

## **CHAPTER 8: AGRICULTURAL DISTRICT "A"**

### **SECTION 8.1 PURPOSE**

The purpose of the Agricultural District is to retain, conserve, and enhance agricultural land in Dodge County and to protect this land from scattered residential development.

### **SECTION 8.2 AGRICULTURAL COVENANT ("AG COVENANT")**

Dodge County views the Agricultural District as a zone in which land is used primarily for Agricultural uses and crop production. When an owner of land in the Agricultural District is legally engaged in an appropriate Agricultural use of a property and is in compliance with Ordinance, permit provisions and/or other applicable regulations for the Agricultural use, then such use is a part of "normal and accepted agricultural practices and operations" in Dodge County. Owners, residents, and other users of property in this district may be inconvenienced from, exposed to, or impacted by *normal and accepted agricultural practices and operations*, including but not limited to: noise, odors, dust, operation of machinery of any kind including aircraft, flying debris, the storage and disposal of manure, and the application of fertilizers, soil amendments, herbicides, and pesticides. Owners, residents, and users of property within the Agricultural District should be prepared to accept such inconveniences, exposure or impacts from *normal and accepted agricultural operations*, and are hereby put on official notice that this declaration may prevent them from obtaining a legal judgment against such normal agricultural operations.

The Ag Covenant applies to all non-agricultural uses located in the Dodge County's Agricultural District, listed in this Chapter. For all non-agricultural uses which are required to obtain a CUP or IUP, the Ag Covenant is required to be signed, notarized and separately recorded in the Dodge County Recorder's Office in a manner that will cause it to be viewed and acknowledged during title search on all properties located within Dodge County.

### **SECTION 8.3: PERMITTED USES**

- 8.3.1. One single family Primary Dwelling Unit on a individual parcel containing fifty-three (53) acres or more;
- 8.3.2. One split of the existing building site which creates a new parcel containing a building site that is less than fifty-three (53) acres. This split will be counted as new single family Primary Dwelling Unit on less than fifty-three (53) acres and applies towards the density limitation of no more than one (1) dwelling on less than fifty-three acres per quarter section (160 acres) of land. Splits

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shall meet all performance standards and sewage treatment requirements for newly created lots.

8.3.3 Field crops, horticulture, nurseries, greenhouses, and tree farms;

8.3.4 Dairying, livestock raising, and apiaries;

8.3.5 Feed lots up to 500 animal units for which a feed lot permit has been issued by the Minnesota Pollution Control Agency, if needed, and for which performance standards specified in Chapter 16 apply to this use; Amended 6/9/09

<u><b>Animal</b></u>	<u><b>Unit</b></u>	<u><b>500 Animal Units</b></u>
One mature dairy cow	1.4 animal unit	358
One slaughter steer or heifer	1.0 animal unit	500
One horse	1.0 animal unit	500
One swine over 300 pounds	0.4 animal unit	1,250
One swine between 55 and 300 pounds	0.3 animal unit	1,500
One sheep	0.1 animal unit	5,000
One swine under 55 pounds	0.05 animal unit	10,000
One duck	0.02 animal unit	25,000
One turkey	0.018 animal unit	27,778
One chicken	0.01 animal unit	50,000

8.3.6 Wildlife preserves, forest, and wetland management areas;

8.3.7 Home occupations operated out of the principal dwelling,

8.3.8 Public hiking and/or biking trails;

8.3.9 Demolition debris landfill (clean fill), as regulated by Dodge County Solid Waste Ordinance;

8.3.10 Accessory structures and uses customarily incidental to any of the above permitted uses when located on the same property;

8.3.11 Minor Essential Services;

8.3.12 Temporary Meteorological Towers less than two hundred (200) feet in total height and removed in five (5) years or less

8.3.13 Township Halls

8.3.14 Supplemental Agricultural Use Storage

**SECTION 8.4:        CONDITIONAL USES**

- 8.4.1        Related agricultural sales business
- 8.4.2        Grain and feed sales, fertilizer plants, farm implement repair shops, livestock sales barns.
- 8.4.3        Migrant camps
- 8.4.4        Animal feed lots with the number of animal units being 500 or more, see table listed in the permitted use section
- 8.4.5        Major Essential Services
- 8.4.6        Towers, satellite arrays & antennas
- 8.4.7        Airports;
- 8.4.8        Demolition debris land disposal facility, as regulated by Dodge County Solid Waste Ordinance No. 1 and the Minnesota Pollution Control Agency;
- 8.4.9        Land treatment sites for the application of contaminated soils, as regulated by the Minnesota Pollution Control Agency in Minnesota Rules, Chapter 7037
- 8.4.10       Campgrounds;
- 8.4.11       Golf courses and their accessory structures; and
- 8.4.12       Gun clubs and their accessory structures.
- 8.4.13       Commercial Kennels.
- 8.4.14       Cemeteries
- 8.4.15       Wind Energy Conversion Systems (WECS)
- 8.4.16       Local government maintenance facilities
- 8.4.17       Fairgrounds
- 8.4.18       Solar Energy Farms

**SECTION 8.5: INTERIM USES**

- 8.5.1 One Single Family Primary Dwelling Unit on an individual parcel of land less than fifty-three (53) acres, provided:
- A. The quarter section has not previously received a CUP or IUP for a Non-Farm Dwelling, or
  - B. The quarter section had not been previously closed through the creation of a new parcel which contains a dwelling under Section 8.3.2 of Permitted Uses.
  - C. Additional dwelling density may be allowed in a closed quarter section when a township has adopted by resolution specific criteria and a review procedure to determine which land may be suitable for increased density through a public township meeting process. The criteria developed by the township shall be reviewed and approved by the Dodge County Board of Commissioners to ensure consistency with the Comprehensive Land Use Plan, the Purpose of the Agricultural Zoning District and the Dodge County Zoning Ordinance. For townships that do not pursue the option of additional dwelling density per this item, the density limits of the Dodge County Zoning Ordinance apply.
- 8.5.2 One Temporary Second Dwelling Unit for a period of no more than five (5) years, provided:
- A. The quarter section of land does not have an existing active IUP for a Temporary Second Dwelling Unit, or
  - B. The quarter section of land has not previously received a CUP or IUP for a Second Farm or Non-Farm dwelling with a “sunset” provision as a condition of the permit, and
  - C. All performance standards for Temporary Second Dwelling Units listed in Chapter 16 can be met without the need for variances.
- 8.5.3 Quarrying operations, sand and gravel extraction, other mineral or material excavation activities which exceed 50 cubic yards in total
- 8.5.4 Temporary asphalt hot-mix plants or concrete plants utilized for

specific road projects located within Dodge County, on land located outside of an existing mine permitted by Dodge County

8.5.5 Limited Rural Businesses

8.5.6 Meteorological Towers equal to or greater than 200 feet in total height and/or located on site for longer than five (5) years,

8.5.7 Private Kennels

**SECTION 8.6: PERFORMANCE STANDARDS**

8.6.1 GENERAL SETBACKS

Unless there are specific setbacks listed in Chapter 16 of this Ordinance for the *Permitted, Conditional* or *Interim Uses* listed in the Agricultural Zoning District, following general setbacks apply:

<b>DISTANCE FROM: TO: RESOURCE/USE</b>	<b>PRINCIPAL STRUCTURE SETBACK (FT)</b>	<b>ACCESSORY STRUCTURE SETBACK (FT)</b>
Septic/Pump Tank	10'	10'
Drainfield*	20'	20'
Well	3'	3'
Road right of way	50'	50'
Property Line**	25'	10'

\*Under Minnesota Rules Chapters 7080-7083, the distance of a structure to a drainfield may be reduced if it is determined that the structure will not have an adverse affect on the drainfield. The Department SSTS staff shall make the final determination on when this applies.

\*\*For the purposes of constructing or reconstructing existing structures located upon a *Section Line Divided Building Site* defined under Chapter 4, structures divided by, or nonconforming with, the section line may also be considered compliant with this section.

8.6.2 LOT DIMENSIONS

The dimensions listed are considered the minimum dimensions necessary under ideal conditions. Additional, length, width and/or area may be required to accommodate structure setbacks, specific use setbacks, sewage treatment requirements and/or physical constraints which limit the buildable area of the property.

<b>LOT</b>	<b>MINIMUM</b>
Length (ft)	None
Width at setback (ft)	150'
Area* (acres)	3 acres

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\* Area given is exclusive of Road Right-of-Way. For the purposes of constructing or reconstructing existing structures, lots meeting the definition of a *Section Line Divided Building Site* under Chapter 4 may also be considered compliant with this section.

### 8.6.3 IMPERVIOUS SURFACE COVERAGE

Impervious surface coverage shall meet the performance standards of Chapter 16, when applicable.

### 8.6.4 HEIGHT LIMITS

Structures are governed under the performance standard for the use, when identified.

Structures located within an airport zone or located in the Shoreland Overlay District shall comply with the applicable height limitations.