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OFFICE OF THE COUNTY RECORDER
WRIGHT COUNTY, MINNESOTA
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Tanya West, County Recorder

Amendment to the Wright County Code of Ordinances

The attached amendments to the Wright County Code of Ordinances were adopted by the Wright County Board of Commissioners at a meeting held on the 18th day of October, 2016.

This document amends the original Code of Ordinances filed on the 19th day of August, 2016 in the Office of the Wright County Recorder, filed as Document No. 1322525.

ATTEST:



Lee Kelly, Wright County Coordinator

10/18/16
Date

RETURN TO:

Susan Backes, Clerk to the County Board
Wright County Administration
10 2nd ST. NW, Rm 235
Buffalo MN 55313

**BOARD OF COUNTY COMMISSIONERS
WRIGHT COUNTY, MINNESOTA**

ORDINANCE NO. 16-6

AMENDMENTS TO FEEDLOTS AND HOME EXTENDED BUSINESS (HEB)

(See Attached)

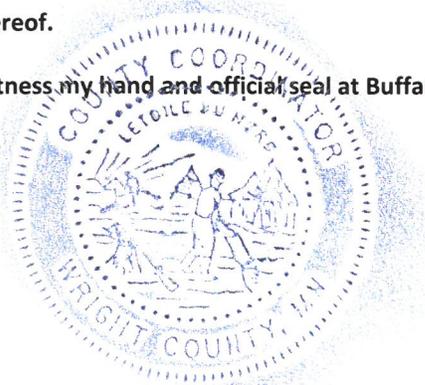
STATE OF MINNESOTA)

ss.

County of Wright)

I, Lee Kelly, duly appointed and qualified County Coordinator of the County of Wright, State of Minnesota, do hereby certify that I have compared the foregoing copy of this resolution with the original minutes of the proceedings of the Board of County Commissioners, Wright County, Minnesota, at their session held on the 18th day of October, 2016, now on file in my office, and have found the same to be a true and correct copy thereof.

Witness my hand and official seal at Buffalo, Minnesota, this 18th day of October, 2016.





Lee Kelly, County Coordinator

ORDINANCE AMENDMENT NUMBER 16-6

THE COUNTY BOARD OF WRIGHT COUNTY HEREBY ORDAINS:

Art. I – Amendments to Chapter 152 Feedlots

Sec. 1

§ 152.025 MINIMUM AREA AND ANIMAL DENSITY.

(A) Minimum of Four Acres. Except as provided in subpart (B) of this section, a minimum area of four acres or such greater area required to meet all setbacks set forth by this chapter and Ch. 155 ~~158~~ of this code of ordinances shall be required for animal feedlot operations. On lots larger than four acres in the A/R, R-1, R-2, R-2a, R-3, S-1, S-2, S-3 and W Zoning Districts, animals shall be allowed at a maximum density of one-half animal unit per acre. In the AG Zoning District, animals shall be allowed at a maximum density of one-half animal unit per acre on parcels of four to ten acres. These restrictions shall not apply to normal farm operations existing prior to the adoption of this chapter or to farms in the AG Zoning District on parcels over ten acres in size. Parcels in the A/R Zoning District are limited to less than ten animal units regardless of parcel size. Parcel size in all districts is determined using all adjoining parcels under common ownership. New feedlots in shoreland, as allowed by 152.031(C), are limited to less than 10 animal units, regardless of parcel size. Livestock shall include those animals listed in § 155.003(B) of this chapter, except for dogs, cats and rabbits as domestic pets.

(B) Fowl and Chickens. Every parcel of property, except for parcels in the R-1 and W zoning districts under 2.5 acres, and notwithstanding any provision to the contrary in §§152.027-152.031 and Chapter 155, shall be allowed to have up to 5 domesticated fowl and 30 chickens, except roosters, provided the following setbacks are met:

(1) Poultry buildings will be setback a minimum of 50 feet from side and rear property lines and 300 feet from the Ordinary High Water Mark of any public body of water.

(2) Road setbacks are as required under Chapter 155; and

(3) Poultry on less than four acres must be contained in a fenced enclosure. The fence must be setback at least 15 feet from all side and rear property lines, and must meet all road setback requirements. The fence must be setback at least 50 feet from the Ordinary High Water Level of a public body of water, provided there is a buffer, as defined under Minn. Stat. § 103F.48, between the fence and the public body of water.

(Ord. 06-02, passed 4-4-2006, amended 10-18-2016)

Sec. 2

§ 152.031 SHORELAND.

(A) New animal feedlots or manure storage areas shall not be located within any area classified as the County Shoreland Zoning District under § 155.057 of this code of ordinances, nor in the bluff impact zones except as allowed in section (C).

(B) Modifications or expansions to animal feedlots that existed as of 10-16-2000, and that are located within any area classified as the County Shoreland District under § 155.057 of this code of ordinances or within a bluff impact zone are allowed, if they do not further encroach into the shoreland setback, do not further encroach on bluff impact zones, if all identified pollution hazards are corrected, and if they obtain a feedlot permit. No feedlot is allowed to expand to a capacity of 1,000 animal units or more or the manure produced by 1,000 animal units or more within the shoreland district.

(C) For parcels meeting the density requirement of section § 152.025 (A), livestock, except for cattle, poultry, and hogs, shall be allowed at a maximum density of one-half animal unit per acre provided the following setbacks and requirements are met:

- (1) All animal structures and feedlots must be 300 feet from the Ordinary High Water Level of all public bodies of water.
- (2) Animals may be located in a pasture that is within 300 feet of the Ordinary High Water Level of a public body of water provided the pasture is fenced so as to prevent animals from coming within 50 feet of the Ordinary High Water Level and there is a buffer, as defined under Minn. Stat. § 103F.48, between the fence and the public body of water.
- (3) The facility must have an animal unit capacity less than 10 animal units at all times. The owner may not establish a feedlot less than 10 animal units and subsequently expand to a feedlot of 10 animal units or more as an existing facility as would otherwise be allowed.
- (4) The owner must complete the Minnesota Pollution Control Agency Notice of Construction or Expansion Form and submit a copy to the County Feedlot Program Administrator and all local zoning authorities.
- (5) The County may request that the owner submit plans and specifications for review.

(Ord. 06-02, passed 4-4-2006, amended 10-18-2016)

Art. 2 – Amendments to the Zoning Ordinance Chapter 155

Sec. 1

§ 155.047 AGRICULTURAL/RESIDENTIAL (A/R).

§155.047(F)(2)(a) is amended as follows:

| Required Setback Distance From Road Centerline | Required Setback Distance from Road Centerline for Livestock Buildings | Road Class |
|--|---|---|
| 130 | 130 | State Highway |
| 130 | 130 | County Road State Aid |
| 65 | 100 | Local Street (Twp. Rd.) |
| 25 | 100 | From right-of-way of cul-de-sac or approved "T" |

Sec. 2

§ 155.048 GENERAL AGRICULTURE (AG)

§ 155.048(F)(2)(a) is amended as follows:

| Required Setback Distance From Road Centerline | Required Setback Distance from Road Centerline for Livestock Buildings | Road Class |
|--|---|---|
| 130 | 130 | State Highway |
| 130 | 130 | County Road State Aid |
| 65 | 100 | Local Street (Twp. Rd.) |
| 25 | 100 | From right-of-way of cul-de-sac or approved "T" |

Sec. 3

§ 155.049 URBAN/RURAL TRANSITIONAL (R-1)

§155.049(F)(2)(a) is amended as follows:

| Required Setback Distance From Road Centerline | Required Setback Distance from Road Centerline for Livestock Buildings | Road Class |
|--|--|---|
| 130 | 130 | State Highway |
| 130 | 130 | County Road State Aid |
| 65 | 100 | Local Street (Twp. Rd.) |
| 25 | 100 | From right-of-way of cul-de-sac or approved "T" |

Sec. 4

§ 155.050 SUBURBAN RESIDENTIAL (R-2)

§155.050(F)(2)(a) is amended as follows:

| Required Setback Distance From Road Centerline | Required Setback Distance from Road Centerline for Livestock Buildings | Road Class |
|--|--|---|
| 130 | 130 | State Highway |
| 130 | 130 | County Road State Aid |
| 65 | 100 | Local Street (Twp. Rd.) |
| 25 | 100 | From right-of-way of cul-de-sac or approved "T" |

Sec. 5

§ 155.051 SUBURBAN RESIDENTIAL (R-2a)

§155.051(F)(2)(a) is amended as follows:

| Required Setback Distance From Road Centerline | Required Setback Distance from Road Centerline for Livestock Buildings | Road Class |
|--|---|---|
| 130 | 130 | State Highway |
| 130 | 130 | County Road State Aid |
| 65 | 100 | Local Street (Twp. Rd.) |
| 25 | 100 | From right-of-way of cul-de-sac or approved "T" |

Sec. 6

§ 155.088 NUISANCES

§155.088(B) is amended as follows:

(B) *Livestock and animals.*

(1) ~~All parcels of property shall comply with the regulations and density requirements for livestock and feedlots as regulated in Chapter 152. In all zoning districts, livestock, poultry and farm animals shall not be allowed on any lots or parcels smaller than four acres. On lots larger than four acres in the A/R, R-1, R-2, R-2(a), R-3, S-1, S-2, S-3 and W Districts, animals shall be allowed at a maximum density of one half animal unit per acre. Parcels in the A/R District and all Residential Districts are limited to less than ten animal units total regardless of acreage. These restrictions shall not apply to normal farm operations existing prior to the adoption of this chapter or to farms in the AG District on parcels over ten acres in size. Livestock shall include those animals listed in § 155.003(B) of this chapter, except for dogs, cats and rabbits as domestic pets.~~

(2) Any building or open feedlot enclosure, not to include pastures, in which livestock are kept shall be a distance of 100 feet or more from any other parcel. These regulations shall not apply to normal farm operations which existed prior to the adoption of this chapter; provided, no expansion shall take place, except in accord with these regulations.

(3) In all districts, the manure from livestock and domestic pets shall be properly treated and disposed with best management practices, and not allowed to accumulate in any manner which may cause public health problems.

(4) The County Board may order the owner of any animals to apply for a conditional use permit if it is deemed to be in the interest of the public health, safety or welfare.

(5) Keeping four or more dogs on any parcel for any reason shall be deemed a kennel. Kennels are permitted by conditional use in the AG and A/R Districts only.

Sec. 7

§ 155.103 RULES AND DEFINITION OF HOME EXTENDED BUSINESS.

§155.103 shall be amended as follows:

(A) Business must be located on the homestead of the business operator.

(B) No more than one employee in addition to the owner/operator and family members residing at the homestead.

(C) ~~No outside storage of supplies, equipment or maintenance items;~~ All all work and work related items shall be kept in an enclosed structure. In very limited circumstances, the County Planning Commission may allow for the storage of items in a fully enclosed fence. Trees, plants, and bushes do not qualify as fencing; but these items may be required as part of an overall landscaping plan.

(D) Shall provide two parking spaces per employee ~~of~~ or one space for each 400 square feet of building area, whichever is greater.

(E) Excessive noise levels are prohibited (that which may be considered a nuisance, L10 at 55 dBA decibels as regulated by NPC regulations).

(F) Lot coverage must comply with all zoning standards.

(G) Site must be capable of supporting on-site sanitary facilities, sewer and water.

(H) All effluent consisting of any liquid, gaseous or solid waste substance resulting from any process of manufacturing (i.e., sewage or industrial waste) shall not be discharged into the soil, water or air unless it is at a location determined appropriate by the County Planning Commission, Planning Staff and/or Minnesota Pollution Control Agency.

(I) The operator must properly dispose of all waste including, but not limited to, garbage, decayed wood, sawdust, shavings, bark, lime, sand, ashes, oil, tar, chemicals, offal and all other substances.

(J) Working hours shall be set by the County Planning Commission.

(K) A business sign shall be permitted which is no larger than 35 square feet; it may not be illuminated.

(L) If located on a township road and determined necessary by the town board, a letter of agreement containing any dust control measures determined necessary by the township shall be provided prior to issuance of the conditional use permit and renewed annually (January 1 of every year).

(M) All posted road limits shall be obeyed.

(N) Distance from building to next residence shall be at least 500 feet.

(O) Must be outside of platted areas.

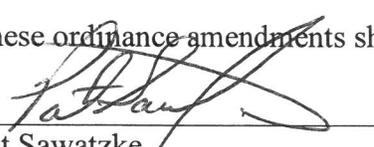
(P) Building shall be no larger than 2,000 square feet.

(Q) After four founded nuisance or permit violation complaints have been made and verified with written notice to the holder of the conditional use permit or at any time upon the written request of the town board a hearing shall be called to re-consider the conditional use permit within 60 days.

(R) Building must conform to present buildings and to neighborhood.

Effective Date:

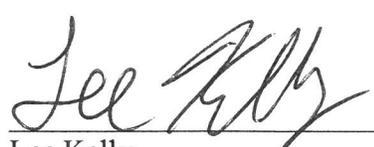
These ordinance amendments shall be immediately effective upon adoption and publication.



Pat Sawatzke
Chair, Wright County Board of Commissioners

ATTEST:

Approved: 10/18/2016



Lee Kelly
Wright County Coordinator