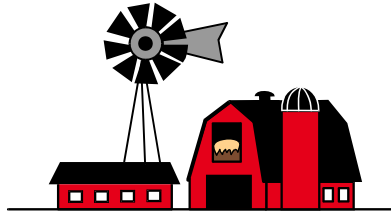


TOWNSHIP COOPERATIVE PLANNING ASSOCIATION

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Rochester, MN 55902

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-- TCPA --

Date: 6/13/2024

To: Oronoco Township Planning Commission
Oronoco Town Board

RE: Oronoco Township Zoning Text Amendment, Articles 3, 5, 8 & 10

Meeting: Monday, June 17, 2024, after 6:00 pm - Oronoco Town Hall, 115 2nd St NW, Oronoco, MN 55960.

Request: The Oronoco Township Planning Commission initiated a Text Amendment to Articles 3, 5, 8 & 10 of their zoning ordinance to further define allowed uses in Agricultural, Commercial and Industrial Districts.

Enclosures:

1. Resolution: _____ to adopt proposed text amendments.
2. Proposed Language of Sections 3, 5, 8 & 10.

Background:

The current version of Oronoco Township's Zoning Ordinance, updated May 19, 2022, is considered too restrictive concerning farming activities in the agricultural districts and not restrictive enough in Commercial and Industrial Districts. The current language has led to undesirable uses that do not meet the intent of the ordinance. This version also erroneously omitted 10.02.5.a.1-5, "Permitted Uses:" & 10.02.C.

Amendment Findings: (staff recommended findings in *italic*)

1. The proposal is consistent with the policies of the Olmsted County General Land Use Plan.

The proposed changes to the Ordinance are consistent with the goals and policies of the Olmsted County General Land Use Plan. The purpose of the text amendment is to allow for greater freedom of farming uses in the agricultural districts and restrict undesirable uses in the other mentioned zoning districts.

2. The amendment is in the public interest.

Amending the ordinance provides the township an opportunity to protect their constituents by restricting uses that may negatively impact the use and enjoyment of neighboring properties.

3. The proposed development is timely based on surrounding land uses, proximity to development, and the availability and adequacy of infrastructure.

This finding does not pertain to the specific text amendment.

4. Proximity to development, and the availability and adequacy of infrastructure.

This finding does not pertain to the specific text amendment.

5. The proposal permits land uses within the proposed district that are appropriate on the property and compatible with adjacent uses and the neighborhood.

This finding does not pertain to the specific text amendment.

6. The proposal does not result in a spot zoning.

This finding does not pertain to the specific text amendment.

7. The proposal is consistent with a General Development Plan for the area, if one exists.

This finding does not pertain to the specific text amendment.

Conclusion:

TCPA staff considers the proposed changes consistent with County regulations and recommends consideration and adoption of said changes.

Enclosure 1
ORONOCO TOWNSHIP
COUNTY OF OLMSTED
STATE OF MINNESOTA

Resolution # _____

WHEREAS, the Oronoco Town Board directed their Planning Commission to review and revise the current Zoning Ordinance dated May 19, 2022 and

WHEREAS, the Oronoco Township Planning Commission reviewed sections 3.00: Zoning Administrator, 3.08: Violations, 5: Agricultural Districts, 8.2: Commercial Services District, 8.4: Highway Commercial District, 8.6: Industrial District, 8.8: Medical Institutional District, and 10.02: Home Based Business, received input from various stakeholders and revised the Zoning Ordinance as appropriate, and

WHEREAS, a notice of public hearing was published in the Township's official newspaper and a Public Hearing was held on June 17, 2024, in the Oronoco Town Hall, 115 2nd St NW, Oronoco, MN, and the Planning Commission took public input on the proposed changes in the Oronoco Township Zoning Ordinance; and recommended approval to their Town Board; and

WHEREAS, having heard the public and duly studied the proposed changes as listed below,

NOW, THEREFORE, BE IT RESOLVED that the Oronoco Town Board does hereby ordain and approve the proposed text amendments to the Oronoco Zoning Subdivision Ordinance attached hereto. The revised Oronoco Township Subdivision Ordinance as shown herein shall take effect on June 10, 2024, following publication of a summary of the changes in the Township's official newspaper.

A motion was made and seconded to approve the text amendments to section 3.00, 3.08, 5, 8.2, 8.4, 8.6, 8.8 & 10.02, as presented. The motion carried, all in favor.

Passed and adopted by the Oronoco Town Board this 15th day of July 2024.

Ken Mergen, Chair

Attest:

Jody Schroeder, Clerk

Distribution:
County Planning
County Recorder
County Law Library
Township Clerk
TCPA

Please return to:
TCPA
4111 11th Ave SW, Room 10
Rochester, MN 55902

Drafted by: TCPA

Section 3.00 ZONING ADMINISTRATOR:

The Zoning Administrator of Oronoco Township shall have the power and duty to administer and advise on enforcement of this ordinance. The Zoning Administrator may designate others to act upon his behalf to administer and advise on enforcement of this ordinance subject to reasonable conditions required by the board.

Section 3.08 VIOLATIONS:

- B. Enforcement: Violations of the provisions of this ordinance will be investigated and resolved in accordance with the provisions of applicable Section(s) of the zoning ordinance/code and Minn. Stat. §366.01 Subd. 10. In responding to a suspected ordinance violation, the Zoning Administrator and (Governing Body) 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 availability to the guilty party. Oronoco Township must act in good faith to enforce these official controls and to correct ordinance violations to the extent possible so as not to jeopardize its eligibility in the National Flood Insurance Program.

ARTICLE V -- AGRICULTURAL DISTRICTS

Section 5.00 A-1 AGRICULTURAL PROTECTION DISTRICT:

The purpose of this district is to maintain, conserve and enhance agricultural land, and natural habitat for plant and animal life. This district is intended to encourage long term agricultural uses and preserve prime agricultural farmland by restricting the location and density of non-farm dwellings and other non-farm land uses. The definition of a farm for this district is "a lot used for agricultural or horticultural uses and comprised of either at least eighty (80) acres or two (2) contiguous and undivided quarter-quarter sections".

A. Permitted Uses:

1. Dwellings:
 - a) Farm: One farm dwelling may be located on a farm. The definition of a farm for this district is "a lot used for agricultural or horticultural uses and comprised of either at least eighty (80) acres or two (2) contiguous and undivided quarter-quarter sections, including the abutting public road right-of-way, if any."
 - b) Non-Farm: One non-farm dwelling may be located upon a buildable non-farm lot (See Section 1.26, b, 2 & 3).
 - c) Farmstead dwelling: One farmstead dwelling may be located upon a non-farm lot in conformance with Section 5.00 D.
2. A second farm dwelling or mobile home may be placed on the same farmstead as another when the ownership of such farm exceeds a size of eighty (80) acres of contiguous land and provided that the residents of both dwellings are owners, operators or employees of said farm.
3. General Farming: Including the raising of crops, livestock, poultry, dairying, horticulture, apiculture, sod farming, and similar agriculturally or forestry related uses. A proposed new feedlot must be located one quarter (1/4) mile or more from the nearest corner of a non-farm dwelling, church, school, or property line of a public park to the nearest corner of the feedlot enclosure.
4. Farm drainage systems, flood control and watershed structures and erosion control devices meeting all county, state and soil conservation district minimum regulations.
5. Railroad right-of-ways, but not including freight classification yards and buildings.
6. One seasonal roadside stand where the use is located on a farm, the volume of any road providing driveway access to the use is less than 1,500 vehicles per day, and the posted speed limit on any road providing driveway access to the use is 60 mph or less, provided that:
 - a) adequate off street parking is available; and
 - b) the road authority approves of the access and location.
 - c) No more than one thirty-two (32) square foot sign advertising the stand shall be permitted for each street or road frontage.

7. Forest and game management areas.
8. Home business occupations as regulated in Section 10.02.
9. Accessory structures and uses customarily incidental to any of the above permitted uses when located on the same property.
10. Landspreading sites provided the following standards are complied with:
 - a) The applicant and landspreading site comply with MPCA Rules, Chapter 7040, as administered by the Minnesota Pollution Control Agency.
11. Small non-utility wind energy conversion system.
12. WECS meteorological towers.

B. Conditional Uses: (See Section 4.02, Conditional Use)

1. One mobile home as a second dwelling on a lot, under one or more of the following circumstances.
 - a) When there is a need to provide services to residents of either of the dwellings for reasons of physical or mental condition; or
 - b) When all adult residents of either of the dwellings are sixty (60) years of age or older; or;
 - c) When at least one of the adult occupants of each dwelling is employed at least seasonally in general farming activities carried out on the parcel; or
 - d) When at least one of the adult occupants of each dwelling has at least a partial ownership interest in the parcel.
2. Public utility buildings such as substations, transformer stations and regular stations without service or storage yards.
3. Public parks and buildings.
4. Churches and community buildings.
5. Personal-use airports, as defined in Minnesota Rules 8800.1300 Subpart 2, including landing fields and platforms, hangars, masts, and other facilities for the operation of aircraft not engaged in air commerce. [Private airports for restricted or public use are addressed as a conditional use in the Agricultural/Resource Commercial – Land Intensive Low Impact District.].
6. Communications towers and structures, including radio and television and commercial wireless telecommunications services and towers.
7. One seasonal roadside stand not meeting the criteria described in Section 5.00 A (6), provided that:
 - a) adequate off street parking is available, and
 - b) The road authority approves of the access and location.

- c) No more than one thirty-two (32) square foot sign advertising the stand shall be permitted for each street or road frontage.
 8. Temporary uses not to exceed one year.
 9. Animal feedlots exceeding 100 animal units, as regulated in Section 10.26.
 10. Kennels
 11. Stables for the commercial boarding of animals on parcels under 35 acres in area.
 12. Riding academies
 13. Private parks and open space uses, including hiking areas, trails for cross country skiing, picnic facilities, and similar activities, but not to include camping or other overnight lodging, nor motorized recreational vehicles, such as dirt bikes, motorcycles, snowmobiles, and so on.
 14. Licensed Shooting Preserves
 15. Landspreading facilities and landspreading sites not meeting the requirements of Section 5.00 A (11) of the Olmsted County Zoning Ordinance.
 16. Accessory structures and uses customarily incidental to any of the above conditional uses when located on the same property.
 17. Bed and Breakfast, provided that it is located within the principal dwelling of an existing farmstead, as an accessory use on a parcel of which the principal use is general farming, and that it is located at least $\frac{1}{4}$ mile from a feedlot not located on the farm parcel. If the parcel is smaller than 35 acres, the operator shall demonstrate that the parcel with the proposed use is part of a commercially viable agricultural operation. The minimum lot size for the proposed use shall be 5 acres.
 18. Licensed farm winery as a year-round accessory use on a parcel of which the principal use is viticulture.
 19. Other uses similar to those uses described as permitted or conditional uses in Section 5.00 (A) or (B).
 20. Small utility wind energy conversion system (SWECS). **Meteorological towers may be a part of the system.**
 21. Home business as regulated in Section 10.02, where Section 10.02 directs consideration as a conditional use.
 22. Solar energy farm (photovoltaic systems)
 23. Compost, Commercial Small Facility
 24. Compost, State of Minnesota Permitted Facility
- C. Standards for Non-Farm Lots or Dwellings: Non-farm lots or dwellings shall be permitted only when they comply with all of the following standards:
1. No more than one non-farm lot per quarter section shall be permitted. Should a quarter section contain a buildable non-farm lot, no additional dwelling shall be permitted.

2. Any non-farm lot shall contain at least one (1) acre of non prime agricultural soils with a crop equivalent rating of 55 or less. When a dwelling, which is not a mobile home, existed in its present location prior to April 16, 1983, this standard does not apply.
3. No non-farm dwelling shall be permitted in areas identified as wetlands or flood plain.
4. No non-farm dwelling shall be located within one-fourth (1/4) mile of an animal feedlot or manure storage facility not located on the same non-farm lot.

Commentary: The purpose of the following section is to permit an existing farm dwelling to be subdivided from a farm subject to the limitations listed as "standards" in the following section:

D. Standards for Farmstead Dwellings: A farmstead dwelling may be created provided the following standards are complied with:

1. A habitable farm dwelling must have legally existed on the farm in a habitable condition as of April 16, 1983.
2. The farmstead dwelling is located within a farmstead boundary.
3. Each parcel containing a farmstead dwelling must contain a minimum area of five (5) acres including the abutting public road right-of-way, if any.
4. A parcel containing a farmstead dwelling shall not contain more than five (5) acres of prime cropland, excluding non-tilled land within the farmstead boundary.
5. Not more than one (1) farmstead dwelling is permitted per farm.
6. If a farm contains more than one dwelling, only one of the dwellings may become a farmstead dwelling; the remaining dwelling or dwellings must remain on a farm parcel or be removed from the parcel.
7. Parcels containing farmstead dwellings shall conform with the yard, area, lot width and access requirements of this ordinance.

E. General District Regulations:

1. Height Regulations: None
2. Front Yard Regulations:
 - a) A minimum front yard depth of not less than forty-five (45) feet shall be provided.
3. Side Yard Regulations:
 - a) A minimum side street yard width of not less than forty-five (45) feet shall be provided.
 - b) A minimum interior yard width of not less than twenty-five (25) feet shall be provided.
4. Rear Yard Regulations:
 - a) A minimum rear yard depth of not less than twenty-five (25) feet shall be provided.
5. Lot Area Regulations:
 - a) Each lot shall have an area of not less than two (2) acres not including the abutting road right-of-way, except when additional lot area is required by the County Health Department to meet the Board of Health regulations.

6. Lot Width Regulations:

- a) Each lot shall have a minimum width of one hundred and fifty (150) feet at the proposed building site.
- b) Each lot shall be provided with either thirty-three (33) feet of frontage along a public road or a recorded private easement of not less than thirty-three (33) feet for access to the building site.

7. Dwelling/Road Regulations:

- a) No dwelling shall be permitted that would require a new public road.

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Section 5.02 A-2 AGRICULTURAL PROTECTION DISTRICT:

The purpose of this district is to maintain, conserve and enhance agricultural lands which are historically valuable for crop production, pasture land, and natural habitat for plant and animal life. This district is intended to encourage long term agricultural uses and preserve prime agricultural farmland by restricting the location and density of non-farm dwellings and other non-farm land uses. The A 2 District does provide a slightly higher density of non-farm dwellings than the A 1 District and is intended to apply to those areas within the comprehensive Plan's "Agricultural Protection Area" and "Agricultural Area" where major agricultural investments, large farms and feedlots are more scattered and greater numbers on non-farm uses or small parcels are present.

The definition of a farm for this district is "a lot used for agricultural or horticultural uses and comprised of at least thirty-five (35) acres".

A. Permitted Uses:

1. Uses permitted in Section 5.00 (A) Permitted Uses, of A-1 Agricultural District. The definition of a farm for this district is "a lot used for agricultural or horticultural uses and (1) comprised of at least thirty-five (35) acres, or (2) comprised of at least an undivided quarter-quarter section, less no more than five acres, including the abutting public road right-of-way to the centerline. However, if the right of way is owned by the road authority in fee simple, then the abutting public right-of-way shall not be included in determining parcel area."

B. Conditional Uses: (See also Section 4.02 Conditional Uses.)

1. Uses permitted in Section 5.00 (B) Conditional Uses, A 1 Agricultural District.
2. Solar energy farm (photovoltaic systems)
3. Compost, Commercial Small Facility
4. Compost, State of Minnesota Permitted Facility

C. Standards for Non-Farm Lots or Dwellings: Non-farm lots or dwellings shall be permitted only when they comply with all of the following standards:

1. No more than one non-farm lot per quarter-quarter section. Should a quarter-quarter section contain a buildable non-farm lot, no additional dwelling shall be permitted.
2. Any non-farm lot shall contain at least one (1) acre of non prime agricultural soils with a crop equivalent rating of 55 or less. When a dwelling, which is not a mobile home, existed in its present location prior to April 16, 1983, this standard shall not apply.
3. No non-farm dwelling shall be permitted in areas identified as wetlands or flood plain.
4. No non-farm dwelling shall be located within one-fourth (1/4) mile of an animal feedlot or manure storage facility not located on the same non-farm lot.

Commentary: The purpose of the following section is to permit an existing farm dwelling to be subdivided from a farm subject to the limitations listed as "standards" in the following section:

D. Standards for Farmstead Dwellings: A farmstead dwelling may be created provided the following standards are complied with:

1. A habitable farm dwelling must have legally existed on the farm in a habitable condition as of April 16, 1983.
 2. The farmstead dwelling is located within a farmstead boundary.
 3. Each parcel containing a farmstead dwelling must contain a minimum area of five (5) acres including the abutting public road right-of-way, if any. However, if the right of way is owned by the road authority in fee simple, then the abutting public right-of-way shall not be included in determining parcel area.
 4. A parcel containing a farmstead dwelling shall not contain more than five (5) acres of prime cropland.
 5. Not more than one (1) farmstead dwelling is permitted per farm.
 6. If a farm contains more than one (1) dwelling, only one of the dwellings may become a farmstead dwelling; the remaining dwelling or dwellings must remain on a farm parcel or be removed from the parcel.
 7. Parcels containing farmstead dwellings shall conform with the area, lot width and access requirements of this ordinance.
- E. General District Regulations: The same as Section 5.00 (E) General District Regulations, A-1 Agricultural District.

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Section 5.04 A-3 AGRICULTURAL DISTRICT:

The purpose of the A-3 District is to maintain and conserve agricultural investments and prime agricultural farmland, but to permit some non-farm development at a low density, not to exceed one dwelling unit per 10 acres. This district is intended to be limited to the Comprehensive Plan's "Agricultural Area" and the "Suburban Subdivision Area". The definition of a farm for this district is "a lot used for agricultural or horticultural uses and comprised of at least thirty-five (35) acres".

A. Permitted Uses:

1. Uses permitted in Section 5.00 (A) Permitted Uses, A-1 Agricultural District. The definition of a farm for this district is "a lot used for agricultural or horticultural uses and (1) comprised of at least thirty-five (35) acres, or (2) comprised of at least an undivided quarter- quarter section, less no more than five acres, including the abutting public road right-of-way to the centerline. However, if the right of way is owned by the road authority in fee simple, then the abutting public right-of-way shall not be included in determining parcel area."

B. Conditional Uses: (Also see Section 4.02, conditional Use.)

1. Uses permitted in Section 5.00(B) conditional Uses, and A-1 Agricultural District, except Section 5.00(B) (9) (18).

C. Standards for Non-farm Dwellings: Non-farm dwellings shall be permitted only when they comply with all of the following standards:

1. No more than two (2) dwelling units per quarter-quarter section shall be permitted. Where two (2) dwelling units or buildable non-farm lots, or any combination thereof, exist within a quarter- quarter section, no additional non-farm dwelling shall be permitted.
2. No dwelling unit shall be permitted in areas identified as wetlands or floodplain.
3. Any non-farm dwelling shall be located on at least one-half (1/2) acre of non prime agricultural soils with a crop equivalent rating of 55 or less, or in a wooded area. When a dwelling, which is not a mobile home, existed in its present location prior to April 16, 1983, this standard shall not apply.
4. No non-farm dwelling in an A-3 district shall be located within one- fourth (1/4) mile of an animal feedlot or manure storage facility not located on the same non-farm lot.

Commentary: The purpose of the following section is to permit an existing farm dwelling to be subdivided from a farm subject to the limitations listed as "standards" in the following section:

D. Standards for Farmstead Dwellings: A farmstead dwelling may be created provided the following standards are complied with:

1. A habitable farm dwelling must have legally existed on the farm in a habitable condition as of April 16, 1983.
2. The farmstead dwelling is located within a farmstead boundary.

3. Each parcel containing a farmstead dwelling must contain a minimum area of five (5) acres including the public road right-of-way, if any. However, if the right of way is owned by the road authority in fee simple, then the abutting public right-of-way shall not be included in determining parcel area.
 4. A parcel containing a farmstead dwelling shall not contain more than five (5) acres of prime cropland.
 5. Not more than one (1) farmstead dwelling is permitted per farm.
 6. If a farm contains more than one dwelling, only one of the dwellings may become a farmstead dwelling; the remaining dwelling or dwellings must remain on a farm or be removed from the parcel.
 7. Parcels containing farmstead dwellings shall conform with the area, lot width and acres requirements of this ordinance.
- E. General District Regulations:
1. The same as Section 5.00 (E) General District Regulations, A-1 Agricultural District, except for Subdivision 5, Lot Area Regulations.
 2. Lot Area Regulations: Each lot shall have an area of not less than two (2) acres, not including the road right-of-way, except when additional lot area may be required to meet Board of Health regulations.

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Section 5.06 A.R.C. AGRICULTURAL RESIDENTIAL CLUSTER DISTRICT:

Existing agricultural residential cluster developments approved prior to March 17, 1987, are recognized as separate zoning districts and the plans under which they were approved will continue in force and will be the basis on which any proposed changes will be reviewed. Changes to an approved agricultural residential cluster development will be treated as an amendment procedure referred to in Section 4.00 of this ordinance. No new ARC Districts shall be created.

The following provisions continue to regulate uses with existing ARC District:

- A. Permitted Uses in the A.R.C. Residential Area, Provided the Uses are Located upon Platted Lots of an Approved Subdivision, are as follows:
 - 1. One single-family dwelling per lot.
 - 2. Home occupations as regulated in Section 10.02.
 - 3. Accessory structures customarily incidental to the above permitted uses.
- B. Permitted Uses in the A.R.C. Agricultural/Woodland/Open Space Area are as follows:
 - 1. One single-family dwelling or mobile home per lot (35 acres).
 - 2. General farming, including the raising of crops, horticulture, apiculture, sod farming, forestry, and the raising or keeping of some livestock or poultry; provided that no animal feedlot shall be located within one-half (1/2) mile of a non-farm dwelling.
 - 3. Farm drainage systems, flood control and watershed structures and erosion control devices meeting all county, state and soil conservation district minimum regulations.
 - 4. Railroad right-of-ways, but not including freight classification yards and buildings.
 - 5. Temporary or seasonal roadside stands; provided that adequate off street parking is available, traffic visibility or traffic flows are not adversely affected and not more than one stand per farm. No more than one twenty-five (25) square foot sign advertising the stand shall be permitted for each street or road frontage.
 - 6. Forest and game management areas.
 - 7. Home occupations as regulated in Section 10.02.
 - 8. Accessory structures and uses customarily incidental to any of the above conditional uses when located on the same property.
- C. Conditional Uses in the A.R.C.'s Residential Area are as follows:
 - 1. Public and private schools and parks.
 - 2. Churches and community buildings, including chapels, temples, synagogues, cemeteries and normal accessory buildings for education and living quarters.
 - 3. Temporary uses not to exceed one year.
 - 4. Accessory structures and uses customarily incidental to any of the above uses when located on the same property.

D. Conditional Uses in the A.R.C.'s Agricultural/Woodland/Open Space Area are as follows:

1. Public utility buildings such as substations, transformer stations, and regulator stations without service or storage yards.
2. Commercial radio and television towers and transmitters, provided that the ground area occupied by the tower is securely fenced by at least a six (6) foot high fence.
3. Stables for the commercial boarding of animals on non-farm parcels.
4. Riding academies.
5. Temporary uses not to exceed one year.
6. Accessory structures and uses customarily incidental to any of the above uses when located on the same property.
7. Kennels.
8. One mobile home as a second dwelling on a buildable lot within the ARC comprised of at least thirty-five (35) acres, under one or more of the following circumstances:
 - a) when there is a need to provide health care services to residents of either of the dwellings;
 - b) when all adult residents of either of the dwellings are sixty (60) years of age or older;
 - c) when at least one of the adult occupants of each dwelling is employed full time in general farming activities carried out on the parcel.

E. General District Regulations:

1. Agricultural, Woodland and Open Space Area
 - a) Height Regulations: None.
 - b) Front Yard Regulations:
 - i. A minimum front yard depth of not less than forty-five (45) feet shall be provided.
 - c) Side Yard Regulations:
 - i. A minimum side street yard width of not less than forty-five (45) feet shall be provided.
 - ii. A minimum interior yard width of not less than twenty-five (25) feet shall be provided.
 - d) Rear Yard Regulations:
 - i. A minimum rear yard depth of not less than twenty-five (25) feet shall be provided.
 - e) Lot Area Regulations:
 - i. Each lot shall have an area of not less than thirty-five (35) acres.

f) Lot Width Regulations:

- i. Each lot shall have a minimum width of one hundred and fifty (150) feet at the proposed building site.
- ii. Each lot shall be provided with either thirty-three (33) feet of frontage along a public road or a recorded private easement of not less than thirty-three (33) feet for access to the building site.

2. Residential Areas

a) Height Regulations:

- i. No residential buildings used for dwellings shall hereafter be erected or structure altered to exceed thirty- five (35) feet in height.
- ii. Public or semi public buildings, churches, cathedrals, temples or schools may be erected to a maximum height of fifty-five (55) feet. When such buildings exceed thirty-five(35) feet in height, the setback requirements shall increase at a rate of one (1) foot for each foot of height exceeding 35 feet.

b) Lot Area Regulations:

- i. There shall be a minimum lot size of two (2) acres per new residential dwelling unit, except when additional lot area is required by the County Health Department to meet the Board of Health regulations, but in no case shall the lot exceed five (5) acres in size.

c) Front Yard Regulations:

- i. A minimum front yard depth of not less than forty-five (45) feet shall be provided on all lots adjoining federal, state and county roads.
- ii. A minimum front yard depth of not less than thirty (30) feet shall be provided on lots adjoining local roads and streets.

d) Side Yard Regulations:

- i. A minimum side street yard width of not less than forty-five (45) feet shall be provided on all lots adjoining federal, state and county roads.
- ii. A minimum side street yard width of not less than thirty (30) feet shall be provided on all lots adjoining local roads and streets.
- iii. A minimum interior side yard width of not less than eight (8) feet shall be provided.

e) Rear Yard Regulations:

- i. A minimum rear yard depth of not less than twenty-five (25) feet shall be provided.

- f) Lot Width Regulations:
 - i. Each lot shall have a minimum width of one hundred (100) feet at the front building line, except when the lot is served by public or centralized sewage collection and treatment system, then sixty (60) feet shall be the minimum width at the front building line.

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Section 5.08 A-4 AGRICULTURAL-URBAN EXPANSION DISTRICT:

The intent of the A 4 District is to provide for urban expansion in close proximity to existing incorporated urban centers within Olmsted County, in accordance with the adopted Comprehensive Plan, by conserving land for farming and other open space land uses for a period of time until urban services become available. It is the intent that urban development be deferred in such areas until an orderly transition from farm to urban uses shall be achieved by either the annexation of areas adjacent to the incorporated limits of existent urban centers, or the extension of public or other centralized sewage collection and treatment systems.

A. Permitted Uses:

1. Uses permitted in Section 5.00(A) Permitted Uses, A 1 District as follows: Subdivisions 1 and 5 10.
2. General farming, including the raising of crops, livestock, poultry, dairying, horticulture, apiculture, sod farming, and similar agriculturally related uses; provided that no new animal feedlot shall be established and expanding feedlots shall not exceed 100 animal units.
3. Single-family detached dwelling.
4. Public park facilities.
5. Accessory structures and uses customarily incidental to any of the above permitted uses when located on the same property.

B. Conditional Uses: (Also see Section 4.02, Conditional Uses.)

1. Uses permitted in Section 5.00(B) Conditional Uses, A1 Agricultural District, except Section 5.00 (B) (9) (15), (24) and public park facilities.
- 2.
3. Stables for the commercial boarding of animals on nonfarm parcels
4. Riding academies.
5. Accessory structures and uses customarily incidental to any of the above conditional uses when located on the same property.
6. Solar energy farm (photovoltaic systems).
7. Compost, Commercial Small Facility

Commentary: The purpose of the following section is to permit an existing farm dwelling to be subdivided from a farm subject to the limitations listed as "standards" in the following section:

- C. Standards for Farmstead Dwellings: A farmstead dwelling may be created provided the following standards are complied with:

1. A habitable farm dwelling must have legally existed on the farm in a habitable condition as of April 16, 1983.
2. The farmstead dwelling is located within a farmstead boundary.
3. Each parcel containing a farmstead dwelling must contain a minimum area of five (5) acres including the abutting public road right-of-way to the centerline. However, if the right of way is owned by the road authority in fee simple, then the abutting public right-of-way shall not be included in determining parcel area.
4. A parcel containing a farmstead dwelling shall not contain more than five (5) acres of prime cropland.
5. Not more than one (1) farmstead dwelling is permitted per farm.
6. If a farm contains more than one (1) dwelling, only one of the dwellings may become a farmstead dwelling; the remaining dwelling or dwellings must remain on a farm parcel or be removed from the parcel.
7. Parcels containing farmstead dwellings shall conform with the area, lot width and access requirements of this ordinance.

D. General District Regulations:

1. Height Regulations:

- a) Agricultural Buildings: None
- b) No residential buildings used for dwellings shall hereafter be erected or structurally altered to exceed thirty-five (35) feet in height.
- c) Public or semi public buildings, churches, cathedrals, temples or schools may be erected to a maximum height of fifty-five (55) feet. When such buildings exceed thirty-five
- d) (35) feet in height, the setback requirements shall increase at a rate of one (1) foot for each foot of height exceeding thirty-five (35) feet.

2. Lot Area Regulations:

- a) There shall be a minimum lot size of thirty-five (35) acres per new residential dwelling unit when not served by a public or centralized sewage collection and treatment system, including the abutting public road right-of-way to the centerline. However, if the right of way is owned by the road authority in fee simple, then the abutting public right- of-way shall not be included in determining parcel area.
- b) When a new lot is proposed to be served by a public or centralized sewage treatment system and is located within an area identified as Urban Service Area in the General Land Use Plan, the minimum lot area shall be determined by a special district established under the provisions of Section 8.10 in accordance with the standards in the General Land Use Plan for interim development.

3. Front Yard Regulations:

- a) A minimum front yard depth of not less than forty-five (45) feet shall be provided on all lots adjoining federal, state, and county roads.
- b) A minimum front yard depth of not less than thirty (30) feet shall be provided on lots adjoining local roads and streets.

4. Side Yard Regulations:

- a) A minimum side street yard width of not less than forty-five (45) feet shall be provided on all lots adjoining federal, state, and county roads.
- b) A minimum side street yard width of not less than thirty (30) feet shall be provided on all lots adjoining local roads and streets.
- c) A minimum interior side yard width of not less than eight (8) feet shall be required.

5. Rear Yard Regulations:

- a) A minimum rear yard depth of not less than twenty-five (25) feet shall be provided.

6. Lot Width Regulations:

- a) Each lot shall have a minimum width of one hundred fifty (150) feet of frontage along a public road, except when the lot is served by public or centralized sewage collection and treatment system, then sixty (60) feet shall be the minimum lot width along a public road.

Section 8.2. COMMERCIAL SERVICE DISTRICT (CS):

The purpose of this District is to provide within the Comprehensive Plan Urban Service Area suitable locations for the convenience shopping and personal services of persons residing in relatively close proximity of these commercial facilities. The location of this district should minimize conflicts with residential uses.

A. Permitted Uses:

1. None.

B. Conditional Use: (Also see Section 4.02, Conditional Use.)

1. Retail Trade:

- a. Drug and gift stores.
- b. Gasoline service station without automotive or vehicle repair services.
- c. Grocery and other food stores.
- d. Hardware stores.
- e. Restaurant and other eating establishments not serving alcoholic beverages.
- f. Off-Sale liquor stores.

2. Services:

- a. Attorney, doctor, dentist, financial, insurance, real estate, and similar office uses.
- b. Government buildings.
- c. Licensed health care facilities.
- d. Personal services limited to the following uses: Laundry, dry cleaners, photographic studios, beauty shops, barber shops, shoe repair and funeral services.
- e. Veterinary office and animal clinics.
- f. Gasoline service stations with minor automobile repair services.

3. Private and quasi-public clubs and lodges.

4. Accessory structures and uses customarily incidental to any of the above conditional uses when located on the same property.
 5. One dwelling unit when included as an integral part of the principal building and occupied by the owner or his employee.
 6. Small non-utility wind energy conversion system.
- C. Special Requirements for the Commercial Service District: The above specified stores and businesses shall be subject to the following conditions:
1. Such stores, shops, services or businesses, except gasoline and service stations, shall be conducted entirely within a building.
 2. Such stores, shops, services or businesses shall not exceed a gross floor area of three thousand (3,000) square feet.
- D. General District Regulations:
1. Height Regulations
 - a. No building or structure shall exceed thirty-five (35) feet in height.
 3. Front Yard Regulations:
 - a. A minimum front yard depth of not less than forty-five (45) feet shall be provided.
 4. Side Yard Regulations:
 - a. A minimum side street yard width of not less than forty-five (45) feet shall be provided.
 - b. A minimum interior yard width of not less than twenty-five (25) feet shall be provided.
 5. Rear Yard Regulations:
 - a. A minimum rear yard depth of not less than twenty-five (25) feet shall be provided.
 6. Lot Area Regulations:
 - a. Each lot or parcel shall have an area of not less than two (2) acres, except when additional lot area may be required by the Olmsted County Health Department to meet Board of Health Regulations.

- b. When a new lot is proposed to be served by a public or other centralized sewage treatment system and is located within an area identified as Urban Service Area in the General Land Use Plan, the minimum lot area shall be determined by a special district established under the provisions of Section 8.10 in accordance with the standards in the General Land Use Plan for interim development.
 - c. When a new lot is proposed to be served by a public or other centralized sewage treatment system and is located within an area identified as Suburban Development Area in the General Land Use Plan, the minimum lot area shall be determined by a special district established under the provisions of Section 8.10 in accordance with the standards in the General Land Use Plan for suburban development.
7. Lot Width Regulations:
- a. Each lot shall have a minimum width of two hundred (200) feet at the front building line.
 - b. A lot serviced by a public or other centralized sewage collection and treatment system shall have a minimum lot width of sixty (60) feet at the front building line.
8. Lot Coverage Regulations: Not more than fifty (50%) percent of the lot shall be occupied by buildings or structures. In the Shoreland and River Corridor districts, there shall be not more than thirty (30%) percent allowable lot coverage.
9. Off-Street Parking Regulations: (See Section 10.04.)
10. Bufferyard Regulations: (See Section 10.08.)
- E. Wind Energy Conversion System Standards:
1. The height of the WECS including the blades shall be limited to 200 feet.
 2. The setback is established in Section 10.50(C)(1). The wind turbine is not permitted to be located in a front or side street side yard.
 3. No lighting shall be permitted on the wind turbine, unless required by the Federal Aviation Administration.
 4. The wind turbine shall meet the standards set forth in Section 10.50(E).

Section 8.4. HIGHWAY COMMERCIAL DISTRICT (HC):

This district is intended to provide suitable locations for uses oriented to serving the public and uses requiring large areas of highway frontages oriented closely to urban areas and major transportation routes within the Comprehensive Plan's Urban Service Area. Such development to be developed at standards that will not impair the traffic-carrying capabilities of abutting roads and highways; not result in strip commercial development, and to separate from residential areas and in certain cases from each other, certain commercial uses which have been determined to contribute to a "skid row" or blighting development pattern in adjacent areas.

A. Permitted Uses:

1. None.

A. Conditional Use: (See Section 4.02, Conditional Use.)

1. Retail Trade:

- a. Apparel and accessory stores.
- b. Building materials and hardware stores.
- c. Furniture, home furnishing, antique and appliance stores.
- d. Gasoline service stations and car washes.
- e. Lawn and garden supply stores and nurseries.
- f. Marine, motor vehicle and mobile home dealers and supply stores.
- g. Restaurants and other eating establishments not serving alcoholic beverages.
- h. Auction barns or sales facilities.
- i. Other retail stores and businesses.

2. Services:

- a. Business services, including advertising agencies, cleaning and maintenance services, and similar uses.
- b. Educational facilities.
- c. Government buildings.
- d. Attorney, finance, insurance, real estate, engineering and other office uses.

- e. Doctor, Dentist, veterinarian, and other health care facilities.
 - f. Motor vehicle, body shops, welding and other repair services.
 - g. Personal services, including barber shops, beauty shops, reducing salons, photographic shop, laundry, dry cleaners, funeral services and other similar uses; except saunas, massage parlors and similar uses.
 - h. Moving and storage uses.
 - i. Motels and hotels.
 - j. Home improvement trades, including electricians, plumbers, building contractor shops and services, and other similar uses.
 - k. Entertainment, Adult: Adult bookstores, adult motion picture theaters, adult mini-motion picture theaters, adult massage parlors, adult saunas, adult companionship establishments, adult health clubs, adult cabarets, adult novelty businesses, adult motion picture arcades, adult modeling studios, adult hotel or motel, adult body painting studios, and other adult establishments, located at least 1000 feet from:
 - i. any existing residential zoning district
 - ii. any areas designated for future residential development on any Urban Services Area Land Use Plan
 - iii. any church, school, or youth facility
 - iv. any other adult establishment

For the purposes of this Section this distance shall be a horizontal measurement from the nearest existing residential district boundary, church, school, youth facility or another establishment to the nearest point of the proposed adult establishment.
3. One dwelling unit, when included as an integral part of the principal building or one mobile home occupied by the owner or his employee.
 4. Recreational uses including athletic clubs, tennis or racquet ball clubs, bowling alleys, dance halls, theaters, roller or ice skating rinks, golf driving ranges, and other similar uses.
 5. Storage and wholesale trade.
 6. Small non-utility wind energy conversion system.

7. Recyclable Waste Transfer Facilities, as further regulated by Section 10.53.
8. Any allowed retail or service use over ten thousand (10,000) square feet of floor area.
9. Amusement Parks and race track services.
10. Taverns and other facilities serving alcoholic beverages.
11. Telecommunication towers and transmitters including radio, television, and commercial wireless telecommunications.
12. Accessory structures and uses customarily incidental to any of the above conditional uses when located upon the same property.

B. General District Regulations:

1. Height Regulations: No building or structure shall exceed thirty-five (35) feet in height; provided; however, such height may be increased one (1) foot for each two (2) feet by which the building is set back in excess of the required side and rear yard setback regulations.
2. Front Yard Regulations:
 - a. A minimum front yard depth of not less than forty-five (45) feet shall be provided.
3. Side Yard Regulations:
 - a. A minimum side street yard width of not less than forty-five (45) feet shall be provided.
 - b. A minimum interior yard width of not less than twenty-five (25) feet shall be provided.
4. Rear Yard Regulations:
 - a. A minimum rear yard depth of not less than twenty-five (25) feet shall be provided.
5. Lot Area Regulations:
 - a. Each lot or parcel shall have an area of not less than two (2) acres, except when additional lot area may be required by the Olmsted County Health Department to meet Board of Health Regulations.

- b. When a new lot is proposed to be served by a public or other centralized sewage treatment system and is located within an area identified as Urban Service Area in the General Land Use Plan, the minimum lot area shall be determined by a special district established under the provisions of Section 8.10 in accordance with the standards in the General Land Use Plan for interim development.
 - c. When a new lot is proposed to be served by a public or other centralized sewage treatment system and is located within an area identified as Suburban Development Area in the General Land Use Plan, the minimum lot area shall be determined by a special district established under the provisions of Section 8.10 in accordance with the standards in the General Land Use Plan for suburban development.
6. Lot Width Regulations:
- a. Each lot shall have a minimum width of two hundred (200) feet at the front building line.
 - b. A lot serviced by a public or other centralized sewage collection and treatment system shall have a minimum lot width of sixty (60) feet at the front building line.
7. Lot Coverage Regulations: Not more than fifty (50%) percent of the lot shall be occupied by buildings or structures. In the Shoreland and River Corridor districts, there shall be not more than thirty (30%) percent allowable lot coverage.
8. Off-Street Parking Regulations: (See Section 10.04.)
9. Bufferyard Regulations: (See Section 10.08.)
- C. Wind Energy Conversion System Standards:
1. The height of the WECS including the blades shall be limited to 200 feet.
 2. The setback is established in Section 10.50(C)(1). The wind turbine is not permitted to be located in a front or side street side yard.
 3. No lighting shall be permitted on the wind turbine, unless required by the Federal Aviation Administration.
 4. The wind turbine shall meet the standards set forth in Section 10.50(E).

Section 8.6. INDUSTRIAL DISTRICT (I):

This district is intended to provide industrial areas within the Comprehensive Plan's Urban Service Area at standards that will not impair the traffic-carrying capabilities of abutting roads and highways. The districts are to be located in areas that will ensure a functional relationship among various types of land use.

A. Permitted Uses:

1. None.

B. Conditional Uses: (See Section 4.02, Conditional Uses.)

1. Automobile service stations.
2. Business services; including advertising, disinfecting, and exterminating services, employment agencies.
3. Miscellaneous services; including engineering, architectural, surveying services, accounting, auditing, insurance companies, bookkeeping and labor unions.
4. Manufacturing, compounding and treatment of materials, goods or products from previously prepared materials.
5. Motor freight and air transportation facilities.
6. Moving and storage companies.
7. Printing and publishing companies.
8. Warehousing.
9. Wholesale trade.
10. One dwelling unit, when included as an integral part of the principal building or one mobile home to be occupied by the owner or his employee.
11. Body shops.
12. Building material sales storage yards.
13. Contractors' equipment rental or storage yards.
14. Public utility service buildings and yards, electrical transformer stations, substations, and gas regulator stations.
15. The manufacturing of concrete, cement, lime, gypsum or plaster.

16. Distillation of bone, coal, petroleum, refuse, grain or wood.
 17. The manufacturing or storage of explosive products.
 18. The manufacturing or storage of fertilizers, sulphurous, sulphuric, nitric, carbolic, hydrochloric acids or other corrosive acids or chemicals.
 19. Grain elevators.
 20. Garbage, offal, dead animals, refuse, rancid fats, incineration, glue manufacturing where the processes include the refining or recovery of products from animal refuse or offal.
 21. Livestock sales, stock yards, slaughtering of and processing of animal and fowl.
 22. Petroleum and asphalt refining and manufacturing.
 23. Smelting or refining of materials from ores.
 24. Steam and board hammers; and forging presses.
 25. Storing, curing, and tanning of raw, green or salted hides and skins.
 26. Recycling facilities, auto salvage and junk yards.
 27. Other manufacturing and industrial uses.
 28. Accessory structures and uses when located upon the same property.
 29. Telecommunications towers and transmitters including radio, television, and commercial wireless telecommunications.
 30. Small non-utility wind energy conversion system.
- C. Special Requirements for the (I) Industrial District:
1. All manufacturing, compounding, and treatment of materials, goods or products shall be conducted wholly within a building.
 2. All uses having outdoor storage of materials or products shall screen or conceal at all times such items from adjacent residential properties.
- D. General District Regulations:
1. Height Regulations: No building or structure hereafter erected or altered shall exceed thirty-five (35) feet in height, provided; however, such height may be increased one (1) foot for each two (2) feet by which the building is set back in excess of the required side or rear yard regulations.

2. Front Yard Regulations:

- a. A minimum front yard depth of not less than forty-five (45) feet shall be provided.

3. Side Yard Regulations:

- a. A minimum side street yard width of not less than forty-five (45) feet shall be provided.
- b. A minimum interior yard width of not less than twenty-five (25) feet shall be provided.

4. Rear Yard Regulations:

- a. A minimum rear yard depth of not less than twenty-five (25) feet shall be provided.

5. Lot Area Regulations:

- a. Each lot or parcel shall have an area on not less than two (2) acres, except that additional lot area may be required by the Olmsted County Health Department to meet Board of Health Regulations.
- b. When a new lot is proposed to be served by a public or other centralized sewage treatment system and is located within an area identified as Urban Service Area in the General Land Use Plan, the minimum lot area shall be determined by a special district established under the provisions of Section 8.10 in accordance with the standards in the General Land Use Plan for interim development.
- c. When a new lot is proposed to be served by a public or other centralized sewage treatment system and is located within an area identified as Suburban Development Area in the General Land Use Plan, the minimum lot area shall be determined by a special district established under the provisions of Section 8.10 in accordance with the standards in the General Land Use Plan for suburban development.

6. Lot Width Regulations:

- a. Each lot shall have a minimum width of two hundred (200) feet at the front building line.
- b. A lot serviced by a public or other centralized sewage collection and treatment system shall be a minimum lot width of sixty (60) feet at the front building line.

7. Lot Coverage Regulations: Not more than fifty (50%) percent of the lot shall be occupied by buildings or structures. In the Shoreland and River Corridor districts, there shall be not more than thirty (30%) percent allowable lot coverage.
8. Off-Street Parking Regulations: See Section 10.04.
9. Bufferyard Regulations: See Section 10.08.
10. Wind Energy Conversion System Standards:
 - a. The height of the WECS including the blades shall be limited to 200 feet.
 - b. The setback is established in Section 10.50(C)(1). The wind turbine is not permitted to be located in a front or side street side yard.
 - c. No lighting shall be permitted on the wind turbine, unless required by the Federal Aviation Administration.
 - d. The wind turbine shall meet the standards set forth in Section 10.50(E).

Section 8.8. MEDICAL INSTITUTIONAL DISTRICT (MI):

The purpose of this district is to provide within the Urban Service Area of the Comprehensive Plan suitable locations for medical institutional uses. The location of this district should minimize conflicts with residential and agricultural uses.

A. Permitted Uses:

1. None.

B. Conditional Uses:

1. Hospitals
2. Public health centers
3. Diagnostic centers
4. Treatment centers
5. Rehabilitation centers
6. Nursing homes
7. Medical research facilities
8. Small non-utility wind energy conversion system.

9. Accessory structures and uses customarily incidental to any of the above conditional uses when located on the same property.

C. General District Regulations:

1. Height Regulations: No building or structure shall exceed thirty-five (35) feet in height, provided; however, such height may be increased one (1) foot for each two (2) feet by which the building is set back in excess of the required side and rear yard setback regulations.
2. Front Yard Regulations:
 - a. A minimum front yard depth of not less than forty-five (45) feet shall be provided.
3. Side Yard Regulations:
 - a. A minimum side street yard width of not less than forty-five (45) feet shall be provided.
 - b. A minimum interior yard width of not less than twenty-five (25) feet shall be provided.
4. Rear Yard Regulations:
 - a. A minimum rear yard depth of not less than twenty-five (25) feet shall be provided.
5. Lot Area Regulations:
 - a. Each lot or parcel shall have an area of not less than two (2) acres, except when additional lot area may be required by the Olmsted County Health Department to meet Board of Health Regulations.
 - b. When a new lot is proposed to be served by a public or other centralized sewage treatment system and is located within an area identified as Urban Service Area in the General Land Use Plan, the minimum lot area shall be determined by a special district established under the provisions of Section 8.10 in accordance with the standards in the General Land Use Plan for interim development.
 - c. When a new lot is proposed to be served by a public or other centralized sewage treatment system and is located within an area identified as Suburban Development Area in the General Land Use Plan, the minimum lot area shall be determined by a special district established under the provisions

of Section 8.10 in accordance with the standards in the General Land Use Plan for suburban development.

6. Lot Width Regulations:

- a. Each lot shall have a minimum width of two hundred (200) feet at the front building line.
- b. A lot serviced by a public or other centralized sewage collection and treatment system shall be a minimum lot width of sixty (60) feet at the front building line.

7. Lot Coverage Regulations: Not more than fifty (50%) percent of the lot shall be occupied by buildings or structures. In the Shoreland and River Corridor districts, there shall be not more than thirty (30%) percent allowable lot coverage.

8. Off-Street Parking Regulations: (See Section 10.04.)

D. Wind Energy Conversion System Standards:

1. The height of the WECS including the blades shall be limited to 200 feet.
2. The setback is established in Section 10.50(C)(1). The wind turbine is not permitted to be located in a front or side street side yard.
3. No lighting shall be permitted on the wind turbine, unless required by the Federal Aviation Administration.
4. The wind turbine shall meet the standards set forth in Section 10.50(E).

Section 10.02 HOME BUSINESSES:

- A. In any zoning district where home businesses are authorized, a home business shall comply with the following regulations:
1. Said use shall occupy an area no more than twenty five (25%) percent of the total floor area of the dwelling.
 2. No home business shall require substantial interior or exterior alterations of the dwelling.
 3. No home business shall create emissions, surface or groundwater discharges, odor, dust, noise, electrical disturbances, glare, or vibrations exceeding the standards of the Minnesota Pollution Control Agency measured at the source of the emission or discharge, the property line, or within 500 feet of the nearest neighboring dwelling.
 4. Unless prohibited in the district, a business allowed as a conditional use in the RC, CS, HC, or I districts shall be considered for approval as a home business only through the conditional use permit process.
- B. A home business allowed in the R-A, R-1, R-2, or RSD Districts shall comply with the following regulations, in addition to the requirements of Section 10.02 A.
1. No person shall be employed other than a member of the household residing on the premises.
 2. The home business shall be conducted entirely within buildings, including the dwelling and no more than one accessory structure, and may involve the use of no more than one accessory structure exclusively for storage.
 3. Signage shall be limited to one (1) non-illuminated identifying sign measuring not more than two square feet in area.
 4. No business shall be permitted as a home business that is allowed as a conditional use in the RC, CS, HC, or I districts.
 5. The following businesses may be permitted as a home business in the RA, R-1, R-2, or RSD Districts:
 - a) Permitted Uses:
 1. Attorney, doctor, dentist, financial, insurance, real estate, engineering, advertising agencies, artist, or photographic studios, and similar professional office uses.
 2. Personal services limited to the following uses: beauty shops, barber shops, clothing rental, fitness coaching, photographic studios, cleaning and garment services except for dry cleaning and coin laundries.
 3. Production of apparel, fabric, quilts, furniture, and similar goods on

the premises.

4. Retail trade of goods produced on the premises, as an incidental use associated with another non-retail home business use, or as an office and storage use where sales activity is conducted off-premises (such as home-based distributorships).
5. Repair services typically conducted within dwellings, such as jewelry and watch repair.

b) Conditional Uses:

1. All other home businesses not listed above as permitted uses shall be considered through the conditional use permit process, except that no business shall be permitted as a home business that is allowed as a conditional use in the RC, CS, HC, A/RC (8.09), A/RC (8.09.2), MI, or I districts.

C. A home business allowed in the A-1, A-2, A-3, or A-4 Districts shall comply with the following regulations, in addition to the requirements of Section 10.02 A.

1. The following businesses may be permitted as a home business:

a) Permitted Uses:

1. Attorney, doctor, dentist, financial, insurance, real estate, engineering, advertising agencies, artist or photographic studios, and similar professional office uses.
2. Veterinary services offices.
3. Personal services limited to the following or similar uses: beauty shops, barber shops, clothing rental, fitness coaching, photographic studios, cleaning and garment services except dry cleaning and coin laundries.
4. Production of apparel, fabric, quilts, furniture, and similar goods on the premises.
5. Retail trade of goods produced on the premises, or as an incidental use associated with another non-retail home business use, or as an office and storage use where sales Article X Page 4 508C activity is conducted off-premises (such as a home-based distributorships).
6. Repair services typically conducted within dwellings, such as jewelry and water repair.
7. Motor vehicle repair, body shops, welding and other repair services.
8. Offices and storage for plumbing, electrical, and similar trades.

b) Conditional Uses:

1. A business allowed as a conditional use in the RC, CS, HC, or I districts or in the district of residence shall be considered for approval as a home business only through the conditional use permit process.

2. All other home businesses not listed above as permitted uses shall be considered only through the conditional use permit process.
 3. Any business listed above proposing to have more than two vehicles used in connection with the home occupation stored or stopped on the premises, or any business proposing to use a vehicle other than a Two-Axle, Six-Tire Single Unit Vehicle, as defined by the Federal Highway Administration.
- D. A home business allowed as a permitted use on a parcel smaller than 35 acres in area in the A-1, A-2, A-3, or A-4 Agricultural Districts shall comply with the following regulations.
1. No person shall be employed other than a member of the household residing on the premises.
 2. Said use shall not occupy an area of more than twenty five (25%) percent of the total floor area of the dwelling and not more than one accessory structure with a floor area of 2,400 square feet or less.
 3. Outside storage of material or equipment or display of merchandise is permitted only on paved surfaces and shall not exceed 2,000 square feet.
 4. The total impervious surface area devoted to the home business shall not exceed 5,000 square feet including outside storage, parking areas, and accessory structure.
 5. Signage shall be limited to one (1) non-illuminated identifying sign measuring not more than 32 square feet in area.
- E. A home business allowed as a permitted use on a parcel of 35 acres or more in the A-1, A-2, A-3, or A-4 Agricultural Districts shall comply with the following regulations.
1. No person shall be employed other than a member of the household residing on the premises.
 2. Said use shall not occupy an area of more than twenty five (25%) percent of the total floor area of the dwelling and not more than one accessory structure with a floor area of 5,000 square feet or less.
 3. Outside storage of material or equipment or display of merchandise is permitted only on paved surfaces, shall not exceed 5,000 square feet, and shall be screened from view from adjacent residences.
 4. The total impervious surface area devoted to the home business shall not exceed 10,000 square feet including the portion of the dwelling used for the home business, outside storage and parking areas, and the accessory structure.
 5. Signage shall be limited to one (1) non-illuminated identifying sign measuring not more than 32 square feet in area.

- F. A home business may be permitted as a conditional use in the A-1, A-2, A-3, or A-4 Agricultural Districts on a parcel of 35 acres or more, provided it complies with the following regulations.
1. No more than five full time equivalents (FTE) shall be employed who are not members of the household residing on the premises.
 2. Said use shall not occupy an area of more than twenty five (25%) percent of the total floor area of the dwelling and not more than one accessory structure with a floor area of 5,000 square feet or less.
 3. Outside storage of material or equipment or display of merchandise may be permitted on an unpaved surface, provided it is managed to control dust and is screened from view from adjacent residences.
 4. The total impervious surface area devoted to the home business including outside storage, parking areas, and accessory structure shall be limited to the minimum necessary to conduct the use, but not more than 20,000 square feet or 10% of the lot area, whichever is less.
 5. Signage shall be limited to one (1) non-illuminated identifying sign measuring not more than 32 square feet in area.
- G. A home business may be permitted as a conditional use in the A-1, A-2, A-3, or A-4 Agricultural Districts on a parcel smaller than 35 acres in area, provided it complies with the following regulations.
1. No more than five full time equivalents (FTE) shall be employed who are not members of the household residing on the premises.
 2. Said use shall not occupy an area of more than twenty five (25%) percent of the total floor area of the dwelling and not more than one accessory structure with a floor area of 5,000 square feet or less.
 3. The total impervious surface area devoted to the home business including outside storage, parking areas, and accessory structure shall be limited to the minimum necessary to conduct the use, but not more than 20,000 square feet or 10% of the lot area, whichever is less.
 4. Signage shall be limited to one (1) non-illuminated identifying sign measuring not more than 32 square feet in area.