdoor, I-Indoor~~	~~P-Outdoor, I-Indoor~~	~~P-Outdoor N-Indoor~~	~~P-Outdoor, I-Indoor~~	~~P-Outdoor, I-Indoor~~	~~P-Outdoor, I-Indoor~~	~~P-Outdoor (Agricultural Uses), N-Indoor~~
~~Delivery~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~N~~
~~Events~~	~~I~~	~~I~~	~~I~~	~~I~~	~~I~~	~~I~~	~~N~~
~~Manufacturing~~	~~N~~	~~I~~	~~N~~	~~I~~	~~P~~	~~P~~	~~N~~
~~Medical Combination Endorsements~~	~~I – Cultivate or Manufacture~~	~~I - Cultivate or Manufacture~~	~~N – Cultivate or Manufacture~~	~~I - Cultivate or Manufacture~~	~~P - Cultivate or Manufacture~~	~~P - Cultivate or Manufacture~~	~~N – Cultivate or Manufacture~~
	~~N - Retail~~	~~I - Retail~~	~~N - Retail~~	~~P - Retail~~	~~I - Retail~~	~~N - Retail~~	~~N - Retail~~
~~Mezzobusiness Endorsements~~	~~I - Cultivate or Manufacture~~	~~I - Cultivate or Manufacture~~	~~N - Cultivate or Manufacture~~	~~I - Cultivate or Manufacture~~	~~P - Cultivate or Manufacture~~	~~P - Cultivate or Manufacture~~	~~N - Cultivate or Manufacture~~
	~~N - Retail~~	~~I - Retail~~	~~N - Retail~~	~~P - Retail~~	~~I - Retail~~	~~N - Retail~~	~~N - Retail~~
~~Microbusiness Endorsements~~	~~I - Cultivate or Manufacture~~	~~I - Cultivate or Manufacture~~	~~I - Cultivate or Manufacture~~	~~I - Cultivate or Manufacture~~	~~I - Cultivate or Manufacture~~	~~I - Cultivate or Manufacture~~	~~N - Cultivate or Manufacture~~
	~~N - Retail~~	~~I - Retail~~	~~N - Retail~~	~~P-Retail~~	~~I - Retail~~	~~N – Retail~~	~~N - Retail~~
	~~N – Onsite Consumption~~	~~I- Onsite Consumption~~	~~N-Onsite Consumption~~	~~P-Onsite Consumption~~	~~I-Onsite Consumption~~	~~N-Onsite Consumption~~	~~N-Onsite Consumption~~
~~Retail~~	~~N~~	~~I~~	~~N~~	~~P~~	~~N~~	~~N~~	~~N~~

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~~Testing Facility~~	~~N~~	~~N~~	~~N~~	~~I~~	~~P~~	~~P~~	~~N~~
~~Transporter~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~P~~	~~N~~
~~Wholesale~~	~~N~~	~~N~~	~~N~~	~~I~~	~~P~~	~~P~~	~~N~~

23.3 PERFORMANCE STANDARDS FOR CANNABIS OPERATIONS

23.3.1 The following are the minimum performance standards for cannabis operations also see Section 16.2 Subdivision 8 of this Ordinance for interim use permits;

23.3.2 Environmental Standards including but not limited to wastewater, ventilation, filtration, water and energy usage, and solid waste handling, in accordance with MN Rule 9810.1200, and Minn. Stat. 342.23 – 342.515.

23.3.3 Security Standards in accordance with MN Rule 9810.1500, and Minn. Stat. 342.23 – 342.515.

23.3.4 General Operational Plans

A. Cultivation in accordance with MN Rule 9810.2000 and Minn. Stat. 342.23-342.25, and 342.30.

B. Delivery in accordance with MN Rule 9810.2600 and Minn. Stat. 342.23-342.25, and 342.41, 342.42

C. Events in accordance with MN Rule 9810.2700 and Minn. Stat. 342.23, 342.24, 342.39, 342.40

D. Manufacturing in accordance with MN Rule 9810.2102 and Minn. Stat. 342.23, 342.24, 342.26, and 342.31

E. Medical Combination in accordance with MN Rules 9810.2000-9810.4200 and Minn. Stat. 342.23, 342.24, 342.51, 342.515 and Sherburne County Ordinance #280 (Cannabis Retail Registration)

F. Mezzobusiness in accordance with MN Rules 9810.2000-9810.2700 and Minn. Stat. 342.23, 342.24, 342.29 and Sherburne County Ordinance #280. (Cannabis Retail Registration)

G. Microbusiness in accordance with MN Rules 9810.2000-9810.2700 and Minn. Stat. 342.23, 342.24, 342.28 and Sherburne County Ordinance #280. (Cannabis Retail Registration)

H. Retail in accordance with MN Rules 9810.2000-9810.2700 and Minn. Stat. 342.23, 342.24, 342.32 and Sherburne County Ordinance #280. (Cannabis Retail Registration)

I. Wholesale in accordance with MN Rule 9810.2400 and Minn. Stat. 342.23, 342.24, 342.33, and 342.34

J. Testing Facility in accordance with MN Rules 9810.3000-9810.3100 and Minn. Stat. 342.23, 342.24, 342.37, and 342.38

K. Transporter in accordance with MN Rules 9810.2300 and Minn. Stat. 342.23, 342.24, 342.35, 342.36

23.4 ENFORCEMENT

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Office of Cannabis Management

The Office of Cannabis Management ("OCM") is authorized to enforce performance and operational violations under Minn. Stat. 342.19.

SECTION 24 - STORMWATER MANAGEMENT AND EROSION CONTROL

24.1 PURPOSE

The purpose of Section 17.1 is to establish standards and specifications for conservation practices and planning activities to minimize soil erosion and sedimentation, and regulate construction site erosion and stormwater runoff to accomplish the following objectives:

A. Promote local stormwater management;

B. Minimize sedimentation; water pollution from nutrients, heavy metals, chemicals, petroleum products and other contaminants; flooding; and thermal impacts to the water resources of Sherburne County;

C. Promote infiltration and groundwater recharge;

D. Protect functional values of natural water courses and wetlands;

E. Provide a single, consistent set of performance standards for Sherburne County; and

F. Protect public and private property from damage resulting from runoff or erosion.

24.2 SCOPE

24.2.1 This Ordinance shall become effective upon enactment, and shall apply in all unincorporated urbanized areas of Sherburne County, as defined by the Minnesota Pollution Control Agency (MPCA).

24.2.2 Sherburne County hereby adopts, by reference, the standards set forth in the Minnesota Pollution Control Agency's (MPCA) General Permit-Authorization to discharge stormwater associated with Construction Activity under the National Pollutant Discharge Elimination System Permit Program (Permit No: MN R100001), along with any future amendments.

24.2.3 Townships performing work within the Township right-of-way must notify Sherburne County Zoning Department of all Land Disturbing Activities that require a NPDES Construction Stormwater Permit, but are not required to obtain a separate Stormwater and Erosion Control Permit (Permit) from the County.

24.2.4 The Sherburne County Zoning Administrator shall be responsible for administration and enforcement of this Ordinance.

24.2.5 Where the standards of this Ordinance differ or conflict with any applicable ordinance, regulation, statute, or rule, the more restrictive standards shall apply.

24.2.6 Construction Activity requirements as limited to this Ordinance 17.1 are the same as those put forth in the NPDES Construction Stormwater Permit program as promulgated by the MPCA.

24.3 PERMIT APPLICATION AND PLAN

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24.3.1 No activity meeting the requirements for a Stormwater and Erosion Control Permit (Permit) shall occur until a permit is issued by the Sherburne County Zoning Department. A completed Permit application shall be submitted to the Zoning Department, along with all required application fees, prior to the County's consideration of the application. A Permit will be issued only after the Zoning Department determines that the proposed Project meets the requirements of this Section and the Zoning Department has approved the Stormwater Pollution Prevention Plan (SWPPP) for the Project.

24.3.2 If the County determines the application does not meet the requirements of this ordinance the application will be denied. If the application is denied, the applicant will be notified of the denial in written or electronic format, including reasons for the denial. An application addressing the reasons for denial may be re-submitted at any time.

24.3.3 Any Permit issued pursuant to the requirements of this Section shall expire two years from the date of issuance if significant progress of the work covered by the Permit is not satisfactorily accomplished as determined by the Zoning Department, unless an extension of the permit is requested by the applicant prior to expiration and approved by the Zoning Administrator.

24.3.4 Failure to comply with the approved terms and conditions of the Permit or the SWPPP shall be grounds for revocation of the Permit. Written notification of the revocation shall be mailed to the current holder of the Permit at least ten days prior to the revocation.

24.4 STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

No permit shall be issued unless a Stormwater Pollution Prevention Plan is submitted to and approved by the Zoning Department. All Stormwater Pollution Prevention Plans shall include the following:

A. The SWPPP shall be prepared by an individual who has received training by an accredited governmental agency, professional organization, or educational institution in erosion prevention, sediment control, permanent stormwater management and the MN NPDES/SDS Construction Stormwater Permit. This individual shall sign the SWPPP with a certification statement that the individual meets the requirement of this clause.

B. Delineation of the subject property, including all public and private easements thereon, the location of existing and proposed buildings, structures and impervious surfaces on the subject property, including quantities of impervious surface for both pre- and post-construction/activity, and the building bench elevations for all existing and proposed buildings.

C. Description of the Construction Activity or Land Disturbing Activity to be performed on the subject property, including the area and volume of earth material to be moved, and proposed Project schedule.

D. Identification of all water bodies located on and within 100 feet of the subject property's boundaries, including identification of any off-site receiving waters for the permit site's runoff.

E. Identification of all wetlands located on the subject property.

F. Identification of existing and proposed site drainage areas, including any contributing runoff from off-site, and show drainage patterns using arrows depicting direction of flow for surrounding properties.

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G. Topographical data, including existing (dashed) and proposed (solid) contours at vertical intervals of not more than two feet.

H. Temporary benchmarks shall be established within the boundaries of the project area. All elevations, topography and vertical control data shall be tied to sea level datum, 1929 general adjustments.

I. All erosion and sediment control, construction debris/waste control and stormwater management shall conform to this section and the current requirements of the NPDES Construction Stormwater General Permit issued by the MPCA.

J. Supporting information including designs, calculations/quantification and narrative pertaining to BMPs for erosion and sediment control, construction debris/waste control, temporary and permanent/post-construction stormwater management.

K. Applicant shall identify the party responsible for implementing the SWPPP, and for maintenance and inspection during Land Disturbing Activity.

L. Identification of the party responsible for long-term operation and maintenance of the permanent stormwater management system.

M. Description of BMP inspection schedule by the responsible party, which shall include, at a minimum:

1. Once every 7 days on exposed soil areas
2. Within 24 hours after a ½ inch rain event over 24 hours
3. Once every 30 days on stabilized areas.
4. As soon as runoff occurs or prior to resuming construction on frozen ground.

N. Description of BMP maintenance schedule by the responsible party, which shall include, at a minimum:

1. When sediment reaches 1/ 3 the height of the BMP on perimeter control devices, sediment must be removed within 24 hours.
2. If the perimeter control device is not functional it must be repaired or replaced within 24 hours.
3. Temporary sediment basins shall be maintained when sediment reaches 1/2 the outlet height or 1/2 the basin storage volume. Basin must be drained or sediment removed within 72 hours.
4. Sediment tracked from construction site vehicle entrance and exit locations must be removed from paved surfaces within 24 hours of discovery.

O. Before a Permit is issued, the applicant must submit to the Zoning Department a copy of the applicant's NPDES Construction Stormwater Permit issued by the MPCA and any other supporting documentation.

24.5 COMPLIANCE WITH PLAN

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24.5.1 Compliance required. The applicant shall implement and comply with the Stormwater Pollution Prevention Plan (SWPPP) prior to and during any Construction Activity and Land Disturbing Activity to which the Stormwater and Erosion Control Permit (Permit) and this Section applies. All erosion and sedimentation control and tree preservation measures required under the SWPPP shall be properly installed and remain in place until all Construction Activity and Land Disturbing Activity is completed and final stabilization has occurred, or until a written request for removal of the protection measures provided for in the SWPPP is made to and approved by the Zoning Department. Permanent erosion control and stormwater management devices identified in the SWPPP shall remain in place after construction, and shall be under a long-term maintenance agreement which must be signed by the applicant before a Permit is issued. The applicant/owner shall be responsible for inspections and maintenance of temporary and permanent BMPs related to the Project. Failure to comply with the approved terms and conditions of an SWPPP shall constitute a violation of the Permit and this Section. To remain in compliance, the applicant must amend the SWPPP as necessary to include additional or modified BMPs designed to correct problems identified or to address erosion, sedimentation and/ or construction debris/waste control issues, and shall keep all site plans (and Stormwater Management Plan documentation) up to date with regard to stormwater runoff controls, and shall provide such plans and documents to the Zoning Department.

24.5.2 In the event the Zoning Department determines that the permit holder is not in compliance with the Permit and the SWPPP, the County may order the suspension of any Land Disturbing Activity or Construction Activity on the subject property until compliance with the SWPPP has occurred. The stop-work Order will be provided to the project manager and/or operator either in person or by U.S. mail, with a copy provided by electronic mail or U.S. mail to the property owner. The permit holder shall immediately comply with such order until notified by the Zoning Department that the subject property is in compliance and that Land Disturbing Activities and Construction Activities may resume.

24.6 FINANCIAL GUARANTEE

Once a Stormwater Pollution Prevention Plan (SWPPP) is approved, a financial guarantee in the form of a letter of credit, cash deposit or bond in favor of the County equal to one hundred twenty-five (125) percent of site grading and erosion/sediment control costs shall be submitted to the County. This guarantee is necessary to ensure the satisfactory installation, completion and maintenance of the measures as required in the SWPPP. The Permit and all other associated land use approvals, including final plat approval or issuance of a conditional or interim use permit, shall not be granted until a financial guarantee has been submitted to the County. Release of any portion of the financial guarantee is contingent on approval from a professional engineer that as built conditions meet original design specifications and a site visit by County staff is conducted to evaluate the condition of erosion and sediment control measures.

24.7 PERMIT TRANSFER/MODIFICATION

Where the responsible party under the Permit changes, such as when ownership of the property changes, or when an original developer sells portions of the property to various homebuilders, or when the project manager or operator changes, the new permittee must submit a Subdivision Registration or Permit Transfer/Modification form to the Zoning Department.

24.8 TERMINATION OF COVERAGE

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Permittees wishing to terminate coverage under the Permit must submit to the Zoning Department a copy of the Notice of Termination that the permittee must provide to the MPCA in connection with the permittee's NPDES permit. Compliance with the Permit is required until a Notice of Termination is submitted.

24.9 POST-CONSTRUCTION STORMWATER MANAGEMENT

The following volume control standards shall be required for all Construction Activities where one acre or more new impervious surfaces is created and/or redeveloped, and for all Land Disturbing Activities of one (1) acre.

A. All new development projects shall retain on-site a runoff volume equal to 1 inch from the proposed increase of impervious surfaces. No net increase from pre project conditions (on an annual average basis) of:

   1. Stormwater discharge volume, unless precluded by the Stormwater Management limitation in (6) below.

   2. Stormwater discharge of Total Suspended Solids (TTS)

   3. Stormwater discharge of Total Phosphorus (TP)

B. Redevelopment projects. A net reduction from pre-project conditions (on an annual average basis) of:

   1. Stormwater discharge volume. Unless precluded by the stormwater management limitations in 6) below.

   2. Stormwater discharges of TSS

   3. Stormwater discharges of TP

C. Green Infrastructure techniques and practices shall be given preference as design consistent with zoning and subdivision and planned unit development requirements.

D. Infiltration prohibited. The use of infiltration techniques are prohibited when the following infiltration structural stormwater BMP will receive discharges from, or be constructed in the following areas:

   1. Where industrial facilities are not authorized to infiltrate industrial stormwater under an NPDES/SDS Industrial Stormwater Permit.

   2. Where vehicles fueling and maintenance occur.

   3. With less than (3) thee feet of separation distance from the bottom of the infiltration system to the elevation of the seasonally saturated soils or the top of bedrock.

   4. Where high levels of contaminants in soil or groundwater will be mobilized by the infiltrating of stormwater.

E. Infiltration restricted. The use of infiltration techniques will be restricted when the infiltration device will be constructed in the following areas:

   1. With predominately Hydrologic Soil Group D (clay) soils

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2. Within 1,000 feet up-gradient, or 100ft down-gradient of active karsk features.
3. Within a Drinking Water Supply Management Area as Defined in MN Rule 4720.5100 Subp 13.
4. Where soil infiltration rates are more than 8.3 inches per hour.

   In these restricted areas, a higher level of engineering reviews required. The County may require additional engineering and or testing to ensure that infiltration basins will perform properly and ground water is adequately protected.

F. Linear project. A reasonable attempt must be made to obtain right-of-way precludes the installation of volume control practices. For Linear projects where the lack of right-of-way precludes the installation of volume control practices, exceptions as described in 7) below can be applied.

G. Exemptions. A lesser volume control standard on the site of existing development may be applied at the discretion of the County under the following circumstances:

1. The owner and/or the operator of a Project is precluded from infiltrating stormwater thorough a designed system due to limitations under 4, 5 or 6 above, and
2. The owner and/or operator of the Project implements volume reduction techniques, other than infiltration, on the site of the original Construction Activity that reduces stormwater discharge volume but may not meet the requirements of post-construction stormwater management.

H. Mitigation. If the owner and/or operator of a Project believe that the requirements for TP and/or TSS cannot be met on the site of the original Construction Activity. The owners and/or operator must provide appropriate documentation to the Zoning Department as support. Stormwater discharges that do not meet the TP and/or TSS standards on the site of the original Construction Activity must be met through mitigation. At the Zoning Administrator's desecration, off site mitigation may be allowed. The owner and operator of a Construction Activity must identify location where mitigation projects can be completed. The proposed mitigation must meet the following standards:

1. Mitigation project areas should be selected in the following order of preference and in consultation and with approval by the county:
   a. Locations that yield benefits to the same receiving water that receives runoff from the original Construction Activity
   b. Location within the same Department of the Natural Resources (DNR) catchment area as the original Construction Activity.
   c. Locations in the next adjacent DNR catchment area up-stream
   d. Locations anywhere within Sherburne County.

I. Maintenance of private structural BMPs. Any structural BMP that the County determines to be private shall meet the following requirements:

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1. The County may require that a permanent public easement be provided to the County for access for inspection and/or maintenance purposes. Cost incurred by the County for any maintenance of private systems will be billed and/or assessed to the owner/operator.
2. Recorded inspection and maintenance agreements that define inspection and maintenance responsibilities are required. A minimum annual inspection for private systems shall be required. These requirements are transferrable to any party that becomes the owner/Operator of the site.
3. If site configurations or structural stormwater BMPs change, causing decreased structural stormwater BMP effectiveness, new or improved structural stormwater BMPs must be implemented to meet the requirements of this section.

24.10 ENFORCEMENT

For violations of this Ordinance, the County may take any of the actions provided for in this Section. These actions shall not be deemed cumulative and the County may use any or all of the actions in its discretion.

A. Warning Notice. The Zoning Department may issue a warning notice to any person, landowner, Project operator and/or permittee alleged to have committed a violation of this Ordinance. A warning notice shall serve to place the person on notice that compliance with specified Ordinance requirements shall occur to avoid additional enforcement actions. A warning notice may be served in person or by certified mail. The Zoning Department is not required to issue a warning notice before the County proceeds with other enforcement action.

B. Notice of Violation (NOV). The Zoning Department may issue a notice of violation (NOV) as defined in this Ordinance to any person, landowner, Project operator and/or permittee alleged to have committed a violation of this Ordinance. A NOV shall serve to place the landowner and the person alleged to have committed a violation on notice that compliance with specified Ordinance requirements shall occur to avoid additional enforcement actions. The NOV may be served in person or by certified mail. The Department is not required to issue a NOV before the County proceeds with other enforcement action.

C. Misdemeanor Citation. Any person within the County who violates this Ordinance, or who shall permit such a violation to exist on the premises under his control, or who shall fail to take action to abate the existence of the violation, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished therefore, as provided by law. A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues. The County, MPCA, Law Enforcement Officers, or their designees, may issue citations for violations of this Ordinance. The citation shall be issued to the person charged with the violation, or in the case of a corporation or municipality, to the supervisor at the site of the violation or any officer or MPCA expressly implied authorized to accept such issuance.

D. Commencement of a Civil Court Action. In the event of a violation or a threat of violation of this Ordinance, the County Attorney may also institute other appropriate civil actions or proceedings in any court of competent jurisdiction, including requesting injunctive relief, to prevent, restrain, correct or abate such violations or threatened violations. The County may recover all costs, including reasonable attorney's fees, incurred for enforcement of this Ordinance through a civil action. If a property owner does not complete the corrective actions

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within the timelines in a court order, the County may correct the violations and the County has the authority to enter the property and perform the corrective actions.

24.11 PERMIT FEES

The fees for the Permit required by this Ordinance will be established by the Sherburne County Board of Commissioners as part of the County Fee Schedule.

SECTION 25 - SUBSURFACE SEWAGE TREATMENT SYSTEM PROGRAM

This Section authorizes and provides for sewage treatment and soil dispersal in unsewered areas of the county. It establishes:

A. Minimum standards for and regulation of Subsurface Sewage Treatment Systems SSTS in the County of Sherburne, incorporating by reference minimum standards established by Minnesota Statutes and Administrative Rules of the Minnesota Pollution Control Agency.

B. Requirements for issuing permits for installation, alteration, repair, or expansion of SSTS.

C. Requirements for all SSTS permitted under the revised Minnesota Rules, Chapters 7080 and 7081 to be operated under an approved management plan.

D. Standards for upgrade, repair, replacement, or abandonment of SSTS.

E. Penalties for failure to comply with these provisions.

F. Provisions for enforcement of these requirements.

G. Standards which promote the health, safety and welfare of the public as reflected in Minnesota Statutes §103F, §103G, §115.55, 145A.05, 375.51, 394.21-394.37 and 471.82 along with the applicable Minnesota Rules, Sherburne County Comprehensive Plan, Sherburne County Shoreland Ordinance, Sherburne County Flood Plain Ordinance, and Zoning Ordinance.

25.1 PURPOSE AND INTENT

25.1.1 **Purpose.** The purpose of this Section is to establish minimum requirements for regulation of ISTS and MSTS for the treatment and dispersal of sewage within the applicable jurisdiction of the County, to protect public health and safety, groundwater quality, and prevent or eliminate the development of public nuisances. It is intended to serve the best interests of the County's citizens by protecting its health, safety, general welfare, and natural resources.

25.1.2 **Intent.** It is intended by Sherburne County that this Section will promote the following:

A. The protection of lakes, rivers, streams, wetlands, and groundwater in the County is essential to the promotion of public health, safety, welfare, socioeconomic growth, and development of the county.

B. The regulation of proper SSTS construction, reconstruction, repair, and maintenance to prevent the entry and migration of contaminants, thereby protecting surface water and groundwater quality.

C. The establishment of minimum standards for SSTS placement, design, construction, reconstruction, repair, and maintenance to prevent contamination and, if contamination is

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discovered, the identification and control of its consequences and the abatement of its source and migration.

D. The appropriate utilization of privy vaults.

E. The provision of technical assistance and education, plan review, inspections, SSTS surveys and complaint investigations to prevent and control water-borne diseases, lake degradation, groundwater related hazards, and public nuisance conditions.

25.1.3 **Authority.** This Section is adopted pursuant to Minnesota Statutes §115.55, 145A.01 through 145.08, 375.51 or successor statutes, and Minnesota Rules, Chapter 7080, Chapter 7081, Chapter 7082, Chapter 7083, or successor rules.

25.1.4 **Effective Date.** The provisions set forth in this Section shall become effective on August 6th, 2024

25.2 GENERAL PROVISIONS

25.2.1 Scope

This Section regulates the siting, design, installation, alterations, operation, maintenance, monitoring, and management of all SSTS within the County's applicable jurisdiction including, but not necessarily limited to individual SSTS and or community SSTS, and privy vaults. 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 Section or by a system that has been permitted by the MPCA.

25.2.2 Jurisdiction

The jurisdiction of this Section shall include all lands of the County except for incorporated and unincorporated areas that administer an SSTS program by ordinance within their jurisdiction which is at least as restrictive as the County's. The Sherburne County Planning and Zoning Department shall keep a current list of local jurisdictions within the County, who are administering an SSTS program.

25.2.3 Administration

A. **County Administration.** The Sherburne County Planning and Zoning Department shall administer the SSTS program and all provisions of this Section. At appropriate times, the County shall review and revise and update this Section as necessary. The County shall employ an appropriately certified professional to administer and operate the SSTS program.

B. **State of Minnesota.** Refer to MN State Rule 7081.0040

25.3 GENERAL REQUIREMENTS

25.3.1 Retroactivity

A. **All SSTS**
Except as explicitly set forth in Subdivision 4.12, all provisions of this Section shall apply to any SSTS regardless of the date it was originally installed.
All designs submitted for review are required to have three (3) soil observations for both the primary and the secondary soil treatment and dispersal areas.

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B. **Existing Permits**
Unexpired permits which were issued prior to the effective date shall remain valid under the terms and conditions of the original permit until the original expiration date.

C. **SSTS on Lots Created After January 23, 1996**
All lots created after January 23, 1996, must have a minimum of two 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 or site conditions described in 7081.0270, Subp.3 through 7 at the time the plat or subdivision is approved.

25.3.2 Repair, Rejuvenation or Remediation

A. **SSTS Capacity Expansions**
Repair, rejuvenation or replacement of an existing SSTS must include system upgrades that are necessary to bring the system into compliance with the provisions of this Section.

B. **Failure to Protect Groundwater**
An SSTS that is determined not to be protective of groundwater in accordance with Minnesota Rules, Chapter 7080.1500, Subp. 4B shall be upgraded, repaired, replaced, or abandoned by the owner in accordance with the provisions of this Section within 18 months of receipt of a Notice of Noncompliance unless required sooner by other provisions of this Section.

C. **Imminent Threat to Public Health or Safety**
An SSTS that is determined to be an imminent threat to public health or safety in accordance with Minnesota Rules, Chapter 7080.1500, Subp. 4A shall be upgraded, repaired, replaced, or abandoned by the owner in accordance with the provisions of this Section within 10 months of receipt of a Notice of Noncompliance. However, the imminent public health threat must be removed within 15-days unless required sooner by other provisions of this Section. This may include but is not limited to the following.

1. Disconnecting malfunctioning drain fields for the septic tank to function as a holding tank.
2. Discontinuation of electrical hazards.
3. Repair or replacement of damaged maintenance hole covers.

D. **SSTS In Floodplains**
SSTS shall not be located in a floodway and wherever possible, location within any part of a floodplain shall be avoided. If no option exists to locate an SSTS outside of a floodplain, location within the flood fringe is allowed if the requirements in Minnesota Rules, Chapter 7080.2270 and all local requirements are met.

E. **Class V Injection Wells**
All owners of new or replacement Class V injection wells, as defined in the Code of Federal Regulations, title 40, part 144, are required by the Federal Government to submit inventory information to the Minnesota Pollution Control Agency and 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.

F. **SSTS Practitioner Licensing**
No person shall engage in site evaluation, inspection, design, installation, alteration, extension, repair, operation, maintenance or pumping of SSTS without an appropriate and

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valid license issued by MPCA in accordance with Minnesota Rules, Chapter 7083 except as exempted in 7083.0700.

25.3.3 Prohibitions

A. **Sewage Discharge to Ground Surface or Surface Water**
It is unlawful for any person to construct, maintain, or use any SSTS regulated under this Section 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 Pollutant Discharge Elimination System program by the MPCA.

B. **Sewage Discharge to a Well or Boring**
It is unlawful for any person to discharge raw or treated wastewater into any well or boring as described in Minnesota Rules, Chapter 4725.2050, or any other excavation in the ground that is not in compliance with this Section.

C. Discharge of Hazardous or Deleterious Materials
It is unlawful for any person to discharge into any treatment system regulated under this Section any hazardous or deleterious material that adversely affects the treatment or dispersal performance of the system or groundwater quality. Footing or roof drainage and chemically treated hot tub and pool water must not be discharged into any part of a system. Products containing hazardous chemicals and hazardous waste must not be discharged to a system other than in normal amounts of household products and cleaners designed for household use. Substances not intended for use in household cleaning, including but not limited to solvents, pesticides, flammables, photo finishing chemicals, paint, and dry-cleaning chemicals must not be discharged to the system. Other unused products or substances, or unused medicines, must not be discharged to the system solely as a method of disposal. Floor drains from garages serving dwellings must not be connected to the system.

25.3.4 Determination of Hydraulic Loading Rate and SSTS Sizing

SSTS absorption areas and mound absorption ratios must be sized according to Table IX or IXa from Minnesota Rule 7080.2150, subp. 3(E).

25.4 SSTS STANDARDS

25.4.1 Standards Adopted by Reference

The County hereby adopts by reference Minnesota Rules, Chapters 7080 through 7083 in their entirety as now constituted and from time to time amended. This adoption does not supersede the County's right or ability to adopt local standards that are in compliance with Minnesota Statute §115.55.

25.4.2 Amendments to the Adopted Standards

25.4.3 List of Adopted Standards

A. Compliance inspections of existing SSTS are required in accordance with Subdivision 8.14 of this Section.

B. Compliance inspections are required for the transfer of property in accordance with Subdivision 8.15 of this Section.

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25.4.4 Holding Tanks

A. Holding tanks may be allowed for any of the following applications:

1. As a replacement for an existing failing holding tank if it is determined by a licensed designer and the Planning and Zoning Administrator that a Type I, III, IV or V permitted under this Section cannot be feasibly installed.

2. As a sewage disposal system for an existing residence without heat.

3. Accessory structures with a sink and toilet only.

4. As temporary disposal method to alleviate an imminent threat to public health or during construction, repair, or replacement of new and existing systems.

B. Holding tanks shall not be allowed for a new home, nor may an existing residence with a holding tank be expanded to include additional bedrooms.

25.4.5 Variances

A. **Variance Requests**
A property owner may request a variance from the standards specified in this section pursuant to Section 18, Subdivision 3 of the Sherburne County Zoning Ordinance, or its successors.

B. **Minnesota Department of Health**
Variances to required setback from wells must be approved by the MN Department of Health.

25.5 SSTS PERMITTING

25.5.1 Permit Required

It is unlawful for any person to construct, install, modify, or replace an SSTS without the appropriate permit from the Department. The issuing of any permit, variance, or conditional use under the provisions of this Section shall not absolve the applicant of responsibility to obtain any other required permit.

25.5.2 SSTS Permit

An SSTS Permit must be obtained by the property owner or an agent of the property owner from the Department prior to the installation or construction of an SSTS, or the repair, rejuvenation, modification, remediation, or replacement of a major SSTS component such as the tank or soil treatment area or any other component that alters the original function, design, or layout of the system. The purpose of this permit is to ensure that the proposed construction activity is sited, designed, and constructed in accordance with the provisions of this Section by appropriately certified and/or licensed practitioner(s).

25.5.3 Activities Not Requiring a Permit

An SSTS permit is not required for the servicing or replacement of minor SSTS components provided that the activity will not change the system’s capacity, function, or layout. Minor components may include but are not limited to baffles, risers, maintenance hole covers, inspection pipes, cleanouts, effluent screens, alarms, wiring or pump.

25.5.4 Permit Application Requirements

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SSTS permit applications shall be made on forms provided by the Department and signed by the applicant and an appropriately certified practitioner including the practitioner's certification number and date of expiration. The applications shall include the documents listed in items A through E below.

A. Contact information for the designer and property owner.

B. Parcel identification number and property address or other description of property location.

C. Site evaluation report as described in Minnesota Rules, Chapter 7080.1730.

D. Design report as described in Minnesota Rules, Chapter 7080.2430.

E. Management plan as described in Minnesota Rules, Chapter 7082.0600.

25.5.5 Application Review and Response

The Department shall review a permit application and supporting documents. Upon satisfaction that the proposed work will conform to the provisions of this Section, the Department shall issue a written permit authorizing construction, repair, rejuvenation, or remediation of the SSTS as designed. In the event the applicant makes any change, including but not limited to size, configuration or location to the approved application, the applicant must file an amended application detailing the changed conditions for approval by the Department prior to initiating or continuing construction, repair, rejuvenation, modification, remediation or replacement for approval or denial.

25.5.6 Permit Expiration

The SSTS permit is valid for a period of no more than one year from its date of issue. Satisfactory completion of construction shall be determined by receipt of final As-built and a signed certification that the construction or installation of the system was completed in reasonable conformance with the design documents and approved by the Department.

25.5.7 Extensions and Renewals

The Department may grant an extension of the SSTS permit if the construction has commenced prior to the original expiration date of the permit. The permit may be extended for a period of no more than 12 months.

25.5.8 Transferability

An SSTS permit may be transferred to a new owner of the property provided the new owner follows the design and permit as it has been issued and the site and soil conditions have not been altered or otherwise damaged.

25.5.9 Suspension or Revocation

The Department may suspend or revoke an SSTS permit issued under this section for any false statements, misrepresentations of facts on which the SSTS permit was issued, or unauthorized changes to the system. A notice of suspension or revocation and the reasons for the suspension or revocation shall be conveyed in writing to the permit holder. If a permit is suspended or revoked, installation or modification of a treatment system may not commence or continue until a valid SSTS permit is obtained.

25.5.10 Posting

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The SSTS permit shall be posted on the property in such a location and manner so that the permit is visible and available for inspection until construction is completed and certified.

25.5.11 Operating Permit

25.5.12 SSTS Requiring an Operating Permit

An operating permit shall be required of all owners of new holding tanks, Type IV, V, MSTS or any other system deemed by the Department to require operational oversight.

25.5.13 Operating Permit Application Requirements

A. Application for an operating permit shall be made on a form provided by the Department including:

1. Owner and applicant contact information,
2. Parcel identification number and property address or other description of property location,
3. SSTS permit reference number and date of issue,
4. Monitoring and Disposal Contract,
    a. Owners of holding tanks installed after the effective date of this Section shall provide to the Department a copy of a valid monitoring and disposal contract signed between the owner and a licensed maintenance business, which guarantees the removal of the holding tank contents in a timely manner to prevent illegal discharge in accordance with Minnesota Rule 7082.0100, subp. 3(G) prior to a holding tank permit being issued.
    b. Final As-built of the SSTS.

25.5.14 Department Response

The Department shall review the As-built drawing, management plan, disposal contract, and any other pertinent documents as appropriate for accuracy and completeness. If any deficiencies are identified, the operating permit shall be denied until the deficiencies are corrected to the satisfaction of the Department. If the submitted documents fulfill the requirements, the Department shall issue an operating permit.

25.5.15 Operating Permit Terms and Conditions

The operating permit shall include the items outlined in Minnesota Rules, Chapter 7082.0600, Subp. 2B

25.5.16 Operating Permit Expiration and Renewal

A. Operating permits shall be valid for the specific term stated on the permit as determined by the Department.

B. An operating permit must be renewed prior to its expiration. If not renewed, the County may require the system to be removed from service or operated as a holding tank until the permit is

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renewed. If not renewed within 90 calendar days of the expiration date, the Department may require that the system be abandoned in accordance with Minnesota Rule 7080.2500.

C. The Department shall notify the holder of an operating permit at least 90 calendar days prior to expiration of the permit. The Owner must apply for renewal at least 30 calendar days before the expiration date.

D. Application shall be made to the Department including:

1. Applicant name, mailing address, email address and phone number;
2. Reference number of previous owner's operating permit;
3. Any and all outstanding Compliance Monitoring Reports as required by the operating permit;
4. Certified treatment system inspection signed and/or sealed by a certified designer, maintenance contractor, or operator at the discretion of the Department;
5. Any revisions made to the operation and maintenance manual; and
6. Payment of application review fee as determined by the Department.

25.5.17 Transfers

The operating permit may be transferred to a new owner of the property. The new owner shall notify the Department of their ownership within 60 days of the sale of a property operated under an operating permit.

25.5.18 Suspension or Revocation

A. The Department may suspend or revoke any operating permit issued under this section for any false statements or misrepresentations of facts on which the operating permit was issued.

B. Notice of suspension revocation and the reasons for revocation shall be conveyed in writing to the owner.

C. If suspended or revoked, the Department may require that the treatment system be removed from service, operated as a holding tank, or abandoned in accordance with SUBDIVISION 4.

D. At the Department's discretion, the operating permit may be reinstated or renewed upon the owner taking appropriate corrective actions.

25.5.19 Compliance Monitoring

A. Performance monitoring of an SSTS shall be performed by properly licensed SSTS service providers hired by the holder of the operating permit in accordance with the monitoring frequency and parameters stipulated in the permit.

B. A monitoring report shall be prepared and certified by properly licensed SSTS service providers. The report shall be submitted to the Department on or before the compliance reporting date provided in the operating permit. The report shall contain a description of all maintenance and servicing activities performed since the last compliance monitoring report as described below:

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1. Owner contact information;
2. Operating permit number;
3. Average daily flow since last compliance monitoring report;
4. Description of type of maintenance and date performed;
5. Description of samples taken (if required), analytical laboratory used, and results of analyses;
6. Problems noted with the system and actions proposed or taken to correct them; and
7. Name, signature, license, and license number of the licensed professional who performed the work.

25.5.20 Abandonment Certification

25.5.21 Purpose

The purpose of the System Abandonment Certification is to ensure that a treatment system with no future intent for use be abandoned within a reasonable time following decommissioning and in a manner that protects public health, safety, and water quality. It also terminates all permits associated with the system.

25.5.22 Abandonment Requirements

A. Whenever the use of an SSTS or any system component is discontinued with no future intent of use as the result of a system repair, modification, replacement or decommissioning following connection to a municipal or private sanitary sewer, or condemnation or demolition of a building served by the system, further use of the system or any system component for any purpose under this Section shall be prohibited.

B. An owner of an SSTS must retain a licensed installation business to abandon all components of the treatment system. Abandonment shall be completed in accordance with Minnesota Rule 7080.2500.

C. The MPCA's SSTS Abandonment Reporting Form is required for all SSTS that are abandoned in County and shall be submitted to the Department within 90 days of abandonment.

25.5.23 Abandonment Certificate

Upon receipt of an abandonment report and its determination that the SSTS has been abandoned according to the requirements of this Section, the Department shall issue an abandonment certificate. If the abandonment is not completed according to the requirements of this Section, the Department shall notify the owner of the SSTS of the deficiencies, which shall be corrected within 30 calendar days of the notice.

25.6 MANAGEMENT PLANS

25.6.1 SSTS Requiring Management Plans

Management plans are required for all new or replacement SSTS. The management plan shall be submitted to the Department with the SSTS permit application for review and approval. Modifications

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are not allowed during construction. A new or updated design is required first. At the time of the new or updated design, the designer must submit an updated management plan (if the design change causes required changes in the management plan).

25.6.2 Required Contents of a Management Plan

Management plans shall include the items outlined in Minnesota Rules, Chapter 7082.0600, Subp. 1.

25.6.3 Requirements for Systems not Operated under a Management Plan

Minnesota Rules Chapter 7082.0100, Subp. 3(L) requires SSTS that are not operated under a management plan or operating permit to have treatment tanks assessed and provide for the removal of solids if needed every three years. Solids must be removed when their accumulation meets the limit described in Minnesota Rule 7080.2450.

25.7 COMPLIANCE MANAGEMENT

25.7.1 Compliance Inspection Program

25.7.2 Department's Responsibility

It is the responsibility of the Department to ensure that various compliance inspections are performed as necessary or required.

A. SSTS compliance inspections must be performed:

   1. To ensure compliance with applicable requirements.

   2. For all new SSTS construction or replacement.

B. All compliance inspections must be performed and signed by licensed inspection businesses or certified compliance inspectors.

25.7.3 Public Education Outreach

Educational Programs shall be provided by the Department to increase public awareness and knowledge of an SSTS. Programs may include distribution of educational materials through various forms of media and SSTS workshops focusing on SSTS planning, construction, operation, maintenance, and management.

25.7.4 Inspections of New and Replacement SSTS

A. Inspections must be performed on new or replacement SSTS by the Department to determine the system was installed according to the approved design and in compliance with Minnesota Rules, Chapters 7080 or 7081.

B. A licensed installer shall submit an as-built for the completion of permitted work within 30 days of system installation, provided that prior approval is granted by the Department. The as-built shall certify that all work performed was in compliance with the conditions of the SSTS Construction Permit issued and with the provisions of this Section.

C. It is the responsibility of the SSTS property owner or the property owner's authorized agent to notify the Department one (1) day prior to any permitted work on the SSTS to schedule an inspection.

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D. A Certificate of Compliance for a new or replacement SSTS shall be issued by the Department if the Department has reasonable assurance that the system was built in accordance with the applicable requirements as specified in the construction permit.

25.7.5 Compliance Inspections of Existing SSTS

A. SSTS built before April 1, 1996, and are not (1) constructed in shoreland area, (2) located in a wellhead protection area, or (3) providing sewage treatment for food, beverage, or lodging establishments that are required to obtain a license under Minnesota Statutes § 157.16, including manufactured home parks and recreational camping areas licensed according to Minnesota Statutes chapter 327, must have at least two feet of vertical separation between the bottom of the distribution medium and periodically saturated soil level or bedrock.
SSTS built after March 31, 1996, or SSTS that are (1) constructed in a shoreland area, (2) constructed in a wellhead protection area, or (3) providing sewage treatment for food, beverage, or lodging establishments that are required to obtain a license under Minnesota Statutes § 157.16, including manufactured home parks and recreational camping areas licensed according to Minnesota Statutes chapter 327, must have a three-foot vertical separation between the bottom of the distribution medium and the periodically saturated soil level or bedrock. Existing systems that have no more than a 15 percent reduction in this separation distance (a separation distance no less than 30.6 inches) to account for settling of sand or soil, normal variation of separation distance measurements and interpretation of limiting layer characteristics may be considered compliant under this Section.

B. Compliance inspections for all existing SSTS on the subject property shall be required:

1. When an SSTS Construction Permit is required to repair, modify, or upgrade an existing SSTS; or

2. Anytime the Department has reasonable cause to believe a system may not comply with this Section or Minnesota Rules, chapters 7080 through 7082; or successor rules; or

3. Upon receiving a complaint or other information about a potential non-compliant SSTS; or

4. Prior to submittal of the following applications if the certificate of compliance from the installation is older than five (5) years and the most recent subsequent certificate of compliance is older than three (3) years.

   a. A building permit for the addition of bedrooms; or

   b. A variance for the addition of bedrooms; or

5. Prior to submittal of the following applications if the most recent certificate of compliance is older than ten (10) years.

   a. Building permits not described in 8.14 B4; or

   b. Building permit for accessory structures, additions, finished living space, decks, and pools; or

   c. All variances not described in 8.14 B4; or

   d. Conditional use permits; or

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e. Interim use permits; or

f. Subdivisions; or

6. Prior to property transfer for SSTS that are older than five (5) years and the certificate of compliance is older than three (3) years except for the exempt transactions set out in Subdivision 8.15B of this Section; or

7. Upon application for a Building or Land Use Permit to build a new dwelling where the existing SSTS on the property is being proposed to serve the dwelling; or

8. When an Operating Permit is to be renewed; or

9. Any time there is an expansion of use of the building being served by an existing SSTS which may impact the performance of the system; or

10. Any time there is a change in use of the property being served by an existing SSTS which may impact the performance of the system; or

C. Compliance inspections of existing SSTS shall be reported on the current SSTS Compliance Inspection Form provided by MPCA.

D. All Certificates of Compliance issued for compliance inspections must include a certified statement indicating whether the SSTS is in compliance with the requirements of this Section. If the SSTS is determined not to be in compliance with this Section, a Notice of Noncompliance must be issued and include a statement specifying the provisions in which the SSTS does not comply with this Section. An SSTS Construction Permit application must be submitted to the Department if the required corrective action is not described in Subdivision 6.21 of this Section.

E. A Certificate of Compliance or Notice of Noncompliance shall be submitted to the Department and the property owner or the property owner's authorized agent within fifteen (15) days of the existing system compliance inspection.

F. Continued use of a treatment tank(s) where the tank(s) is/are to become an integral part of a replacement system, or a sanitary sewer system requires the existing tank(s) to be inspected as part of an existing SSTS compliance inspection unless the tank(s) is/are currently operated under a valid Certificate of Compliance.

G. Continued use of a soil dispersal system, whether in part or in whole, where it is to become an integral part of a replacement system, or a sanitary sewer system requires the existing soils dispersal system to be inspected as part of existing SSTS compliance inspection unless the soil dispersal system is currently operated under a valid Certificate of Compliance.

H. The Department shall reject any compliance inspection submitted to it that does not provide the required compliance information, is not completed by a licensed inspection business or is deficient in certified statements, corrective measure procedures, signatures and/or required fees.

I. The Department may waive an existing system compliance inspection required under Subdivision 8.14A of this Section, if the owner of the real property served by an existing SSTS acknowledges (self-fails) in writing to the Department that the current existing SSTS does not

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meet current State and/or local code requirements; and further acknowledges that a new system installation or proper abandoning of the existing system will be achieved within the timeframes established by Subdivision 4.2 of this Section.

25.7.6 Transfer of Properties

A. Whenever ownership of land with an SSTS is transferred, the following requirements shall be met:

1. A compliance inspection must be performed, and a Certificate of Compliance issued unless one has been issued within the previous three (3) years for an SSTS older than five (5) years or an original Certificate of Compliance is on file with the Department for an SSTS less than five (5) years old prior to the transfer of the property, unless evidence is found identifying an Imminent Threat to Public Health and Safety.

2. The seller of the property shall disclose in writing information about the status and location of all known SSTS on the property to the buyer

B. The Certificate of Compliance need not be completed if the sale or transfer involves the following circumstances:

1. The transfer is a foreclosure or tax forfeiture, i.e. the transaction from the former property owner to the secured entity.

2. The sale or transfer completes a contract for deed or purchase agreement entered into prior to January 22, 1998. This subsection applies only to the original vendor and vendee on such a contract.

3. Any dwellings or other buildings permitted by the Department under a valid operating permit with annual reporting requirements.

4. In the case where a contract for deed is paid off or otherwise satisfied in its entirety and the SSTS servicing the property was certified or replaced at the time the original contract for deed was entered. This exemption only applies to the original vendor and vendee on such a contract for deed.

5. When title to real property is held jointly by a husband and wife and one spouse becomes deceased and the only change that occurs is to remove the deceased spouse's name from the title.

6. When title to real property is held jointly by a husband and wife and through a divorce decree one of the said parties is removed from the title with the other said party retaining ownership of the property.

C. All property conveyances subject to this Section occurring during the period between December 1st and April 15th, when an SSTS compliance cannot be determined due to frozen soil conditions, shall require a winter escrow agreement, which includes agreement to complete a compliance inspection by the following June 15th. If, upon inspection, the SSTS is found to be non-compliant, the system must be upgraded in accordance with Subdivision 4.2 of this Section.

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D. The completed Certificate of Compliance under Subdivision 8.15 of this Ordinance shall be submitted to the Department by the licensed compliance inspector. An SSTS found to be noncompliant at the time of property transfer shall be upgraded in accordance with Subdivision 4.2 of this Section.

E. The issuance of an SSTS Construction Permit, Certificates of Compliance or Notices of Noncompliance shall not be construed to represent a guarantee or warranty of an SSTS operation or effectiveness. Such certificates signify that the system in question is, or has been, designed and installed in compliance or non-compliance with the provisions of this Section at a specific point in time.

25.8 ENFORCEMENT

25.8.1 Violations and Prosecution

A. **Cause to Issue a Notice of Violation**
Any person, firm, agent, or corporation who violates any of the provisions of this Section, or who fails, neglects, or refuses to comply with the provisions of this Section, including violations of conditions and safeguards, or who knowingly makes any materially false statement or knowing omission in any document required to be submitted under the provision hereof, shall be guilty of a misdemeanor and upon conviction thereof, shall be punishable as defined by Minnesota Statutes. A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

B. **Notice of Violation**
The Department shall serve, in person or by mail, a notice of violation to any person determined to be violating provisions of this section. The notice of violation shall contain:

1. A statement documenting the findings of fact determined through observations, inspections, or investigations;
2. A list of specific violation(s) of this section;
3. Specific requirements for correction or removal of the specified violation(s);
4. A mandatory time schedule for correction, removal, and compliance with this Section.

C. **Stop Work Order** Stop work orders may be issued when the Department has probable cause that an activity regulated by this Section, or any other County Ordinance is being or has been conducted without a permit or in violation of a permit. When work has been stopped by such an order, the work shall not resume until the reason for the work stoppage has been completely satisfied, any administrative fees paid, and the order lifted.

25.8.2 Civil Enforcement

In the event of a violation or threatened violation of this Section, the Department may, in addition to other remedies, initiate appropriate civil action or proceedings to prevent, prosecute, restrain, correct, or abate such violations or threatened violations and the County Attorney shall have authority to commence such civil action. The Department and the County Attorney may take such actions as may be necessary to enforce the provisions of this Section.

25.8.3 Cost and Reimbursements

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If the County is required to remove or abate an imminent threat to public health or safety, the County may recover all costs incurred in removal or abatement in a civil action, including legal fees, at the discretion of the County Board, the cost of an enforcement action under this Section may be assessed and charged against the real property on which the public health nuisance was located. The County Auditor shall extend the cost of as assessed and charged on the tax roll against said real property.

25.8.4 State Notification of Violation

In accordance with state law, the Department shall notify the MPCA of any inspection, installation, design, construction, alteration, or repair of an SSTS by a licensed/certified person or any septage removal by a licensed pumper that is performed in violation of the provisions of this Section.

25.9 RECORD KEEPING

The Department shall maintain a record of all systems. The record shall contain all permit applications, issued permits, fees assessed, variance requests, certificates of compliance, notices of noncompliance, enforcement proceedings, site evaluation reports, design reports, as-built drawings, management plans, maintenance reports, an annual list of all sewage tanks installed in the county sorted by licensed installation businesses, and other records relevant to each system.

25.10 DISPUTE RESOLUTION PROCEDURES

In the event of a dispute between two designers or two SSTS inspectors on whether the soil or design meets the minimum requirements of the section, procedures outlined under MN Rule 7082.0700 subpart 5; or successor rules shall be followed.

25.11 ANNUAL REPORT

The Department shall provide an annual report of SSTS permitting activities to MPCA no later than February 1 for the previous calendar year.

25.12 FEES

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

25.13 INTERPRETATION

In their interpretation and application, the provisions of this Section shall be held to be minimum requirements and shall be liberally construed in favor of the County and shall not be deemed a limitation or repeal of any other powers granted by Minnesota Statutes.

25.14 SEVERABILITY

If any subdivision, clause, provision, or portion of this Section is adjudged unconstitutional or invalid by a court of law, the remainder of this Section shall not be affected and shall remain in full force.

25.15 ABROGATION AND GREATER RESTRICTIONS

It is not intended by this Section to repeal, abrogate, or impair any other existing county ordinances, easements, covenants, or deed restrictions. However, where this Section imposes greater restrictions, the provisions of this Section shall prevail. All other ordinances inconsistent with this Section are hereby repealed to the extent of the inconsistency only.

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25.16 ORDINANCE REPEALED

Sherburne County Zoning Ordinance, Section 17.5 Subsurface Sewage Treatment Program, for the regulation of Individual Sewage Treatment Systems of the County is hereby repealed.

25.17 ADOPTION

The Sherburne County Zoning Ordinance, Section 17.5 Subsurface Sewage Treatment Program was adopted by the Sherburne County Board of Commissioners on the 6th day of August 2024.

SECTION 37 - DATE OF EFFECT

This Ordinance shall be in full force and effect from and after its passage, approval and publication, as provided by law.

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SECTION 16.9 – SHORT-TERM RENTAL

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SUBDIVISION 1.0 PURPOSE, SCOPE, & OBJECTIVES

1.1 **Purpose**

(a) It is the purpose and intent of this Ordinance to regulate short-term rentals within Sherburne County. To allow use of short-term rental units, but also mitigate possible adverse impacts to the health, safety, welfare, and quality of life of surrounding properties, as well as water and environmental quality, through the establishment of a licensing program for the review and approval of short-term rental unit operations.

(b) Short Term Rentals shall be licensed to operate in the unincorporated areas of the county and are subject to county, state and federal laws.

(c) To ensure compliance with the latest adopted Minnesota State life safety codes such as building Codes related to fire, health, and life safety standards.

(d) To support appropriate business registration and lodging tax collection for short-term rental operations.

1.2 **Scope**

Pursuant to Minnesota Statutes §§ 375.51–375.55 and Minnesota Rules Chapters 7080–7083, as adopted and amended by Sherburne County Land Use Ordinance Article 37, are hereby incorporated by reference.

1.3 **Objectives**

(a) To provide and enforce standards for the maintenance of short-term rentals.

To provide local governance to promote health, safety, and wellness to Sherburne County citizens and patrons of short-term rentals

SUBDIVISION 2.0 AUTHORITY

2.1 The regulation and licensing of short-term rentals in Sherburne County is authorized under Minnesota Statutes §§ 375.51–375.55, which grant counties the authority to adopt ordinances for the protection of public health, safety, and welfare. Short-term rental operations shall comply with all applicable state and county laws, including but not limited to the following:

(a) **Minn. Stat. §§ 375.51–375.55** – County authority to regulate land use and adopt ordinances.

(b) **Minn. Stat. §297A.61** – State sales tax obligations, including lodging tax on short-term rental transactions.

(c) **Minn. Stat. §469.190** – Authorization for counties to impose a local lodging tax.

(d) **Minn. Stat. §§ 157.15–157.22** and **Minn. R. 4625** – Health and sanitation standards for lodging establishments, including bedding, water supply, waste disposal, and pest control.

(e) **Minn. R. 7080.2450 Subp. 2** – Septic system maintenance and recordkeeping requirements for subsurface sewage treatment systems (SSTS).

(f) **Minnesota Residential Building Code (Minn. R. 1300–1350)** – Construction, occupancy,

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and life safety standards for residential structures.

(g) **Minnesota State Fire Code (Minn. R. 7511)** – Fire safety, emergency access, and occupancy classification requirements for residential rental properties.

(h) **Sherburne County Solid Waste Ordinance and Land Use Ordinance Article 37** – Local requirements for waste management, septic compliance, and nuisance enforcement.

2.2 Enforcement Authority

Sherburne County is authorized under Minnesota Statutes §§ 375.51–375.55 to enforce this Ordinance through administrative procedures, fines, license actions, and misdemeanor prosecution as outlined in Subdivision 7.0 and the Sherburne County Code Enforcement Procedures Manual. Any violation of this Ordinance may result in investigation, citation, license suspension or revocation, and/or referral for prosecution, as determined by the County.

SUBDIVISION 3.0 DEFINITIONS AND GENERAL PROVISIONS

3.1 Definitions. Unless specifically defined below, words or phrases used in this Ordinance shallbe interpreted to give them the same meaning they have in common usage and to give this Ordinance its most reasonable application.

(a) "**Bedroom**" as defined by the latest state adopted life safety codes and currenlty means a habitable room intended for sleeping that meets all of the following criteria: (A) has a minimum floor area of 70 square feet for single occupancy, or 50 square feet per occupant for multiple occupancy; (B) has a minimum horizontal dimension of 7 feet; (C) provides access from a common living area or hallway; (D) includes a window that meets emergency egress standards—minimum net clear opening of 5.7 square feet, at least 24 inches high and 20 inches wide, with a sill height not exceeding 44 inches above the floor; (E) has a ceiling height of at least 7 feet; and (F) is equipped with smoke alarms as required by the Minnesota Residential Building Code. Architectural features that affect privacy, ventilation, or emergency access may be considered in determining bedroom status.

(b) "**Lodging Tax**" means a tax imposed on the gross receipts from the furnishing of lodging for periods of less than 30 consecutive days, as authorized under Minnesota Statutes Chapter 469.

(c) "**Business Registration**" means the licensing process by which a short-term rental operator registers with the Minnesota Secretary of State and/or Sherburne County as a business entity.

(d) "**Owner"** means the property owner of record of the real estate located in Sherburne County.

(e) "**Owners Authorized Agent**" means a person who has written designation to act on behalf of the owner.

(f) **"Parcel"** means a unit of real property that has been given a parcel identification number maintained by the County.

(g) **"Short Term Rental Unit"** means any dwelling unit offered for rent for a period of less than 30 consecutive days, excluding hotels, motels, resorts, and bed-and-breakfast establishments, as defined by Minn. Stat. §157.15 and subject to lodging

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tax under Minn. Stat. §469.190..

(h) "**SSTS**" means "Subsurface sewage treatment system" is either an individual subsurface sewage treatment system as defined in Minnesota Rules part 7080.1100, subpart 41 or a midsized subsurface sewage treatment as defined in Minnesota Rules part 7081.0020, subpart 4 and Article 37 of the County Land Use ordinance, as applicable.

(i) **"Travel Trailer"** means a recreational vehicle built on a single chassis with a rigid walled shelter, mounted on wheels and have a gross trailer area not exceeding 400 square feet. For the purposes of this ordinance, the term travel trailer is synonymous with the term "recreational vehicle."

(h) "State Building Code" means the Minnesota State Building Code as adopted under Minn. Stat. §326B.106 and implemented through Minnesota Rules Chapters 1300–1350.

(i) "Substantiated Complaint" means a complaint regarding a short-term rental that has been formally reported to Sherburne County, investigated by the appropriate agency, and determined to be valid based on evidence of a violation of this Ordinance or any other federal, state or local law. Substantiated complaints shall be documented in writing and may contribute to enforcement actions under the 'three strikes' rule.

3.2 Severability. If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

SUBDIVISION 4.0 ANNUAL LICENSE REQUIRED

4.1No Short-Term Rental may be operated without a valid Short-Term Rental license issued pursuant to this Ordinance.

4.2 All new Short-Term Rental operations as of the enactment date of this Ordinance shall obtain a license from the County prior to commencing operations.

4.3 All Short-Term Rental licenses are an annual license and must be renewed each year. License renewal applications for rental operations in the following year must be submitted prior to any rental activity. Licenses are valid from January 1 – December 31 each year.

4.4 The Owner or Owners Authorized Agent shall permit access to the property and all permitted units at any reasonable time for the purpose of inspection upon request of Sherburne County.

4.5 All short-term rental operators must register as a business entity and comply with applicable lodging tax requirements. Proof of registration and tax compliance shall be submitted with the license application.

4.6 STRs subject to 6.875% state sales tax and 3–5% local lodging taxes. Hosts must register with the MN Department of Revenue unless platforms remit taxes.

4.7 Sherburne County may impose additional lodging taxes under Minn. Stat. §469.190.

SUBDIVISION 5.0 LICENSE APPLICATION REQUIREMENTS

5.1 Application Requirements. The following information shall be provided to the County on the

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Short-Term Rental license application:

(a) The full name (First, Middle, Last), Date of Birth, mailing address, email address and telephone number of the owner of the Short-Term Rental home for which the license is to be issued. If the property is owned by a business or corporation, the CEO or Designee is responsible for obtaining the license in their name.

(b) Physical address and parcel identification number.

(c) The name, address, telephone number and email address of the Owner's Authorized agent for the Short-Term Rental who is available 24 hours a day.

(d) All other information that is requested on the Short-Term Rental License Application.

(e) No application for initial or renewal license shall be accepted if there are past due property taxes on the property described in the license application.

(f) No license shall be issued if there are pending permits and/or open enforcements related to the property.

(g) No license shall be issued if the property has three substantiated violations within the prior

calendar year prior to application for a license.

(h) Properties must be in compliance with Minnesota State Building Codes for fire, health, and life safety standards.

(i) Proof of business registration and lodging tax compliance must be included with the application.

5.2 Application Process. Applications for Short-Term rental operation licenses may be filled out online at https://gis.co.sherburne.mn.us/pzpermitportal/ .

(j) Once a complete application is received along with the supplemental information and payment of fee, Sherburne County shall issue or deny the license in accordance with the timelines established under Minnesota Statutes § 15.99 (60-day rule) during which time the County may contact the Owner or Owner's Authorized Agent for additional information. If the license is denied, a letter shall accompany the denial explaining the reasons for the denial, and the Owner or Owner's Authorized Agent may reapply once the conditions surrounding the application denial are corrected.

SUBDIVISION 6.0 GENERAL REQUIREMENTS

6.1 **Septic/Solid Waste**

a) The short-term rental must be connected to an approved SSTS or served by central sanitary sewer system.
b) A valid Certificate of Compliance, which is a certificate that was issued on a new septic system installed within the past 5 years OR a copy of a compliance inspection form which was performed within the past 3 years.
c) At least once every three (3) years thereafter the Owner or Owner's Authorized Agent

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shall provide an updated certificate of septic testing showing that the system is compliant for the number of bedrooms indicated in the application.

(d) Maintenance records are required under Minnesota Rules 7080.2450 Subp. 2.(e) Disposal of solid waste must comply with Sherburne County Solid Waste Ordinance, or its successor or replacement.

(f) Garbage, refuse, or recycling shall be stored completely enclosed within designated refuse containers. The owner or operator of the rental unit shall provide sufficient trash storage containers and service to accommodate the demand of the occupants in compliance with Sherburne County Solid Waste Ordinance

(g) Septic systems must be clearly marked and protected from vehicle parking or encroachment.

6.2 **Health and Life Safety Codes**

Short-term rentals shall comply with all applicable health and sanitation standards established by the Minnesota Department of Health, including:

a) Minnesota Statutes §§ 157.15–157.22 and Minnesota Rules Chapter 4625.

Short Term Rentals shall comply with Life Safety Codes per Minnesota Statutes and rules, including:

(a) 2020 Minnesota Residential Building Code

(b) 2020 Minnesota State Fire Code

Per §157.15 and Health and Fire Departments may inspect and charge fees:

6.3 **Occupancy**

(a) The overnight occupancy of a short-term rental shall be as calculated under the l2020 Minnesota Residential Building Code or the latest state adopted version:

- bedrooms must be at least 70 sq ft for single occupancy or 50 sq ft per person for multiple occupants.

(b) STRs with fewer than six guest rooms are classified as Group R-3 under the 2020 Minnesota State Fire Code.

(c) STRs renting individual rooms may be reclassified as boarding houses, triggering additional fire and health code requirements.

(d) It is prohibited to advertise beyond approved occupancy.

Occupancy limits shall be shown on license and license must be displayed in the short-term rental space.

Licensee shall not advertise the property as containing any more than the number of bedrooms identified on the license.

Licensee shall not advertise the property as available to more guests than the occupancy limit identified on the license.

(e) Use of travel trailers, tents, yurts, fish houses or other temporary structures is

(f) prohibited to be used as short-term rental unitParking must be provided on-site and shall be sufficient to accommodate the maximum number of guests allowed under the

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occupancy limit.

(g) Parking areas must be designed to prevent traffic congestion and ensure emergency vehicle access at all times.

6.4 Noise

(a) Quiet hours are between the hours of 10 pm to 7 am, Sunday through Thursday; and 12 am to 7 am, Friday and Saturday. The owner of the short-term rental is expected to enforce this rule. Failure to do so may result in enforcement action as provided in section 6.

(b) Noise [ADDED] Repeated violations of quiet hours may contribute to enforcement actions under the "three strikes" rule.

(c)

6.5 Parking

(j) Parking cannot restrict access by emergency vehicles or the traveling public and shall not impede any ingress or egress of property owner. In addition, parking cannot encroach neighboring properties. Septic systems must be delineated to not have parking on the tanks or drainfield.

6.6 Property Contact Information

(a) The Owner or the Owner's Authorized Agent shall keep on file, with the county, and shall notify each renter, in writing, of the contact information for the Owner or Owner's Authorized Agent who shall provide a text enables cell phone number and who shall be available 24 hours a day, seven (7) days a week, whenever the property is being rented for short-term rental purposes. The Owner or the Owner's Authorized Agent shall respond to any issue or complaint raised within one (1) hour of any such point of contact being notified of the issue or complaint. Property contact information shall be accessible to the public 24/7 on the Sherburne County Website. License fees shall be established by the Sherburne County Board of Commissioners and published in the County Fee Schedule.

6.7 Transfer License

(a) The short-term rental license shall not be transferrable upon any change in ownership of the licensed property, or otherwise.

SUBDIVISION 7.0 ENFORCEMENT & FINES

7.1 Enforcement. Sherburne County shall investigate all complaints and alleged violations of this Ordinance. Sherburne County shall follow up with all Owners or Owner's Authorized Agents and complainants within a reasonable period of time. The Owner or Owner's Authorized Agent shall address any substantiated complaints/violations as directed by Sherburne County. All substantiated complaints/violations not resolved as directed shall result in enforcement action and/or fines as provided in this ordianace.

(a) The County shall enforce a "three strikes" rule: If three (3) substantiated complaints/violations have occurred at a Short-Term Rental Unit within one year, then the license may be subject to revocation as determined by Sherburne County.

(b) The intentional false reporting of a violation of this ordinance shall be considered a

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violation of this ordinance and count as one of three complaints per year per above. The penalty for intentional false reporting of a violation shall be $100.00 for a first offense, $150.00 for a second offense, and $1,000.00 for a third or subsequent offense.

(c) Any Owner or Owner's Authorized Agent who fails to comply with a directive of Sherburne County as provided in section 6.1 or who violate, disobey, omit, neglect, refuse to comply with, or who resist enforcement of any of the provisions of this Ordinance may be subject to misdemeanor prosecution, forfeiture of their license, and/ or fines..

(d) Any license revoked under this section shall not be reissued for a period of 1 year from the date of revocation.

(e) Failure to comply with parking, traffic, septic, or emergency access requirements may result in license suspension or revocation.

(f) Failure to comply with business registration or lodging tax obligations may result in license suspension or revocation.

7.2 **Administrative Fines**

Sherburne County may impose administrative fines for violations of this Ordinance in accordance with the County Code Enforcement Procedures Manual and the County Fee Schedule. Fines shall be assessed per violation and may escalate for repeat offenses. The following fine schedule shall apply unless otherwise modified by the County Board:

Table 16.9.1

Violation	First Offense	Second Offense	Third/Subsequent Offense
Operating without a valid license	$500	$750	$1,000 + license suspension
Advertising beyond approved occupancy	$250	$500	$750
Noise violations during quiet hours	$150	$300	$600
Septic noncompliance	$500	$750	$1,000
Parking violations	$250	$500	$750
Failure to respond to complaints within 1 hour	$200	$400	$600
Use of prohibited structures (e.g., tents, trailers)	$300	$600	$900
Failure to register business or remit lodging tax	$500	$750	$1,000
False complaint reporting (per Section 7.1)	$100	$150	$1,000

a) Fines are payable within 30 calendar days of issuance unless appealed.
b) Multiple violations may be assessed cumulatively.
c) Fines may be waived, reduced, or upheld through the appeal process in Section 7.0.
d) The County Board may update this schedule annually via the County Fee Schedule.

SUBDIVISION 8.0 APPEALS

8.1 Administrative Appeal.

8.2 Any person aggrieved by an order, requirement, decision, or determination made by Sherburne County under this ordinance may file an administrative appeal.

8.3 All appeals shall be processed in accordance with the Sherburne County Code Enforcement

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Procedures Manual, which outlines timelines, hearing procedures, and criteria for review

a) The appeal must be submitted in writing, via mail or electronic submissionas determined by the ocunty to the Sherburne County Administrator within 30 calendar days of the date of the decision being appealed.
b) The written appeal must include:
c) The name and contact information of the appellant.
d) A description of the decision being appealed.
e) The grounds for the appeal and any supporting documentation.
f) Upon receipt, the County Administrator shall:
   i. Review the appeal and supporting materials.
   ii. Consult with relevant County departments as needed.
   iii. Issue a written decision within 30 calendar days of receiving the appeal.
(g) If the appellant is not satisfied with the County Administrator's decision, they may proceed to a formal appeal under Section 7.2.

8.4 Enforcement Appeal Process and Fines

(a) Appeals related to enforcement actions, license revocations, or fines shall follow the procedures established in the Sherburne County Code Enforcement Policy.
(b) Fines imposed under this ordinance, including those for false reporting or noncompliance, shall be subject to review through the appeal process.
(c) The County may uphold, reduce, or waive fines based on evidence presented during the appeal.
(d) The County Fee Schedule, approved annually by the Board of Commissioners
(e) Or reference it in the Code Enforcement Manual

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414 Nicollet Mall
Minneapolis, MN 55401

April 3, 2026

RE: PUBLIC OPEN HOUSE FOR PROPOSED XCEL ENERGY SHERCO SOLAR 4 PROJECT

Dear Landowner:

Northern States Power Company, doing business as Xcel Energy, is developing a proposed utility-scale solar-energy project in Sherburne County, Minnesota, known as the Sherco Solar 4 Project (Project). Xcel Energy will be submitting a joint application to the Minnesota Public Utilities Commission (MPUC) later in 2026 for the proposed 200-megawatt solar energy generation facility and the associated 345-kilovolt high voltage transmission line.

The proposed Solar Facility would encompass approximately 1,180 acres of agricultural lands located in Clear Lake, Haven, and Palmer Townships, just north of the City of Clear Lake, as shown in the enclosed map. The site is located approximately six miles northwest of the existing Sherco Coal Generation Plant and operational Sherco Solar 1 and 2 project, and approximately two miles north of the Sherco Solar 3 project, which is anticipated to commence commercial operations this year.

The MPUC must approve the proposed Project before it can be constructed. The permitting process will include multiple opportunities for stakeholder and public input. Upon receipt of required permits and approvals, Xcel Energy anticipates construction to begin in 2027, with commercial operations commencing in 2028.

The purpose of this letter is to invite you to attend a public open house where you can learn more about the Project, meet members of the Project team, and provide comments.

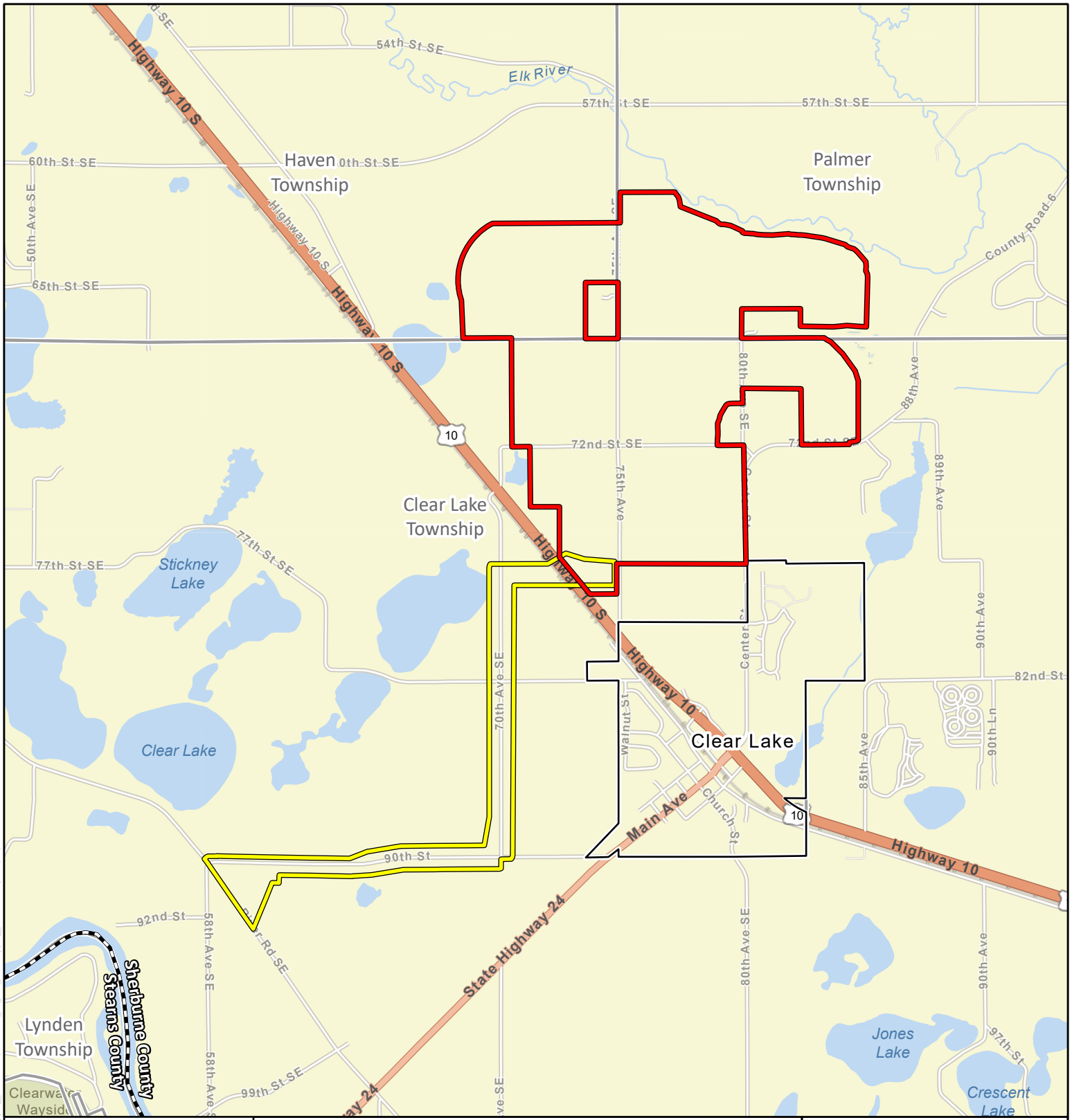
Date: April 14, 2026
Time: 4:00 – 6:00 PM
Location: Becker Community Center
11500 Sherburne Ave,
Becker, MN 55308

If you are unable to attend but would like additional information or want to share comments or questions, you're welcome to reach out to me using any of the contact options below. Phone: 612-330-6073 or by email at Ellen.L.Heine@xcelenergy.com.

Sincerely,



ELLEN HEINE
PRINCIPAL SITING AND PERMITTING AGENT



Data Source(s): Xcel Energy (2026); Westwood (2026); Esri WMS World Streets Basemap (Accessed 2026); Sherburne County, Minnesota (2026).

N

0 3,000 Feet

Proposed Sherco Solar 4 Project

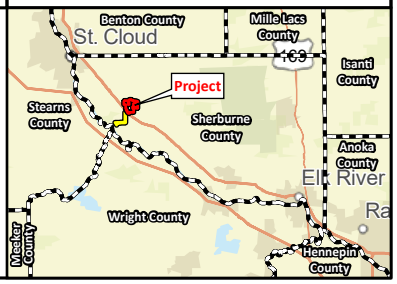
Sherburne County, Minnesota

March 31, 2026 - Figure 1

Xcel Energy

Legend

- Proposed Sherco Solar Site Boundary
- Proposed Transmission Line Corridor
- Municipal Boundary
- Civil Township Boundary
- County Boundary



Map Document: N:\0052888.01_GIS_ArcPro\R0052888_01_040_SPAMapping_20260213\R0052888_01_040_SPAMapping_20260213.aprx 3/31/2026 5:23 PM radevito

Sherburne County Sheriff
13880 Business Center Dr
Elk River MN 55330
Ph: (763) 765-3500

CAD Summary Report - Haven Township **March 2026** Printed On: 04/01/26 08:25

Sherburne County Sheriff

	03/26	Total
90500 BURGLARY	1	**1**
90600 THEFT	2	**2**
91600 DISTURBING THE PEACE	1	**1**
9201 DAR/DAS/DAC	5	**5**
92700 TRESPASS	2	**2**
9302 ANIMAL LOST	1	**1**
9420 ACCIDENT-MV-PERSONAL INJ	1	**1**
9600 FIRE-OTHER	1	**1**
9604 FIRE-GRASS	2	**2**
9612 ALARM-CARBON MONOXIDE	1	**1**
9730 MEDICAL	4	**4**
9801 DOMESTIC	1	**1**
9803 AGENCY ASSIST	3	**3**
9804 ALARM-SECURITY	1	**1**
9807 TRAFFIC STOP	33	**33**
9808 TRAFFIC COMPLAINT	1	**1**
9810 GARBAGE/LITTERING	1	**1**
9817 SECURITY CHECK	11	**11**
9818 EXTRA PATROL	34	**34**
9823 CHECK THE WELFARE	1	**1**
9824 BURNING COMPLAINT	1	**1**
9850 PAPER SERVICE	4	**4**
9853 SUSPICIOUS ACTIVITY	2	**2**
9900 MISCELLANEOUS OFFICER	1	**1**
Irrigation Check	1	**1**
Public lift assist	1	**1**
RSC	1	**1**
Total	**118**	**118**

From: Osborne, Brenda M brenda.osborne@charter.com
Subject: Spectrum Channel Lineup – GET TV Rebranding to Great Entertainment TV
Date: Apr 6, 2026 at 2:11:41 PM
To: Tammy Schefers clerk@haventwp.org
Cc: Eric Meyer supervisormeyer@haventwp.org

Delivery via Email Please Reply “Received”

Dear Franchise Official:

This letter will serve as notice that Spectrum Mid-America, LLC, (“Spectrum”) recently learned without advance notice that on or around February 16, 2026, KSTC 3 changed its service name from GET TV to Great Entertainment TV. Programming will remain the same. This change is out of Spectrum’s control.

If you have any questions about this change, please feel free to contact me at (952) 367-4263 or via email at david.larson@charter.com.

Sincerely, David

Charter COMMUNICATIONS

David Larson | Director of State Government Affairs Minnesota
Mobile: (612) 619-5653
Office: (952) 367-4263
16900 Cedar Avenue, Rosemount, MN 55068

Stay Connected | Visit us online at Policy.Charter.com and on X @CharterGov.

Charter COMMUNICATIONS

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16900 Cedar Avenue, Rosemount, MN 55068

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From: Minnesota Association of Townships info-mntownships.org@shared1.ccsend.com
Subject: Township Advocacy Alert: Email state legislators on township road and bridge funding
Date: Apr 9, 2026 at 9:20:01 AM
To: Tammy Schefers clerk@haventwp.org

MINNESOTA — ASSOCIATION OF — TOWNSHIPS

Township Advocacy Alert

Email state legislators on township road and bridge funding

Dear Township Officials:

Township transportation funding is a key legislative priority for the Minnesota Association of Townships, and our team is working hard at the Capitol in St. Paul to make sure townships receive their fair share.

House File 3767 and its identical companion, **Senate File 3978**, provide $35 million in bonding for township roads and bridges, distributed through existing formulas. This investment is important because townships maintain over 55,000 miles of roads (41% of all roads in the state) and thousands of bridges. Rising costs and depleted funding have made it increasingly difficult to keep up with critical infrastructure needs.

Please use MAT's website here to easily send your State Senator and Representative an email in support of this legislation, advocating for township transportation funding. We have drafted customizable email letters, and our system identifies your specific legislators. It takes just two clicks and is very important for all townships.

Click here to email your legislators in support of township transportation funding.

CONTACT US

Minnesota Association of Townships | 805 Central Ave East P.O. Box 267 | St. Michael, MN 55376 US

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Constant Contact

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From: Minnesota Association of Townships info-mntownships.org@shared1.ccsend.com
Subject: Winona and Rochester Spring Short Courses RESCHEDULED
Date: Mar 24, 2026 at 9:17:02 AM
To: Tammy Schefers clerk@haventwp.org

MINNESOTA — ASSOCIATION OF — TOWNSHIPS

SPRING SHORT COURSES

Winona and Rochester Spring Short Courses RESCHEDULED

Township Officers:

The Winona and Rochester Spring Short Courses have been rescheduled (after being postponed due to inclement weather).

The **Winona** Spring Short Course will **Tuesday, April 7,** at the Riverport Event Center, 900 Bruski Drive, Winona, MN 55987 (same location).

The **Rochester** Spring Short Course will be **Tuesday, April 14,** at the Rochester Event Center, 7333 Airport View Drive SW, Rochester, MN 55302 (same location).

Times, dates, and locations for all Spring Short Courses can be found below. We hope to see you soon!

MAT's Spring Short Courses are underway! Please plan to attend these extremely popular trainings for all officers - supervisors, clerks, treasurers (including deputies). Each day will be jam-packed with speakers, important information, and include a continental breakfast and hearty lunch.

All registration is on-site and the cost is $75/officer which covers materials and meals. Check or cash are accepted, or we can bill your township (by letting the on-site registration desk know).

Timeline:
8:00 AM: Registration opens and light breakfast available
9:00 AM: Sessions begin – breakouts for Supervisors, Clerks & Treasurers, and New

Officers
12:00 NOON: Lunch (provided)
1:00 PM: Sessions continue - breakouts for Supervisors, Clerks & Treasurers, and New Officers
3:00 PM: Conclusion

~~**MANKATO** Wednesday, March 18, 2026~~ HELD
~~Mayo Clinic Health System Event Center, 1 Civic Center Plaza, Mankato, MN 56001~~

~~**WINDOM** Thursday, March 19, 2026~~ HELD
~~Windom Community Center, 1750 Cottonwood Lake Dr, Windom, MN 56101~~

~~**GRANITE FALLS** Friday, March 20, 2026~~
HELD
~~Prairie's Edge Casino, 5616 Prairies Edge Ln, Granite Falls, MN 56241~~

~~**BRAINERD** Monday, March 23, 2026~~ HELD
~~Breezy Point Resort, 9252 Breezy Point Dr, Breezy Point, MN 56472~~

~~**ST. CLOUD** Tuesday, March 24, 2026~~ HELD
~~Holiday Inn and Suites, 75 37th Ave, St Cloud, MN 56301~~



ARLINGTON Wednesday, March 25, 2026
Arlington Event Center, 204 Shamrock Dr, Arlington, MN 55307

WILLMAR Thursday, March 26, 2026
Willmar Conference Center, 2100 Highway 12 E, Willmar, MN 56201

ALEXANDRIA Friday, March 27, 2026
Arrowwood Resort & Conference Center, 2100 Arrowwood Ln, Alexandria, MN 56308

MAHNOMEN Monday, March 30, 2026
Shooting Star Casino, 777 S Casino Rd, Mahnomen, MN 56557

THIEF RIVER FALLS Tuesday, March 31, 2026
Ralph Engelstad Arena, 525 Brooks Ave, Thief River Falls, MN 56701

BEMIDJI Wednesday, April 1, 2026
The Sanford Center, 1111 Event Center Dr NE, Bemidji, MN 56601

GRAND RAPIDS Thursday, April 2, 2026
Sugar Lake Lodge, 37584 Otis Ln, Cohasset, MN 55721

DULUTH Friday, April 3, 2026
NEW LOCATION: Black Bear Casino Resort, 1785 MN-210, Carlton, MN 55718

WINONA Tuesday, April 7, 2026 (Rescheduled date)
Riverport Event Center, 900 Bruski Drive, Winona, MN 55987

ROCHESTER Tuesday, April 14, 2026 (Rescheduled date)
Rochester Event Center, 7333 Airport View Drive SW, Rochester, MN 55302

CONTACT US

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