

LAND USE ORDINANCE
FOR
CORINNA TOWNSHIP

Adopted August 21, 2007



Prepared with assistance from the Community Growth Institute
www.communitygrowth.com

CORINNA TOWNSHIP
Land Use Ordinance
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SECTION I - TITLE

This Ordinance shall be referred to and cited as the Corinna Land Use Ordinance, except herein where it shall be cited as the "Ordinance".

SECTION II - AUTHORITY

This Ordinance is established pursuant to the authority granted by Minnesota Statutes, in particular the Municipal Planning Act, Minnesota Statutes Sections 462.351 to 461.364, the Municipal Shoreland Act, Minnesota Statutes Section 394, Minnesota Statutes Sections 462.351 to 462.364, and Policies in Minnesota Statutes, Section 105,115 and 116, and any Amendments thereto. This Ordinance hereby repeals any and all previous land use regulation enacted within the Township.

SECTION III – ADOPTION OF WRIGHT COUNTY ORDINANCE

Pursuant to the authority granted townships by Minnesota Statutes, the Ordinance shall adopt in total the Wright County Zoning Ordinance, Code 0078, as legally enacted and in the exact language in effect on January 1, 2007 as the controlling land use regulation, except as specifically modified in this Ordinance.

References to Wright County or the Wright County Board of Commissioners, where appropriate, shall be held to refer to Corinna Township or the Corinna Town Board, as appropriate. References to the Wright County Planning Commission and the Wright County Board of Adjustment shall be held to refer to the Corinna Township Planning Commission and the Corinna Township Board of Adjustment. References to the County Staff, such as the Zoning Administrator, shall be held to refer to the Corinna Township Staff.

SECTION IV – INTENT AND PURPOSE

The following shall be added to Section 201:

- (7) To preserve the rural character of Corinna Township.
- (8) To effectuate the goals and strategies of the Corinna Township Comprehensive Plan.

SECTION V – DEFINITIONS

The following words, and terms, whenever they occur in this Ordinance, are defined as follows:

1. **Sign Area.** Sign area is calculated as the total area of signage and shall include all area bound by a rectangle that encompasses the markings that comprise the sign. For two-sided signs, each side shall be counted.
2. **Signs, Directory.** A sign erected at an intersection that lists the residences or businesses that reside along the intersecting roadway.
3. **Signs, Portable.** A sign that is intrinsically designed to be moved or a sign that is not permanently affixed to the ground or a building.

4. **Speech, Commercial.** Speech done on behalf of a company or individual for the intent of making a profit. It is economic in nature and usually has the intent of convincing the audience to partake in a particular action, often purchasing a specific product or service.
5. **Speech, Non-commercial.** Any speech that is not commercial, as defined in this Code.
6. **Temporary.** A use or structure that lasts longer than three days and is discontinued within 14 days. Any use or structure existing longer than 14 days, except where specifically provided for in this Ordinance, shall be considered permanent unless a specific date of discontinuation, agreeable to the Planning and Zoning Administrator to be reviewed by the Planning Commission, has been submitted, in writing, to the City or a specific date has been established by Conditional Use Permit.

SECTION VI – NON-CONFORMING USES

The language from Section 405.1, 405.2, and 405.3 shall be omitted.

Any structure or use legally existing upon the effective date of the adoption of this Ordinance and which does not conform to the provisions of the Ordinance may be continued subject to the following:

1. No such structure or use shall be expanded, enlarged or intensified except in conformity with the provisions of this Ordinance, with consideration for variances thereto.
2. If a non-conforming structure is damaged, by any cause, to an extent where the repair costs exceed 50% of its assessed value immediately prior to damage, the structure may be replaced with a structure of exact dimensions provided a permit is applied for within 180 days of when the property was damaged. Where no land use permit has been applied for within 180 days of when the property was damaged, then the structure or its replacement shall thereafter conform to this Ordinance.
3. Any nonconformity, including the lawful use or occupation of land or premises existing at the time of the adoption of this Code, may be continued, including through repair, replacement, restoration, maintenance or improvement so long as the structure or use is not expanded. Replacement of a non-conforming structure will not be allowed where the nonconformity or occupancy has been discontinued for a period of one year or more. Any structural repairs or replacement of non-conforming structures shall require a land use permit.
4. A lawful, non-conforming use may be changed to lessen the non-conformity of use. Once a non-conforming use has been changed, it shall not thereafter be altered to increase the non-conformity.

A feedlot that is non-conforming because of excessive animal unit numbers, existing prior to 1981 on a residential parcel or June 1995 on A/R or AG parcels, may be continued provided that the number of animal units does not increase. Whenever a non-conforming feedlot has reduced its animal unit numbers over a period of more than one year to a lesser number of animal units, such animal unit numbers shall not thereafter be increased.

SECTION VII – BOARD OF ADJUSTMENT

The language from Section 502.1 and 502.2 shall be omitted.

7.1 AUTHORITY

The Board of Adjustment shall be granted the following authority under the terms of this ordinance:

- A.** The Board of Adjustment shall hold hearings on the issuance of variances and make recommendations to the Town Board. Variances to be considered are limited to those relating to the terms of this Ordinance, including restrictions placed on nonconformities.
- B.** The Board of Adjustment shall have the authority to decide appeals from the review of any order, requirement, decision or determination made by any administrative official charged with the enforcement of this Ordinance.
- C.** The Town Board shall make the final decision on all recommendations of the Board of Adjustment and shall hear all appeals from decisions where the Board of Adjustment is normally the final authority.

7.2 BOARD OF ADJUSTMENT MEMBERSHIP

The Board of Adjustment shall consist of members of the Planning Commission.

7.3 APPOINTMENT/TERMS

Terms shall be concurrent with the terms of Planning Commission members.

7.4 OFFICERS/DUTIES

Same as for the Planning Commission.

7.5 COMPENSATION AND MILEAGE

Same as for the Planning Commission.

7.6 MEETINGS/QUORUMS

Regular meetings will be held concurrent with the Planning Commission.

SECTION VIII – PLANNING COMMISSION

The language from Section 503 shall be omitted.

8.1 PLANNING COMMISSION PURPOSE

The Planning Commission shall be designated as the board to review all plats, planned unit developments, zoning map amendments, and amendments to the zoning ordinance text and to make recommendations regarding such to the Town Board which shall have final approval authority. The

Planning Commission shall be designated as the board to review and make final decisions regarding conditional use permits.

8.2 MEMBERSHIP

- A. The Planning Commission shall consist of five (5) members and one (1) alternate member, for a total of six (6) members. One member of the Planning Commission may be a member of the Town Board. The alternate member may only vote where a regular member is absent or is abstaining from voting.
- B. All members of the Planning Commission shall be residents of the township.

8.3 APPOINTMENT/TERMS

- A. Each year appointment of Planning Commission members shall be made by the Town Board and such appointment shall become effective at the first meeting of the Planning Commission in February.
- B. Up to three (3) members shall be subject to appointment each year.
- C. Each member of the Planning Commission shall be appointed for a term of three (3) years.
- E. Vacancies shall be filled through appointment by the Town Board for only the duration of the un-expired term.
- F. Nonperformance of duty or misconduct in office shall constitute grounds for dismissal by the Town Board. Nonperformance shall include attendance at less than eighty percent (80%) of regularly scheduled Planning Commission meetings.

8.4 OFFICERS/DUTIES

- A. Officers of the Planning Commission shall be a Chairperson, Vice-Chairperson and other officers as needed.
- B. Officers shall be elected by the Commission at the first regular meeting held in February.
- C. In the event of a resignation of an Officer, the Planning Commission shall fill the vacancy.
- D. The Chairperson shall preside at all meetings. He/She shall meet with the Zoning Administrator prior to each meeting to review old and new business.
- E. The Vice-Chairperson shall assume the responsibilities of the Chairperson when he/she is unable to serve.

8.5 COMPENSATION AND MILEAGE

- A. Planning Commission members may receive per diem as may be allowed by the Town Board.

8.6 MEETINGS/QUORUMS

- A. Meetings will be held as needed, with a preference for a monthly schedule. The meeting night shall be set by a majority vote of the respective Board. In the event of a conflict with holidays or other events, the Chairperson may change the date with proper notice.
- B. Special meetings may be called by the Chairperson or, in the absence of the Chairperson, the Vice-Chairperson.
- C. All meetings shall be open to the general public and shall follow Roberts Rules of Order, Revised, unless otherwise specified and/or applicable.
- D. A quorum consisting of a majority of duly appointed members shall be present at any meeting in which official action is taken.
- E. A motion from the Board must be made, seconded and passed by a majority in order to decide all questions.
- F. If a vote is not unanimous, a roll call vote shall be taken.
- G. The Chairperson shall vote only in the case of a tie vote or a roll call vote.

8.7 MINUTES AND RECORDING OF THE VOTING

The Planning Commission shall keep minutes of proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact and shall keep the records of its examinations and other official actions, all of which shall be a public record. Conditional use permits shall be filed in the Office of the Recorder.

SECTION IX – ZONING AMENDMENTS

Amendments to the Zoning Map shall be made only after consideration of the following criteria:

- A. Preservation of natural sensitive areas.
- B. Present ownership and development.
- C. Soil types and their engineering capabilities.
- D. Topographic characteristics.
- E. Vegetative cover.
- F. Quality of the land for agricultural purposes.
- G. In-water physical characteristics.
- H. Recreational use of surface water.
- I. Road and service center accessibility.
- J. Socio economic development needs of the public.
- K. Availability of public sewer and water utilities.
- L. The necessity to reserve and restore certain areas having significant historical or ecological value.
- M. Conflicts between land uses and impacts of commercial uses or higher densities on adjacent properties.
- N. Alternatives available for desired land use.
- O. Prevention of spot zoning.
- P. Conformance to the Corinna Township Comprehensive Plan.
- Q. Conformance to the Corinna Township Future Land Use Map and any other official

maps of the Township.

SECTION X – PERMITS AND FEES

The language from Section 506.1, Subdivision 2, shall be omitted.

Where building permit application conforms in all respects to this Ordinance, a building permit shall be issued by the Zoning Administrator within 60 days.

State Statutes require that fees shall be established and modified by ordinance, not by reference. As such, the following fees shall apply for applications within Corinna Township:

<u>Building Permits</u>	<u>Fee</u>
<u>Single Family Dwellings:</u>	
-Basement Finish on Existing House	\$100.00
-Temporary Mobile Homes	\$200.00
-Manufactured/Relocated Without Basement	\$450.00
-Manufactured/Relocated With Basement	\$600.00
-Less than \$75,000	\$700.00
-\$75,000-\$100,000	\$850.00
-\$100,000-\$125,000	\$1000.00
-\$125,000-\$150,000	\$1,150.00
-\$150,000-\$175,000	\$1,300.00
-\$175,000-\$200,000	\$1,450.00
-\$200,000-\$225,000	\$1,600.00
-\$225,000-\$250,000	\$1,750.00
-\$250,000-\$275,000	\$1,900.00
-\$275,000-\$300,000	\$2,050.00
-Over \$300,000	Per 1988 UBC
<u>Residential Additions:</u>	
-Less than \$15,000	\$200.00
-\$15,000-\$27,000	\$300.00
-\$27,000-\$39,000	\$400.00
-\$39,000-\$51,000	\$500.00
-\$51,000-\$63,000	\$600.00
-\$63,000-\$75,000	\$700.00
-Over \$75,000	New Dwelling Fee
<u>Decks:</u>	
-Under 100 sq. ft.	\$25.00
-100 to 200 sq. ft.	\$50.00
-Over 200 sq. ft.	\$100.00
<u>Garages:</u>	
-Detached Garages	\$100.00
-Attached Garages	\$200.00

Agricultural Buildings:

-Grain Bins	\$25.00
-All Other AG Buildings	\$50.00
<u>Septic Systems:</u>	
-Holding Tanks	\$100.00
-Monitored Systems	\$300.00
-All Other Systems	\$200.00
<u>Land Use Permits</u>	<u>Fee</u>
<u>Planning Commission:</u>	
-Rezoning	\$300.00
<u>Conditional Use Permits:</u>	
-Gravel Pits	\$500.00
-Subdivision Approval	
-Less than 10 Lots	\$250.00
-10 or More Lots	\$500.00
-1 per 40 Cluster	\$100.00/lot
-Home Extended Business	\$250.00
-Home Occupation	\$200.00
-Move-in Structure	\$300.00
-Farm Accessory Mobile	\$125.00
-Specific Use Permit	\$250.00
-Other, Misc.	\$150.00
<u>Land Alteration:</u>	
-Under 500 cubic yards	\$200.00
-Over 500 cubic yards	\$300.00
-Shoreland under 50 cubic yards	\$150.00
<u>Final Plat</u>	\$200.00 + \$25/lot
<u>Board of Adjustment:</u>	
-Lot Line Adjustment	\$150.00
-Temporary Mobile	\$150.00
-All Other Variances	\$250.00
<u>Other Fees and Services:</u>	
-Deed Restriction/Administrative Orders	\$50.00
-Miscellaneous Site Inspections	\$50.00
-Water Test	\$25.00
-Miscellaneous Services	\$50.00/hr
<u>Commercial Buildings</u>	1988 UBC
<u>EAW/EIS Review</u>	\$500.00

When costs to the Township involved in processing and reviewing an application exceeds the original application fees, the applicant shall reimburse the Township for any additional costs. Such expenses may include, but are not limited to, payroll, mailing costs, consultant fees and other professional services the Township may need to retain in reviewing permits.

SECTION XI – ZONING DISTRICTS AND DISTRICT PROVISIONS

Section 607 and Section 613 are omitted.

11.1 Open Space (O)

1. Purpose and Intent: To provide a zoning classification for preservation of sensitive areas, unique resources and designated non-developable property. Areas such as wetlands, bluffs, threatened and endangered species habitat, historic sites and lands set-aside as part the development process should be zoned as Open Space.
2. Lot, Use and Density Requirements.

There is no minimum lot size associated with the Open Space zoning classification. Setbacks established for the adjacent zoning district shall apply.

3. Mixed Zone Lots.

For a lot crossing an Open Space zoning boundary into another zoning classification, the minimum buildable lot area shall be the same as the non-open space zoning classification with no area credit given for areas zoned Open Space.

4. Permitted Uses

Forestry
Recreational Use
Historic Sites
Horticultural Uses

5. Accessory Uses

None

6. Conditional Uses

None

7. Prohibited Uses

All uses not listed as permitted, accessory or conditional shall be considered prohibited.

SECTION XII – SIGN REGULATIONS

Section 724 is omitted.

12.1 Findings, Purpose and Intent.

1. Findings. The Township hereby finds as follows:
 - A. Exterior signs have a substantial impact on the character and quality of the environment.

- B. Signs provide an important medium through which individuals may convey a variety of messages.
 - C. Signs can create traffic hazards, aesthetic concerns and detriments to property values, thereby threatening the public health, safety and welfare.
2. Purpose and Intent. It is not the purpose or intent of this sign ordinance to regulate the message displayed on any sign; nor is it the purpose or intent of this ordinance to regulate any building design or any display not defined as a sign, or any sign which cannot be viewed from outside a building. The purpose and intent of this article is to:
- A. Regulate the number, location, size, type, illumination and other physical characteristics of signs within the Township in order to promote the public health, safety and welfare.
 - B. Maintain, enhance and improve the aesthetic environment of the Township by preventing visual clutter that is harmful to the appearance of the community.
 - C. Improve the visual appearance of the Township while providing for effective means of communication, consistent with constitutional guarantees and the Township's goals of public safety and aesthetics.
 - D. Provide for fair and consistent enforcement of the sign regulations set for herein under the zoning authority of the Township.

12.2 Required Permits. Except for signs listed in section 10.12, Subdivision 3 and signs placed by the Township, County or State to relate the laws or ordinances, all other signs are considered structures and require a Zoning Permit.

- 1. Exempt Signs. The following signs can be erected without a permit:
 - A. Notwithstanding any other provision of this Ordinance, all signs of any size containing Non-Commercial Speech may be posted in any number from August 1 in a (state) general election year until ten days following the (state) general election and (thirteen) weeks prior to any special election until ten days following the special election.
 - B. Temporary signs for properties where there is construction, sale or rental of the premises are allowable provided they do not exceed 18 square feet in any zone and are removed within 30 days of the completion of construction, sale or rental.
 - C. Temporary signs not exceeding 48 square feet, including banners, streamers and portable signs, are allowed for special events such as grand openings and promotions, provided they are approved in writing by the Zoning Administrator and are not in place more than 14 days during any 90 day period.
- 2. General Provisions.
 - A. Setbacks. Signs shall conform to building yard regulations for the zoning district in which signs are located.
 - B. Placement of signs shall consider protecting sight distance at intersections, driveways and curves.
 - C. Illumination. External illumination for signs shall be so constructed and maintained that the source of light is not visible from the public right-of-way or neighboring residential properties.
 - D. Electrical Signs. Electrical signs must be installed in accordance with the current electrical standards.
 - E. All flashing, revolving and intermittently lighted signs and all portable signs are prohibited, except as specifically allowed in Section 10.2, Subdivision 3.
 - F. Except as hereinafter provided, no signs shall be erected or maintained at any angle to a building or structure so that the sign extends or projects over the street, highway or public right-of-way. No sign which is erected or maintained

flat against any building or structure shall extend or project more than fifteen inches over the street, highway or public right-of-way.

- G. Unauthorized Signs. The following signs are unauthorized signs:
 - a. Any sign, signal, marking or device which purports to be or is an imitation of or resembles any official traffic control device or railroad sign or signal, or emergency vehicle signal, or which attempts to direct the movement of traffic or which hides from view or interferes with effectiveness of any official traffic-control device or any railroad sign or signal.
 - b. Signs painted, attached or in any other manner affixed to trees, rocks or similar natural surfaces, or attached to public utility poles, bridges, towers or similar public structures.
- 3. Signs in Commercial and Industrial Districts
 - A. All signs on a property must be coordinated to create an overall appearance in regards to size and color.
 - B. For properties with an established and operational commercial use, up to 10% of any principle structure façade area which directly abuts and lies generally parallel the road right-of-way or publicly traveled roadway may be dedicated to signage.
 - a. The permitted sign area may be split up into several signs or used for one sign.
 - b. Any attached sign that protrudes from a structure 2 feet or less will be counted as part of the building façade signage.
 - c. Façade area may be transferred from one side to another so long as the area used as signage never exceeds 10% of the side it is on.
 - d. No credit is given for façade area not directly abutting and lying generally parallel the road right-of-way or publicly traveled roadway.
 - C. Each property with an established and operational commercial use is allowed one freestanding sign, if the sign can meet the required setbacks and its placement does not obstruct lines of sight or pedestrian corridors.
 - a. Buildings located in a 45 mile per hour speed zone or higher are allowed up to 96 square feet of freestanding sign that shall not exceed 15 feet in height.
 - b. Buildings located in a less than 45 mile per hour speed zone are allowed up to 64 square feet of freestanding sign and signs for multi-business buildings are allowed an additional 8 square feet for each business after the first.
 - c. The sign may not exceed 10 feet in height.
 - d. For corner lots, one freestanding sign that conforms to these standards is allowed on each roadway.
 - e. Any attached sign that protrudes from a structure more than 2 feet will be considered a freestanding sign.
 - D. When a commercial use is discontinued and a new conforming use is not established within 180 days, all signs on the property shall be removed.
 - E. No signs are allowed on accessory structures.
- 4. Signs in Agricultural and Residential Districts
 - A. Signs shall not be internally or externally lighted but may be reflective.
 - B. No sign shall be larger than 6 square feet, except for a permitted home occupation where 12 square feet is allowed.
 - C. The sign may not exceed 6 feet in height.
 - D. Only one sign per parcel shall be allowed.

5. Directory Signs. To facilitate economic growth and reduce the overall amount of signage within the Township, Corinna Township may, at its discretion, establish and/or provide for directory signs in any zone. Directory signs should be in lieu of other signage, such as an existing off-site sign or signage provided by the Minnesota Department of Transportation or the Wright County Highway Department.
6. Additional Sign Allowances.
 - A. Property owners seeking to display more signs than what is allowed in this section may obtain permission to do so by Conditional Use Permit. Such application for a Conditional Use Permit shall include submittal of a sign concept plan for the entire parcel. In addition to Conditional Use Permit criteria, the basis for approval or denial shall include and evaluation of:
 - a. Necessity of the additional signage,
 - b. Alternatives to additional signage
 - c. Continuity with signage on adjacent parcels
 - d. Aesthetic impacts, and
 - e. Perceived effectiveness of proposed signage.
7. Non-Conforming Signs. It is recognized that signs exist within the zoning districts which were lawful before this Ordinance was enacted, which would be prohibited, regulated or restricted under the terms of this chapter or future amendments. It is the intent of this Ordinance that non-conforming signs shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other signs or uses prohibited elsewhere in the same district. It is further the intent of this sign ordinance to permit legal nonconforming signs existing on the effective date of this Ordinance, or amendments thereto, to continue as legal nonconforming signs provided such signs are safe, are maintained so as not to be unsightly, and have not been abandoned or removed subject to the following provisions:
 - A. No sign shall be enlarged or altered in a way which increases its nonconformity.
 - B. Should such sign or sign structure be destroyed by any means to an extent greater than fifty percent of its replacement cost and no sign permit has been applied for within 180 days of when the property was damaged, it shall not be reconstructed except in conformity with the provisions of this Ordinance.
 - C. Should such sign or sign structure be moved for any reason for any distance whatsoever, it shall thereafter conform to the regulations for the zoning district in which it is located after it is moved.
 - D. When a structure loses its status as a legal non-conforming structure, all signs on the property shall be brought into conformance with this Code within sixty (60) days.
8. Substitution Clause. The owner of any sign which is otherwise allowed by this Ordinance may substitute non-commercial copy in lieu of any other commercial or non-commercial copy. This substitution of copy may be made without any additional approval or permitting. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over non-commercial speech, or favoring of any particular non-commercial message over any other non-commercial message. This provision prevails over any more specific provisions to the contrary.

SECTION XIII – MINING AND EXTRACTION

Section 727 is omitted.

13.1 In all districts where permitted, Mining and Extraction shall be permitted only by CUP. A CUP for Mining and Extraction shall only be issued as a temporary use, the duration of which is directly related to a specific project. Such permit shall include as a condition: site plan, a

completion plan, and a haul route plan with provision for road restoration as provide below. An approved extractive use CUP shall be used solely for the operations detailed in the permit.

13.2 All excavation and extraction shall conform to the following:

- A. Minimum lot size. The minimum lot size required for an extractive use is 20 acres, unless the proposed extraction is contiguous to an active mining site operated by the same producer.
- B. Distance from property lines. No quarrying operation shall be carried on or any stock pile placed closer than 50 feet from any property line, unless a greater distance is specified by the CUP where such is deemed necessary for the protection of adjacent property. This distance requirement may be reduced to 25 feet only with written consent of the owners of the affected adjacent non-residence property. Proof of said agreement shall be submitted as a part of the application and maintained in Township files for all approved CUPs for extractive uses. Without such agreement, the buffer area may be used only under the following circumstances:
 - i. The buffer area may contain the haul road if the Township determines that, for safety purposes, the access to the use is best served in that area.
 - ii. The haul road may be located in the buffer area to avoid wetlands or other sensitive environmental resources.
 - iii. If authorized in an approved reclamation plan, one half of the buffer area may be used for the storage of topsoil and for final sloping. All topsoil storage areas shall be seeded to prevent erosion and dust. Berms, including those consisting of topsoil to be used for reclamation, may be placed in the buffer area, but they shall be seeded and mulched in a manner that prevents dust from blowing onto adjacent properties.
- C. Distance from public right-of-way. In the event that the site of mining or quarrying operation is adjacent to the right-of-way of any public street or road, no part of such operation shall take place closer than 50 feet to the nearest line of such right-of-way.
- D. Fencing. At the discretion of the Planning Commission, fencing may be required to be erected and maintained around the entire site, or excavated portions thereof, and shall be of a type specified in the CUP.
- E. Equipment. All equipment and machinery shall be operated and maintained in such a manner as to minimize dust, noise, and vibration. Power drives or power producing machinery, not including vehicles, shall not be housed or operated less than 500 feet from a residential use district.
- F. Processing. Crushing, concrete mixing, washing, refining, and other similar processing must be authorized by the CUP as an accessory use, provided, however, that such accessory processing does not conflict with the use regulations of the district in which the operation is located. Processing shall not be permitted in any residential district. All processing equipment shall be located at least 500 feet from any residence, 200 feet from the OHW of any lake or stream, and outside of any wellhead protection area. The Township may not approve such accessory uses if they are found to be incompatible with the neighborhood, in conflict with the Township's Comprehensive Plan, or do not meet the review criteria for the conditional use permit.
- G. Depth to groundwater separation. The applicant must indicate the proposed depth to groundwater table in the plan. The proposed extraction shall maintain a minimum separation of five (5) feet.
- H. Water quality. The extractive use operation shall not adversely impact the quality of quantity of surface or groundwater resources as defined by the Minnesota Pollution Control Agency, Minnesota DNR, U. S. Army Corps of Engineers, or the

Minnesota Department of Health. Surface water originating outside and passing through the extraction site shall be of equal quality, at its point of departure from the site, to the water at the point where it enters the extraction site. The applicant shall perform the water treatment necessary to comply with this provision and provide a log of recorded water quality to the Township on a weekly basis.

- I. Waste materials and debris. No waste materials shall be disposed of on site unless authorized by the Township. Stumps, brush, and other natural debris shall be removed or disposed of in accordance with local rules and regulations. Sanitary facilities acceptable to the Township shall be provided for workers during the operation of the extractive use.
 - J. Concurrent permits. All required permits applying to the proposed extractive use, which may include an NPDES permit for stormwater management, shall be obtained and copies submitted to the Township prior to the commencement of any extractive use or related activities.
2. Specific evaluation criteria. In addition to the criteria used in evaluating CUPs, the following specific criteria shall be used in evaluating an application for an extractive use CUP:
 - A. The ability of proposed haul routes to handle the additional traffic generated by the extractive use.
 - B. Air quality, dust, and noise control measures and the ability to limit impact upon adjacent residential properties according to MPCA standards.
 - C. The extent that the proposed extractive use, or its accessory uses, impact the groundwater.
 - D. The ability of the applicant to control erosion and sedimentation that may result from the proposed use.
 - E. The impact on the natural resources contained in the watershed in which the proposed extractive use is located and the ability of the applicant to avoid or mitigate any impacts.
 3. Rehabilitation. To guarantee the restoration, rehabilitation, and reclamation of mined-out areas, every applicant granted an extraction/mining permit as herein provided shall furnish a performance bond running to the Township in an amount to be determined by the Township Engineer, and acceptable to the Planning Commission, as a guarantee that such applicant, in restoring, reclaiming, and rehabilitating such land and haul road, shall, within a reasonable time and to the satisfaction of the Township, meet the following minimum requirements:
 - A. Surface rehabilitation. All excavation areas shall be graded or backfilled to contour and shape the peaks and depressions thereof, so as to produce a gently drained surface that will minimize erosion due to rainfall and which will be in substantial conformity to the adjoining land area. Four (4) inches of black topsoil shall be placed on all disturbed areas. Haul roads shall be restored to their condition prior to the beginning of the extraction operation.
 - B. Vegetation. Vegetation shall be restored by appropriate seeds of grasses and planting of shrubs or trees in all parts of said mining area where such area is not submerged under water as herein provided.
 - C. Banks of excavation not backfilled. The banks of all excavation not backfilled shall be sloped not steeper than a 23 percent grade and said bank shall require the establishment of vegetation.
 - D. Reclamation of extractive use sites and designated haul roads shall be completed within one (1) year after the cessation of operation, unless modified by the CUP.
 4. Application, contents, procedure. An application for such operation shall provide the following information in addition to that required by the CUP process:
 - A. Name of the person or corporation conducting the actual removal operation.

- B. Name of the specific project and the project initiator for which the permit is requested.
- C. Size of the area from which the removal is to be made and the volume of material to be removed.
- D. Type of resources or materials to be removed.
- E. Proposed method of removal and whether blasting or other use of explosives will be required.
- F. Description of equipment to be used, including any proposed accessory uses such as hot mix plants or crushing operations.
- G. Method of rehabilitation and reclamation of the pit area, including timeframe for rehabilitation.
- H. Identification of haul roads and amount of truck activity at highest and average levels on those routes, ADT (average daily total) counts.
- I. Hours of operation, no earlier than 7:00 AM and no later than 7:00 PM.
- J. Expected life of operation.
- K. Types of barriers to be used, if necessary, to ensure the safety of people and livestock residing within proximity to the proposed area of excavation.
- L. Proposed methods of avoidance or mitigation of the impacts on natural resources caused by the proposed use.
- M. Detailed plans indicating anticipated vegetative and topographic alterations.

SECTION XIV – PUBLIC NOTIFICATION

For Conditional Use Permits required as part of this Ordinance, at a minimum, owners of all properties within ½ mile of the subject property shall receive written notification.

Appendix A
Wright County Zoning Ordinance
Code 0078

as of
January 1, 2007