6 NON - INTENSIVE AGRICULTURE (A-1)

6.1 PURPOSE:

The purpose of this district is to provide a buffer to separate more intensive agricultural production practices from incompatible recreational and residential uses. Residential development within this area is discouraged.

6.2 PERMITTED USES:

A. Accessory On-Farm Enterprise (AOFE), subject to performance standards in Section 10.XX.

B. Accessory Solar Energy Systems: Agricultural/Farm Use, subject to performance standards in Section 10.12. ***(AS AMENDED 7 July 2020)***

C. Accessory structures.

D. Single family dwelling. Maximum of two (2) single family dwelling units, provided a six (6) acre minimum lot size, located on an agricultural farm as defined in Section 2.2.

E. Agricultural, horticultural (not including cannabis), aquacultural and silvicultural activities including the pasturing of domestic livestock and exotic animals and birds, and existing animal feedlots.

F. Agricultural structures.

G. Antennae when mounted on a rooftop or along a building or other structure.

H. Existing golf courses and other similar commercial recreational facilities.

I. Farm drainage systems, flood control and watershed/erosion control devices meeting all County, State and Federal minimum regulations.

J. Guest cottage or guest quarter, subject to performance standards in Section 10.8.

K. Home occupations meeting Section 10.9 requirements.

L. Vacation rental use, subject to performance standards in Section 10.30.3.2.a.

M. Parks and playgrounds.

N. Recreational camping vehicles used for seasonal, intermittent recreational or guest use, subject to performance standards in Section 10.15.

O. Special events with a capacity of less than two hundred (200) people, subject to performance standards in Section 10.29.4.D.4, excluding cannabis related events.

P. Non-commercial storage of uninhabited recreational camping vehicles, which are owned by the property owner or immediate family members of the property owner, subject to performance standards in Section 10.15.

6.3 CONDITIONAL USES:

A. Accessory On-Farm Enterprise (AOFE), subject to performance standards in Section 10.XX.

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B. Single family dwelling. More than two (2) single family dwelling units, provided a six (6) acre minimum lot size, located on an agricultural farm as defined in Section 2.2.

C. Manufacturing/Processing-light (including cannabis in accordance with Ordinance 202405).

D. Cemeteries.

E. Educational institutions and incidental uses when situated on the same site or unit of property.

F. Game farms, shooting ranges and commercial hunting establishments.

G. Home occupations.

H. Motor vehicle salvage facility, subject to performance standards in Section 10.14.

I. Municipal wastewater treatment facilities.

J. New or expanded golf courses and other similar commercial recreational facilities characterized by significant open or green space provided that they are partially within or adjacent to a shoreland or residential district and are so laid out as to keep the depth of extension from the boundary of that district into the A-1 district to a minimum.

K. Non-farm single family residential dwelling units to be placed or constructed on land which is woodland, is fallow, or is otherwise untilled or unsuitable for raising crops and which is located as near as practical to existing non-farm residential development, provided, however, that the construction of non-farm single family residential structures is prohibited if the proposed structure will result in more than two residential structures (farm or non-farm) being located within any division, subdivision, or other "split" of any quarter quarter section (40 acres plus or minus fractional amounts to account for survey anomalies, loss to public roadway use, etc.) Prior to the issuance of a conditional use permit for a non farm dwelling, the owner of the property shall be required to sign a statement of acknowledgement containing an "Acknowledgement of Agriculture Protection Zone Designation" disclosure. The acknowledgement shall be on a form provided by the Zoning Administrator and made available to the public. The disclosure forms shall be on file in the office of the Pope County Zoning Administrator.

L. Residential Planned Unit Developments provided that they are partially within or adjacent to a shoreland or residential district and are so laid out as to keep the depth of extension from the boundary of that district into the A-1 district to a minimum. A person who applies for a residential planned unit development shall, not later than ten business days after the application is submitted, provide notice to each owner of agricultural real property within 5,000 feet of the perimeter of the proposed development. The notice may be delivered by first class mail, in person, or by publication in a newspaper of general circulation within the affected area and must include information on the number of residential units. This notice shall not be required if Minnesota Statutes 1998 Section 394.305 is repealed subsequent to the effective date hereof.

M. Restaurants, convenience stores, gas stations, on/off sale liquor sales.

N. Solid waste processing facilities and sanitary landfills provided they meet all applicable County and State laws.

O. New or expanded feedlots requiring a permit or agreement under Minnesota Pollution Control Agency rules or a Verification of Compliance from Pope County with a capacity of up to 200 animal units, subject to performance standards in Section 10.3.

P. Commercial storage units, subject to performance standards in Section 10.6.

Q. Towers, subject to performance standards in Section 10.5.

R. Cannabis Cultivation Facility.

S. Other uses of the same general character as those identified, provided they are uses that are not more concentrated or intensive than the uses identified, produce no greater impact on the neighborhood than those identified, and are not incompatible with existing adjacent uses.

6.4 INTERIM USES:

A. A temporary single family dwelling unit that is to be located within 300 feet of the existing residence for the purpose of home healthcare of immediate family member. An annual inspection is required to validate applicable status.

B. Accessory On-Farm Enterprise (AOFE), subject to performance standards in Section 10.XX.

C. Mining and extraction, subject to performance standards in Section 10.2.

D. Non-confinement feeding areas, subject to performance standards in Section 10.3.

E. Seasonal worker housing.

F. Recreational camping vehicles used either as temporary living quarters or for seasonal, intermittent recreational use greater than ninety (90) days, subject to performance standards in Section 10.15.

G. Solar Energy Systems: Solar Garden or Farm, subject to performance standards in Section 10.12. ***(AS AMENDED 7 July 2020)***

H. Special events with a capacity of more than two hundred (200) people, subject to performance standards in Section 10.29.

I. Vacation rental properties, subject to performance standards in Section 10.30.

J. Other uses of the same general character as those identified, provided they are uses that are not more concentrated or intensive than the uses identified, produce no greater impact on the neighborhood than those identified, and are not incompatible with existing adjacent uses.

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7 AGRICULTURE PROTECTION (A-2)

7.1 PURPOSE:

The purpose of this district is to maintain and enhance agricultural land in the County which is and has historically been farmed, and to protect the agricultural and natural resource land from scattered residential development and land use conflicts resulting from such development. Residential development in this zone is strongly discouraged.

7.2 PERMITTED USES:

A. Accessory On-Farm Enterprise (AOFE), subject to performance standards in Section 10.XX.

B. Accessory Solar Energy Systems: Agricultural/Farm Use, subject to performance standards in Section 10.12. ***(AS AMENDED 7 JULY 2020)***

C. Accessory structures.

D. Single family dwelling. Maximum of two (2) single family dwelling units, provided a six (6) acre minimum lot size, located on an agricultural farm as defined in Section 2.2.

E. Agricultural, horticultural (not including cannabis), aquacultural and silvicultural activities including the pasturing of domestic livestock and exotic animals and birds and including existing animal feedlots and new or expanded feedlot requiring a permit or agreement under Minnesota Pollution Control Agency rules or a Verification of Compliance from Pope County, having a capacity of fewer than 500 animal units, except swine facilities, which are limited to having a capacity of fewer than 300 animal units ***(AS AMENDED 17 JULY 2018)***

F. Agricultural structures.

G. Antennae when mounted on a rooftop or along a building or other structure.

H. Existing golf courses and other similar commercial recreational facilities.

I. Farm drainage systems, flood control and watershed/erosion control devices meeting all County, State, and Federal minimum regulations.

J. Guest cottage or guest quarter, subject to performance standards in Section 10.8.

K. Home occupations meeting Section 10.9 requirements.

L. Vacation rental use, subject to performance standards in Section 10.30.3.2.a.

M. Parks and playgrounds.

N. Recreational camping vehicles used for seasonal, intermittent recreational or guest use, subject to performance standards in Section 10.15.

O. Special events with a capacity of less than two hundred (200) people, subject to performance standards in Section 10.29.4.D.4, excluding cannabis related events.

P. Non-commercial storage of uninhabited recreational camping vehicles, which are owned by the property owner or immediate family members of the property owner, subject to performance standards in Section 10.15.

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7.3 CONDITIONAL USES:

A. Accessory On-Farm Enterprise (AOFE), subject to performance standards in Section 10.XX.

B. Single family dwelling. More than two (2) single family dwelling units, provided a six (6) acre minimum lot size, located on an agricultural farm as defined in Section 2.2.

C. Manufacturing/Processing-light (including cannabis in accordance with Ordinance 202405).

D. Cemeteries.

E. Expansion of existing golf courses.

F. Game farms, shooting ranges, and commercial hunting establishments.

G. Home occupations.

H. Motor vehicle salvage facilities, subject to performance standards in Section 10.14.

I. Municipal wastewater treatment facilities.

J. New and expanded feedlots having a permitted capacity of up to 2000 animal units.

K. Non-farm single family residential dwelling units to be placed or constructed on land which is woodland, is fallow, or is otherwise untilled or unsuitable for raising crops and which is located as near as practical to existing non-farm residential development provided, however, that the construction of non-farm single family residential structures is prohibited if the proposed structure will result in more than one non-farm residential structure being located within any quarter section (160 acres plus or minus fractional amounts to account for survey anomalies, loss to public roadway use, etc.). Prior to the issuance of a conditional use permit for a non farm dwelling, the owner of the property shall be required to sign a statement of acknowledgement containing an "Acknowledgement of Agriculture Protection Zone Designation" disclosure. The acknowledgment shall be on a form provided by the Zoning Administrator and made available to the public. The disclosure forms shall be on file in the office of the Pope County-Zoning-Administrator.

L. Solid waste processing facilities and sanitary landfills provided they meet all applicable County and State laws.

M. Commercial storage units, subject to performance standards in Section 10.6.

N. Towers, subject to performance standards in Section 10.5.

O. Cannabis Cultivation Facility.

P. Other uses of the same general character as those identified, provided they are uses that are not more concentrated or intensive than the uses identified, produce no greater impact on the neighborhood than those identified, and are not incompatible with existing adjacent uses.

7.4 INTERIM USES

A. A temporary single family dwelling unit that is to be located within 300 feet of the existing residence for the purpose of home healthcare of immediate family member. An annual inspection is required to validate applicable status.

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B. Accessory On-Farm Enterprise (AOFE), subject to performance standards in Section 10.XX.

C. Adult oriented use, subject to performance standards in Section 10.1.

D. Mining and extraction, subject to performance standards in Section 10.2.

E. Non-confinement feeding areas, subject to performance standards in Section 10.3.

F. Seasonal worker housing.

G. Recreational camping vehicles used either as temporary living quarters or for seasonal, intermittent recreational use greater than ninety (90) days, subject to performance standards in Section 10.15.

H. Solar Energy Systems: Solar Garden or Farm, subject to performance standards in Section 10.12. ***(AS AMENDED 7 JULY 2020)***

I. Special events with a capacity of more than two hundred (200) people, subject to performance standards in Section 10.29.

J. Vacation rental properties, subject to performance standards in Section 10.30.

K. Other uses of the same general character as those identified, provided they are uses that are not more concentrated or intensive than the uses identified, produce no greater impact on the neighborhood than those identified, and are not incompatible with existing adjacent uses.

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SECTION 8. COMMERCIAL (C) & INDUSTRIAL (I)

8.1 COMMERCIAL (C)

8.1.1 Purpose:

The purpose of this district is to provide a location for commercial uses along a federal, state, county or local road or in locations consistent with those indicated in the Pope County Comprehensive Land Use Plan which may be incompatible with other land uses elsewhere in the county.

All uses are subject to the submittal of a site Stormwater Management Plan, see section 8.3.4. and 10.24 for required performance standards.

8.1.2 Permitted Uses:

A. **Commercial, Group I-Retail and Service Establishments:**

1. Agricultural related equipment sales and service.
2. Automotive sales and sales lots.
3. Auction Facilities, vehicle and equipment.
4. Building materials sales.
5. Equipment rental, sales and service.
6. Convenience stores.
7. Florist shops, plant nurseries (not including cannabis) and garden supplies sales.
8. Manufactured homes and travel trailer sales.
9. Motor or appliance repair shops and showrooms.
10. Seed, fertilizer, feed and petroleum products sales.
11. Retail sales (including Cannabis when in conformance with Ordinance 202405).
12. Wholesale businesses with no outdoor storage (including Cannabis when in conformance with Ordinance 202405).
13. Any similar commercial use not specifically stated, implied or regulated elsewhere in this section, deemed by the Planning Advisory Commission to be of the same general character, as those permitted uses listed in this section.

B. **Commercial, Group II-Professional Facilities and Services:**

1. Athletic clubs, fitness centers, martial arts studios.
2. Contractor's offices, shop and showroom.
3. Daycare, commercial.
4. Hotels, motels, motor lodges and resorts.
5. Mini or seasonal storage facility, subject to performance standards in Section 10.6.
6. Office buildings.
7. Veterinary clinics or offices with no outside kennels.

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8. Any similar commercial use not specifically stated, implied or regulated elsewhere in this section, deemed by the Planning Advisory Commission to be of the same general character, as those permitted uses listed in this section.

C. **Commercial, Group III-Recreational Facilities:**

1. Indoor- Ballrooms, Billiard halls, Ice/Roller Skating facilities, etc.
2. Outdoor-Miniature golf courses, driving ranges, go-cart tracks, water slides, etc.
3. Any similar commercial use not specifically stated, implied or regulated elsewhere in this section, deemed by the Planning Advisory Commission to be of the same general character, as those permitted uses listed in this section.

D. **Commercial, Group IV-Other Uses:**

1. Agriculture, including farm dwellings and agricultural structures, but not including agricultural or commercial feedlots.
2. Essential services, subject to performance standards in Section 10.7.
3. Hobbyist Wind Energy Conversion Systems, subject to performance standards in Section 10.12.
4. Signage structures, subject to performance standards in Section 8.3.7.
5. Any similar commercial use not specifically stated, implied or regulated elsewhere in this section, deemed by the Planning Advisory Commission to be of the same general character, as those permitted uses listed in this section.

E. Expansion, alteration or replacement of existing residential dwellings.

8.1.3 Conditional Uses:

A. Restaurants, Bars, lounges, clubs, lodges, and dance halls (public or private).

B. Car washes (when separate from Auto Service).

C. Gas stations, vehicle service garages and facilities.

D. Kennels.

E. New residential dwellings.

F. Recycling Center in accordance with the Pope County Solid Waste Disposal Ordinance No. 4.

G. Shopping and entertainment malls.

H. Towers, subject to performance standards in Section 10.5.

I. Cannabis Cultivation Facility.

J. Any similar commercial use not specifically stated, implied or regulated elsewhere in this section, deemed by the Planning Advisory Commission to be of the same general character, as those permitted and conditional uses listed in this section.

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8.1.4 Interim Uses:

A. Contractor's storage yards (not to be confused with scrap/dismantling yards).

B. Mining and extraction, subject to performance standards in Section 10.2.

C. Solar Energy Systems: Solar Garden or Farm, subject to performance standards in Section 10.12.

D. Wind Energy Conversion Systems, subject to performance standards in Section 10.12.

E. Any similar commercial use not specifically stated, implied or regulated elsewhere in this section, deemed by the Planning Advisory Commission to be of the same general character, as those permitted uses listed in this section.

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8.2 INDUSTRIAL (I)

8.2.1 Purpose:

The purpose of this district is to provide a location for commercial/industrial uses along a federal, state, county or local road or in locations consistent with those indicated in the Pope County Comprehensive Land Use Plan which may be incompatible with other land uses elsewhere in the county.

All uses are subject to the submittal of a site Stormwater Management Plan, see section 8.3.4. and 10.24 for required performance standards.

8.2.2 Permitted Uses:

A. **Industrial, Group I-Retail and Service Establishments:**

1. Agricultural related equipment sales and service.
2. Automotive sales and sales lots.
3. Auction Facilities, vehicle and equipment.
4. Building materials sales.
5. Equipment rental, sales and service.
6. Convenience stores.
7. Florist shops, plant nurseries and garden supplies sales.
8. Manufactured homes and travel trailer sales.
9. Motor or appliance repair shops and showrooms.
10. Seed, fertilizer, feed and petroleum products sales.
11. Retail sales (including Cannabis when in conformance with Ordinance 202405).
12. Wholesale businesses with no outdoor storage (including Cannabis when in conformance with Ordinance 202405).
13. Any similar industrial use not specifically stated, implied or regulated elsewhere in this section, deemed by the Planning Advisory Commission to be of the same general character, as those permitted uses listed in this section.

B. **Industrial, Group II-Professional Facilities and Services:**

1. Athletic clubs, fitness centers, martial arts studios.
2. Contractor's offices, shop, showroom and storage yards less than 50,000 square feet per storage yard.
3. Daycare, commercial.
4. Hotels, motels, motor lodges and resorts.
5. Office.
6. Veterinary clinics or offices with no outside kennels.
7. Any similar industrial use not specifically stated, implied or regulated elsewhere in this section, deemed by the Planning Advisory Commission to be of the same general character, as those permitted uses listed in this section.

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C. **Industrial, Group III-Manufacturing, Processing and Storage Facilities:**

1. Manufacturing/Processing-light (not including cannabis product).
2. Mini or seasonal storage facility, subject to performance standards in Section 10.6.
3. Warehouse (including Cannabis when in conformance with Ordinance 202405).
4. Feed storage/Grain elevators.
5. Transportation or freight terminal.
6. Any similar industrial use not specifically stated, implied or regulated elsewhere in this section, deemed by the Planning Advisory Commission to be of the same general character, as those permitted uses listed in this section.

D. **Industrial, Group IV-Other:**

1. Accessory Solar Energy Systems: Industrial facility/on-site use, subject to performance standards in Section 10.12. ***(AS AMENDED 7 July 2020)***
2. Agriculture, including farm dwellings and agricultural structures, but not including agricultural or commercial feedlots.
3. Antennae when mounted on a rooftop or along a building or other structure.
4. Experimental Wind Energy Conversion Systems, subject to performance standards in Section 10.12.
5. Signage structures, subject to performance standards in Section 10.XX.
6. Essential services, subject to performance standards in Section 10.7.
7. Recycling Center in accordance with the Pope County Solid Waste Disposal Ordinance No. 4.
8. Any similar industrial use not specifically stated, implied or regulated elsewhere in this section, deemed by the Planning Advisory Commission to be of the same general character, as those permitted uses listed in this section.

8.2.3 Conditional Uses:

A. Agricultural products processing (including cannabis).
B. Alcohol fuel plants.
C. Animal hospitals.
D. Bulk liquid storage.
E. Car washes (when separate from Auto Service).
F. Contractor's offices and storage yards greater than 50,000 square feet per storage yard.
G. Kennels.
H. Manufacturing/Processing (including Cannabis when in conformance with Ordinance 202405):
   1. Heavy.
   2. Intensive.
I. Motor vehicle salvage facilities, subject to performance standards in Section 10.14.

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J. Pawn broker.

K. Restaurants, cafes, bars and taverns.

L. Sewage treatment plants.

M. Single-family housing.

N. Solid waste management facilities in accordance with the Pope County Solid Waste Disposal Ordinance No. 4.

O. Towers, subject to performance standards in Section 10.5.

P. Transfer station.

Q. Truck stops, gas stations, vehicle service garages and facilities.

R. Cannabis Cultivation Facility.

S. Any similar industrial use not specifically stated, implied or regulated elsewhere in this section, deemed by the Planning Advisory Commission to be of the same general character, as those permitted uses listed in this section, provided they are not incompatible with existing adjacent uses.

8.2.4 Interim Uses:

A. Asphalt and concrete mixing plants, portable.

B. Dwelling units for security persons and their families located on the premises where they are employed.

C. Mining and extraction, subject to performance standards in Section 10.2.

D. Solar Energy Systems: Solar Garden or Farm, subject to performance standards in Section 10.12.

E. Wind Energy Conversion Systems, subject to performance standards in Section 10.12.

F. Any similar industrial use not specifically stated, implied or regulated elsewhere in this section, deemed by the Planning Advisory Commission to be of the same general character, as those permitted uses listed in this section, provided they are not incompatible with existing adjacent uses.

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SECTION 10. PERFORMANCE STANDARDS

10.31 CANNABIS BUSINESSES:

10.31.1 Purpose:

The purpose of this section is to establish specific performance standards for Cannabis related businesses in allowed zoning districts, and to protect the safety and welfare of adjacent and surrounding land uses. Where general standards and specific criteria overlap, specific criteria shall supersede general standards.

10.31.2 Performance Standards:

A. All retail-oriented cannabis businesses shall be licensed by and meet the standards prescribed by Minnesota Statute Chapter 342, as well as conform with Ordinance 202405, the Pope County Cannabis Ordinance, or subsequent legislation.

B. All cannabis retail sales/transactions must take place in a permanent, non-transitory, structure.*

C. Cannabis processing facilities must mitigate against the effects of light pollution and odor that may impact adjacent property owners and businesses.

D. In the interest of public health, safety, and welfare, the County reserves the right to establish reasonable conditions to its approval that are found to be necessary to mitigate impacts created by the proposed land use activity.

E. The Administrator may defer action and refer any permit or authorization application to the Board of County Commissioners for determination.

F. Setback Requirements:

1. 100 feet from other licensed cannabis businesses.*
2. 500 feet from residential homes.
3. 1,000 feet from educational institutions.

*Except during a legally licensed and permitted Cannabis Event.

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