

# **CHAPTER 11: RURAL RESIDENTIAL DISTRICT "R"**

## **SECTION 1101: PURPOSE**

To provide a district for low density single family detached residential dwelling units and their directly related, complementary uses.

## **SECTION 1102: PERMITTED USES**

1. Single family dwellings;
2. Limited agriculture, including livestock not to exceed one (1) animal unit per acre to a maximum of 10 animal units;
3. Parks and recreation areas owned and operated by a government agency;
4. Home occupations operated out of the principal dwelling meeting the requirements of section 1610;
5. Day care facility for a maximum of twelve (12) children in a single family residence and which meets the licensing requirements of the State of Minnesota;
6. Minor Essential Services, subject to Section 1711
7. Accessory structures and uses customarily incidental to any of the above permitted uses when located on the same property.

## **SECTION 1103: CONDITIONAL USES**

1. Public or private schools;
2. Churches, chapels, temples, and synagogues;
3. Day care facility for thirteen (13) to sixteen (16) children and which meets the licensing requirements of the State of Minnesota;
4. Golf courses, clubhouses, and golf course accessory buildings;
5. Residential planned unit developments which are intended to be allowed only in those unincorporated villages of the County listed below and subject to the standards specified in section 1624:

Berne  
Concord

Oslo  
Wasioja

6. Major Essential Services
7. Micro-WECS, subject to the standards of Chapter 21.

**SECTION 1104: INTERIM USES**

1. Home Occupation operated out of an accessory structure, subject to section 1610

**SECTION 1105: PERFORMANCE STANDARDS**

1. Special Setbacks
  - a. FROM FEEDLOTS (Amended 6/9/09) All new dwellings (except dwelling of feedlot owner or operator), golf courses, churches, public buildings, public assembly areas, licensed daycare facility and any facility with public water supply well shall be setback one thousand feet (1000') from an existing registered animal feedlot of 30 animals units or more.
  - b. FROM WECS (Amended 10/13/09). The setback for all new dwellings from existing WECS shall be reciprocal and in accordance with the specific performance standards of Chapter 21
2. Lot Area Requirements
  - a. lot area required shall be a minimum of three (3) acres, exclusive of road right-of-way;
  - b. an increase in the minimum lot size shall be required if it is determined that additional area is needed to meet the Dodge County Septic & Wastewater Treatment requirements or any other applicable regulations of the County.
3. Lot Width Requirements
  - a. no minimum lot width requirement.
4. Height Requirements
  - a. no structure shall exceed a height of thirty five (35) feet.

- b. Micro-WECS permitted under a CUP shall be exempt from the height requirements.
5. Front Yard Requirements
- a. there shall be a front yard setback of not less than 50 feet from the right of way line;
  - b. in the instance of a corner lot, there shall be two (2) front yard requirements along the street sides.
6. Side Yard Requirements
- a. there shall be a minimum building setback of 25 feet from the side yard property line.
7. Rear Yard Requirements
- a. there shall be a minimum building setback of 25 feet from the rear yard property line.
8. Tree and/or Shrub Planting Regulations
- a. deciduous and coniferous trees that reach a mature height of twenty five (25') feet or more shall be setback a minimum of twenty five (25') feet from road rights-of-way and all property lines;
  - b. all other trees and shrubs shall be setback a minimum of fifteen (15') feet from road rights-of-way and all property lines.
9. Access Drives
- a. all developments allowed in this district shall conform to the Subdivision Ordinance in regards to the creation and building of streets designed to serve the homes;
  - b. see section 1604 for additional requirements.
10. General Requirements
- a. variance exception: if a building addition does not further encroach upon a public road setback, no variance will be required;

- b. additional requirements for signs, parking, and other uses are set forth in Section 16.

**SECTION 1106: REZONING TO RURAL RESIDENTIAL  
(Amended 2003)**

Land outside the Urban Expansion District and Orderly Annexation Area must be rezoned to "Rural Residential" prior to submitting a subdivision plat. When considering a rezoning request, the County must evaluate compatibility of near-by land uses. The County will also consider if the area can reasonably accomplish the Sustainable Design Principles outlined in the County's Comprehensive Plan. Therefore, a proposed subdivision parcel(s) may be considered for rezoning if it meets all of the following conditions:

1. The proposed subdivision does not take prime farmland out of production, unless it meets the rural residential characteristics criteria in #3 below, which applies to all parcels proposed for Rural Residential subdivision.
2. The proposed subdivision is not located in a Conservation Corridor.
3. The proposed subdivision is located adjacent to or contiguous with an area that has rural residential characteristics defined specifically as:
  - a. A land area with an average existing density \*of one home per eight (8) acres within one-quarter mile extension of the subdivision boundary of the proposed subdivision \*This is calculated by determining the total area within a one-quarter mile extension of the boundary of the proposed subdivision, subtracting the area of the proposed subdivision, then dividing the remaining area by the number of homes in the remaining area. See Exhibit G for an illustration.
  - b. The proposed subdivision may be located adjacent to an existing high use recreation facility such as a golf course, but does not include wildlife management areas, conservation easements, lakes, ponds, streams, scenic areas, historical sites, or rural parkland.
4. The Township has provided a written statement of review and comment, including any issues or concerns, and an overall assessment of the rezoning;
5. Access and roadways must meet the criteria set forth in Section 2006 of the Subdivision Regulations;

6. A setback of one thousand (1,000) feet is required from the nearest boundary of the subdivision permitted under Section 20 of this Ordinance in a rural residential subdivision to a registered feedlot of thirty (30) animal units or more. Amended 6/9/09