



POPECOUNTY

MINNESOTA

POPE COUNTY RESOLUTION 202621

APPROVING AMENDMENTS TO THE

POPE COUNTY LAND USE CONTROLS ORDINANCE

SECTIONS 2.2 DEFINITIONS, 4.6.1-4.6.9 SHORELAND PERFORMANCE STANDARDS, 4.6.13, 5.6.1 ACCESSORY STRUCTURES, 4-8 REVISED LIST OF USES & STANDARDS, 10.8 GUEST COTTAGE & GUEST QUARTERS, 10.10 IMPERVIOUS SURFACE

WHEREAS, Pope County is authorized to carry on county planning and zoning activities in the unincorporated areas of the County pursuant to Minnesota Statute Chapter 394; and

WHEREAS, the Pope County Comprehensive Plan identifies that land use regulations are to be clear, promote greater certainty in the land development process, and be consistent with the goals of the Comprehensive Plan; and

WHEREAS, the Pope County Comprehensive Plan states that there is to be a thorough review of the County's zoning and subdivision ordinances to identify those parts that are unclear or inconsistent with the Comprehensive Plan or other county policies and make the appropriate amendments; and

WHEREAS, the Pope County Shoreland Ordinance (Ordinance #1) was adopted in 1972 and after multiple amendments and additions has subsequently (1999) become known as the Pope County Land Use Controls Ordinance; and

WHEREAS, after a thorough review of the Land Use Controls Ordinance, it was determined that certain edits, modifications and amendments were necessary for consistency, clarity, and to reflect current development practices, changes in land use patterns, and modern construction preferences; and

WHEREAS, the Land & Resource Management staff has identified the need to amend and/or add definitions including accessory structures by distinguishing accessory building structures and appurtenant structures; revising the definition of guest quarters; and adding or revising the definition of vegetative buffer; and

WHEREAS, the Land & Resource Management staff has identified the need to reorganize and revise shoreland performance standards, including lot area and width standards, lots of record, structure placement and setbacks, deck provisions, guest cottage and guest quarter standards, impervious surface standards, controlled access lots, and related shoreland regulations. Reciprocal feedlot setback provisions are relocated without substantive change; and

WHEREAS, the Land & Resource Management staff has identified the need to clarify accessory structure standards by exempting agricultural and appurtenant structures from certain performance standards; and

WHEREAS, the Land & Resource Management staff has identified the need to revise permitted, conditional, and interim uses in the Shoreland, Residential, Agricultural, Commercial, and Industrial Districts; establish standards for standalone dwelling units and accessory dwelling units; revise

controlled access lot provisions; and add educational and religious facilities as conditional uses in the Non-Intensive Agriculture (A-1) and Agriculture Protection (A-2) zoning districts ; and

WHEREAS, the Land & Resource Management staff has identified the need to relocate the Guest Cottage and Guest Quarter standards and the Impervious Surface standards into Section 4.6 Shoreland Performance Standards; and

WHEREAS, these requested amendments, initiated by Land & Resource Management staff, to amend the Land Use Controls Ordinance was considered by the Pope County Planning Advisory Commission, following a series of duly noticed public hearings conducted on October 26, 2023; June 27, 2024; and June 25, 2026; did recommend approval of the requests to the Pope County Board of Commissioners; and

WHEREAS, the public hearing record includes staff reports, staff presentations, written submissions, and public testimony received during the hearing; and

WHEREAS, the Board finds that the proposed amendments are consistent with the Pope County Comprehensive Plan, are consistent with the purposes of Minnesota Statutes Chapter 394, and promote the public health, safety, morals, convenience, order, prosperity, and general welfare of Pope County.

WHEREAS, on July 21, 2026, the Pope County Board of Commissioners, pursuant to a Notice of Intent to amend the Pope County Land Use Controls Ordinance did consider the matter; and

NOW, THEREFORE, BE IT RESOLVED, that the Pope County Board of Commissioners hereby adopts the amendments to Sections 2.2, 4.6.1-4.6.9, 4.6.13, 5.6.1, 4-8, 10.8, and 10.10 of the Pope County Land Use Controls Ordinance; and

BE IT FURTHER RESOLVED, that the Director of the Pope County Land & Resource Management department is directed to make the changes set forth in the Pope County Land Use Controls Ordinance as follows and cause the ordinance amendments to be published and codified in accordance with Minnesota law.

ADOPTED by the Pope County Board of Commissioners this 21st day of July, 2026.


Paul Wildman, County Board Chair

CERTIFICATION

I hereby certify that the above is a true and correct copy of the Resolution duly passed, adopted, and approved by the Pope County Board of Commissioners on the 21th day of July, 2026.


Kersten Kappmeyer, County Administrator
Pope County, Minnesota



Seal

SECTION 2.2: DEFINITIONS

(3) Accessory structure:

a. **Accessory Building Structures:** Any structure which is not the primary dwelling unit, is used for onsite storage of personal belongings or personal use, e.g., garages, barns, sheds, workshops and ADUs.

1. **Agricultural Structure:** A structure whose use is for agricultural purposes, including farm machinery storage, crop storage or housing livestock which is associated with an agriculture operation.

2. **Garage:** A residential, private building or portion of a building, typically associated with a primary dwelling unit, used mainly for the storage of motor vehicles.

3. **Storage Structure/Unit:** A structure used for storage purposes of personal property.

4. **Yard Shed:** A structure meeting the definition of an accessory structure which is less than 144 square feet.

b. **Appurtenant Structures:** Any structure which is ancillary to the primary dwelling, i.e. decks, patios, swimming pools, saunas, etc.

(54) Guest quarter: An area of an accessory structure that contains sleeping space, does not include kitchen facilities, and is not the primary use of the structure.

(130) Vegetative Buffer: an area consisting of well-rooted, perennial, natural vegetation including a mixture of grasses, shrubs and trees, and excluding invasive plants and noxious weeds, which is adjacent to all bodies of water within the state. The purpose for which is to protect the water resources of the state from runoff pollution; stabilizes soils, shores, and banks; and protects or provides riparian corridors.

4.6.1 Lot Area & Width Standards

A. After the effective date of this ordinance, all new lots must meet the minimum lot area and lot width requirements in this section, subject to the following standards:

1. Only lands above the ordinary high water level can be used to meet lot area and width standards.
2. Lot width standards must be met at both the ordinary high water level and at the building line.
3. Residential subdivisions with dwelling unit densities exceeding those listed below are allowed only if designed and approved as residential PUDs under section 10.17 and processed as Conditional Use Permits in accordance with section 11.5 of this ordinance.
4. All lots created must have area available for a minimum of two soil treatment and dispersal areas that are able to fit on a lot configuration meeting the single lot size requirements as described below, unless approved as part of a PUD or cluster development.

B. Minimum Lot Area and Width Standards

Shoreland Zoning District	Type of Dwelling Unit	Riparian Lots		Nonriparian Lots	
		Area	Width	Area	Width
S-GD	Single	20,000 sq ft	100 ft	40,000 sq ft	150 ft
	Duplex	40,000 sq ft	180 ft	80,000 sq ft	265 ft
	2 Standalone Dwelling Units	40,000 sq ft	200 ft	80,000 sq ft	300 ft
	Triplex	60,000 sq ft	260 ft	120,000 sq ft	375 ft
	3 Standalone Dwelling Units	60,000 sq ft	300 ft	120,000 sq ft	450 ft
	Quad	80,000 sq ft	340 ft	160,000 sq ft	490 ft
	4 Standalone Dwelling Units	80,000 sq ft	400 ft	160,000 sq ft	600 ft
S-RD	Single	40,000 sq ft	150 ft	40,000 sq ft	150 ft
	Duplex	80,000 sq ft	225 ft	80,000 sq ft	265 ft
	2 Standalone Dwelling Units	80,000 sq ft	300 ft	80,000 sq ft	300 ft
	Triplex	120,000 sq ft	300 ft	120,000 sq ft	375 ft
	3 Standalone Dwelling Units	120,000 sq ft	450 ft	120,000 sq ft	450 ft

Shoreland Zoning District	Type of Dwelling Unit	Riparian Lots		Nonriparian Lots	
		Area	Width	Area	Width
	Quad	160,000 sq ft	375 ft	160,000 sq ft	490 ft
	4 Standalone Dwelling Units	160,000 sq ft	600 ft	160,000 sq ft	600 ft
S-NE	Single	80,000 sq ft	200 ft	80,000 sq ft	200 ft
	Duplex	120,000 sq ft	300 ft	160,000 sq ft	400 ft
	2 Standalone Dwelling Units	120,000 sq ft	400 ft	160,000 sq ft	400 ft
	Triplex	160,000 sq ft	400 ft	240,000 sq ft	600 ft
	3 Standalone Dwelling Units	160,000 sq ft	600 ft	240,000 sq ft	600 ft
	Quad	200,000 sq ft	500 ft	320,000 sq ft	800 ft
	4 Standalone Dwelling Units	200,000 sq ft	800 ft	320,000 sq ft	800 ft
S-RS	Single	3 acres	250 ft	3 acres	250 ft
	Duplex		375 ft		375 ft
	2 Standalone Dwelling Units		500 ft		500 ft
	Triplex		500 ft		500 ft
	3 Standalone Dwelling Units		750 ft		750 ft
	Quad		625 ft		625 ft
	4 Standalone Dwelling Units		1,000 ft		1,000 ft

4.6.2 Lots of Record:

- A. Shoreland lots of record are those lots which existed in the County Recorder's office prior to April 5, 1972. Development of such lots may be allowed as a building site without variances from lot size requirements, only if it is consistent with Minnesota Statutes, Chapter 394, Section 394.36, Subdivision 5, and provided that:
1. All structure and septic system setback distance requirements can be met;
 2. A Type I sewage treatment system consistent with Minnesota Rules, Chapter 7080, can be installed or the lot is connected to a public sewer; and
 3. The impervious surface coverage does not exceed 25 percent of the lot.

- B. For parcels of less than 10,000 square foot area with existing development, which are located in a shoreland district and which were parcels of record prior to April 5, 1972 the following shall apply:
1. The minimum structure setback from State or County Highway right-of-way is 25 ft.;
 2. The minimum structure setback from other roads and streets is 20 ft.;
 3. The minimum structure setback from side lot property line is 5 ft.;
 4. The minimum sewage system setback from property lines or the road right-of-way is 5 ft.

4.6.3 Placement, Height, and Design of Structures (*AS AMENDED 1 June 2021*)

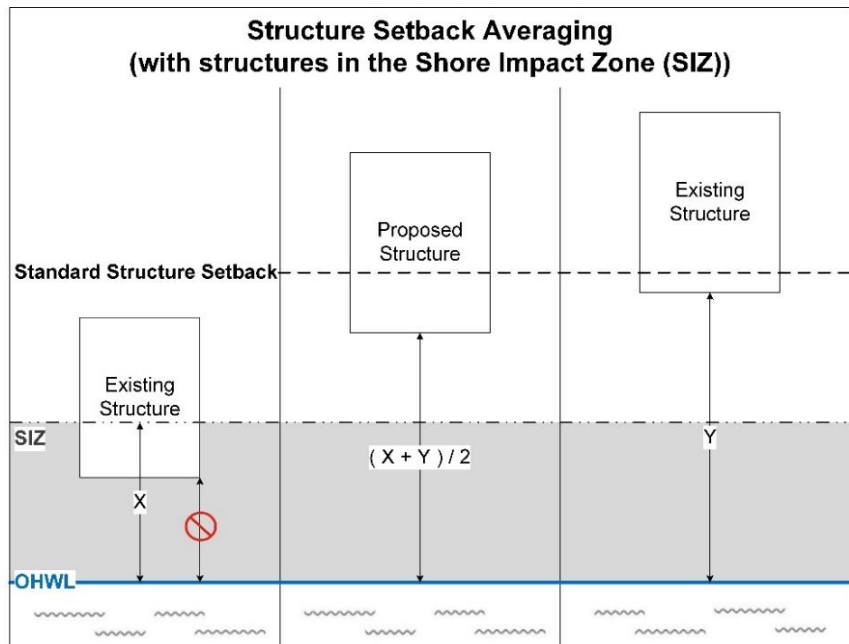
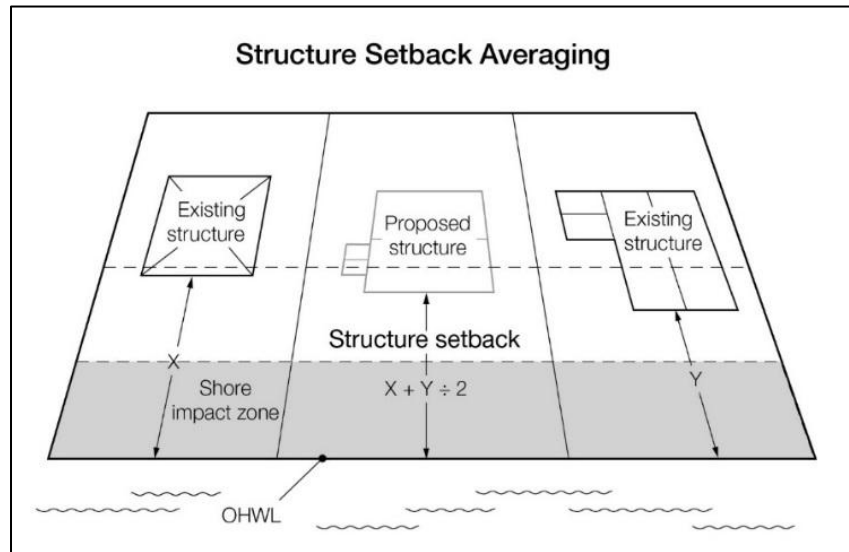
A. **Placement of Structures and Subsurface Sewage Treatment Systems on Lots**

When more than one setback applies to a site, structures and facilities must be located to meet all setbacks, and comply with the following provisions:

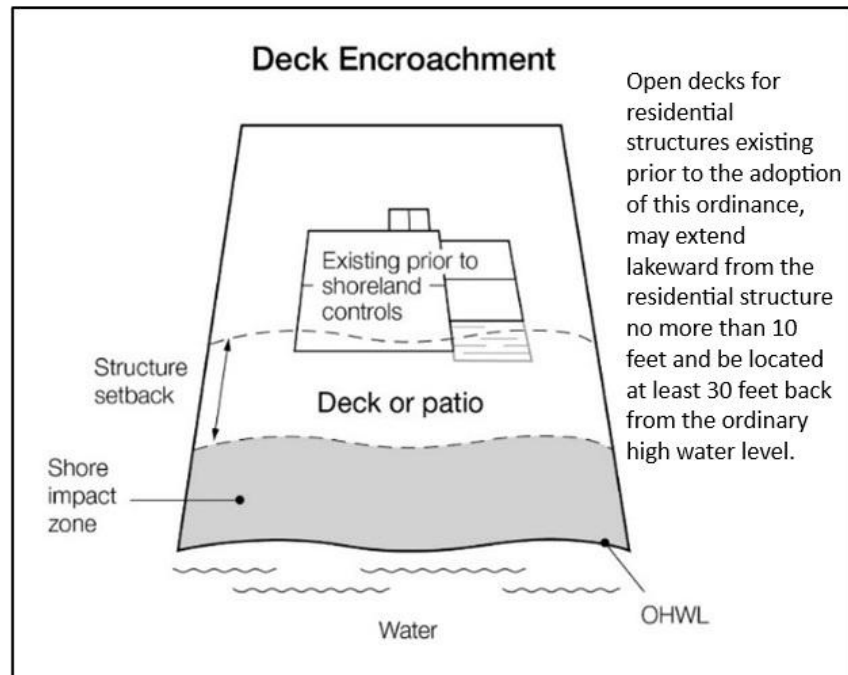
1. **OHWL Setbacks:** Structures, and subsurface sewage treatment systems (SSTS) must meet the following setbacks from the Ordinary High Water Level (OHWL), except that one water-oriented accessory structure, designed in accordance with Section 4.6.17 of this ordinance, may be set back a minimum distance of ten (10) feet from the OHWL:

Zoning District	Structure Setback from OHWL	SSTS Setback from OHWL
S-GD	75 ft	50 ft
S-RD	100 ft	75 ft
S-NE	200 ft	150 ft
S-RS	150 ft	100 ft

2. **Setback averaging:** Where structures exist on the adjoining lots on both sides of a proposed building site, structure setbacks may be altered without a variance to conform to the adjoining setbacks from the OHWL, provided the proposed structure is not located in a shore impact zone or in a bluff impact zone. In reference to the following diagram however, neither x nor y may be a number less than the shore impact zone.



3. **Setbacks of Decks:** Decks may be allowed without a variance to a structure not meeting the required setback from the ordinary high water level if all of the following criteria are met:
- The residential structure existed prior to the adoption of the Pope County Shoreland Management Ordinance (**April 5, 1972**);
 - A thorough evaluation of the property and structure reveals no reasonable location for a deck meeting or exceeding ordinary high water level setback of the structure;
 - There is no roof or other enclosure over the open deck other than normal roof overhang of 3 ft. or less on structures;
 - The open deck meets other setback requirements;
 - The open deck extends lakeward from dwelling no more than 10 ft. and is at least 30 ft. back from ordinary high water mark; and
 - The deck does not constitute any enclosed area either above or below the floor.

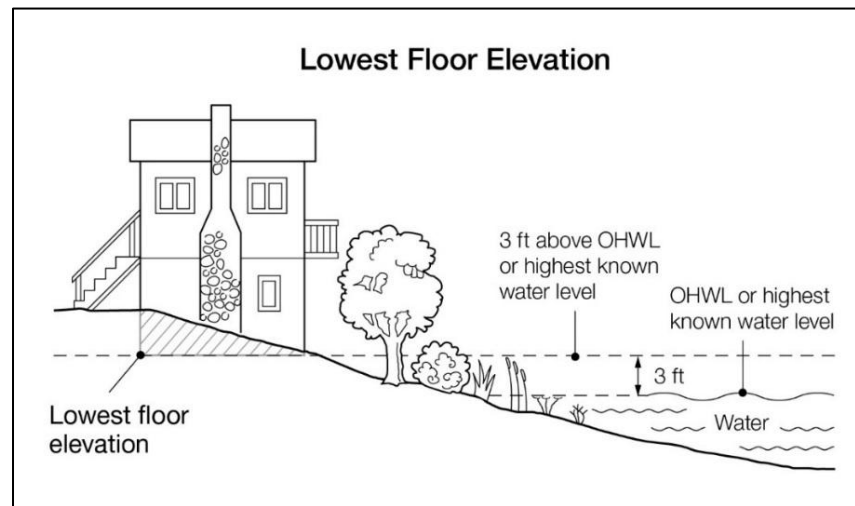


4. **Additional structure setbacks:** Structures must also meet the following setbacks, regardless of the waterbody classification:

Setback from:	Setback
Top of Bluff	30 ft
Side Yard	10 ft
Unplatted cemetery	50 ft

Right-of-way line of federal, state, or county highway	50 ft
Right-of-way line of town road, public street, other legal roads or streets not classified	40 ft
Feedlot Perimeter to Residential Structure	500 ft

5. **Reciprocal Feedlot Setbacks:** These setbacks apply to new structures or uses and do not apply to modifications of additions to established uses. Residential structures which serve farm property upon which feedlots are located are exempt from these requirements. Setbacks which apply across district boundaries shall be governed by the requirements of the district which provide for the largest setback. In all instances involving the setback of a residential use from a feedlot or a feedlot from a residential use, the setbacks shall be consistently applied in a manner which produces a reciprocal setback between the two uses. This section shall not limit the authority of the county to require separation between a planned agricultural development and a residential use greater than the provisions governing setbacks in the general districts as set forth below.
 6. **Bluff Impact Zones:** Structures and accessory facilities, except stairways and landings, must not be placed within bluff impact zones.
- B. **Height of Structures:** All structures, except churches and nonresidential agricultural structures, must not exceed 25 feet in height.
- C. **Lowest Floor Elevation:** Structures must be placed in accordance with any floodplain regulations applicable to the site. Where these controls do not exist, the elevation to which the lowest floor, including basement, is placed or flood-proofed must be determined as follows:
1. For lakes, by placing the lowest floor at a level at least three feet above the highest known water level, or three feet above the ordinary high water level, whichever is higher;
 2. For rivers and streams, by placing the lowest floor at least three feet above the highest known flood elevation. If data are not available, by placing the lowest floor at least three feet above the ordinary high water level, or by conducting a technical evaluation to determine effects of proposed construction upon flood stages and flood flows and to establish a flood protection elevation. Technical evaluations must be done by a qualified engineer or hydrologist consistent with Minnesota Rules, parts 6120.5000 to 6120.6200 governing the management of flood plain areas. If more than one approach is used, the highest flood protection elevation determined must be used for placing structures and other facilities; and
 3. If the structure is floodproofed instead of elevated under items 1 and 2 above, then it must be floodproofed in accordance with Minnesota Rules, part 6120.5900 Subp. 3 (D).



4.6.4 Controlled Access Lots

- A. **Purpose.** To regulate private access to public waters so as to prevent water surface crowding, to reduce fish and wildlife disturbance, to prevent pollution of surface water by suspension of sediment, to maintain property values, and to maintain natural characteristics of shorelands.
- B. Controlled access lots, or parcels of land that provide access to public waters for owners of riparian or nonriparian lots, may be allowed with local government approval, through the subdivision process as specified in Section 10.25 of this Ordinance. Controlled access lots shall meet or exceed the following standards:
1. A controlled access lot shall be suitable in their natural state for the intended activities. All facilities shall be centralized and located in areas suitable for them. Evaluation of suitability shall include, but is not limited to, consideration of land slope, water depth, aquatic and shoreland vegetation, the presence of important fish and wildlife habitat, soils, depth to groundwater and other relevant factors.
 2. Controlled access lots shall meet or exceed the shoreland vegetation buffer standards and have a vegetation management plan approved by the local government.
 3. The lot must meet the area and width requirements for residential lots as specified for the particular shoreland district.
 4. Where more than six subdivision lots are served, the lake frontage width of the controlled access lot shall be increased by 25 percent for each additional subdivision lot in excess of six served.
 5. The impervious surface coverage for controlled access lots must not exceed 12 percent of lot area, and stormwater management shall meet all relative standards.
 6. Permitted activities may include watercraft launching, loading, beaching, mooring, or docking, but shall not include residential or commercial uses.

7. A controlled access lot will be limited to a single mooring facility with continuous watercraft mooring limited to one watercraft per lot served.
8. The use of recreational vehicles and overnight camping is prohibited on controlled access lots.
9. One (1) storage structure shall be allowed per controlled access lot, subject to Section 4.6.13. The following storage structure uses are prohibited: commercial uses and residential uses including, any structure with a dwelling unit.
10. All parking areas, and other facilities should be screened by vegetation or topography as much as practical from view from the public water, assuming summer, leaf-on conditions.
11. The controlled access lot must be jointly owned by all owners/purchasers of lots (riparian and non-riparian) having rights of usage of the access lot and be governed by an owner's association.
12. Covenants or other equally effective legal instruments must be developed that:
 - a. Specify which lot owners have authority to use the access lot;
 - b. Identify what activities are allowed. The activities may include watercraft launching, loading, storage, beaching, mooring, docking, swimming, sunbathing, or picnicking;
 - c. Identify what activities are **not** allowed including but not limited to, overnight camping and storage of vehicles, renting out of the site, etc.
 - d. Limit the total number of vehicles allowed to be parked and the total number of watercrafts allowed to be continuously moored, docked, or stored over water;
 - e. Require all parking areas, storage buildings, and other facilities to be screened by vegetation or topography as much as practical from view of the public water, assuming summer, leaf-on conditions.

4.6.5 Guest Cottage & Guest Quarters

A. Guest Cottage

One guest cottage may be permitted on lots meeting or exceeding the duplex lot area and width dimensions according to this Ordinance, provided the following standards are met:

1. The guest cottage shall meet all requirements, including impervious surface standards, setbacks, adequate septic system capacity or ability to connect to the city sewer system.
2. For lots exceeding the minimum lot dimensions of duplex lots, the guest cottage must be located within an area equal to the smallest duplex-sized lot that could be created including the principal dwelling unit;
3. A guest cottage, including any attached covered structures, must not cover more than 700 square feet of land surface, must be one story and must not exceed 15 feet in height.
4. A guest cottage must be located or designed to reduce its visibility as viewed

from public waters and adjacent shorelands by vegetation, topography, increased setbacks or color, assuming summer leaf-on conditions.

5. Existing boathouses and other detached accessory structures which do not comply with the minimum structure setback standards shall not be converted to a guest cottage.

B. Guest Quarters

One guest quarter per lot shall be permitted provided the following standards are met:

1. Guest quarters shall meet all requirements, including but not limited to adequate septic system capacity or ability to connect to the city sewer system.
2. May be located in a detached accessory structure (i.e., garage), but cannot be a standalone structure.
3. The area dedicated as Guest Quarters must be smaller in area than the uninhabited space, such that it is clearly evident that the Guest Quarters is not the primary use of the building.
4. Guest quarters shall not exceed 700 square feet in size, regardless of the size of the accessory structure wherein they are located.
5. Existing boathouses and other detached accessory structures which do not comply with the minimum structure setback standards shall not be converted to a guest quarters.

4.6.6 Shoreland Administration

The purpose of this section is to identify shoreland administrative provisions to ensure the ordinance is administered consistent with its purpose.

- A. **Variances.** Variances may only be granted in accordance with *Minnesota Statutes, Section 394.27*, are subject to Section 11.6 of this Ordinance, and may not circumvent the general purposes and intent of this ordinance.
- B. **Conditional Uses.** All conditional uses in the shoreland area are also subject to Section 11.5 of this Ordinance, as well as a thorough evaluation of the waterbody and the topographic, vegetation, and soil conditions to ensure:
 1. The prevention of soil erosion or other possible pollution of public waters, both during and after construction;
 2. The visibility of structures and other facilities as viewed from public waters is limited;
 3. There is adequate water supply and on-site sewage treatment; and
 4. The types, uses, and numbers of watercraft that the project will generate are compatible in relation to the suitability of public waters to safely accommodate these watercrafts.
- C. **Mitigation.**
 1. In evaluating all variances, conditional uses, zoning and building permit applications, the zoning authority shall require the property owner to address the following conditions, when related to and proportional to the impact, to meet

the purpose of this ordinance, to protect adjacent properties, and the public interest:

- a. Storm water runoff;
 - b. Reducing impervious surfaces, in conformance with Section 10.24;
 - c. Increasing setbacks from the ordinary high water level;
 - d. Restoration of wetlands;
 - e. Limiting vegetation removal and/or riparian vegetation restoration;
 - f. Provisions for the location, design, and use of structures, sewage treatment systems, water supply systems, watercraft launching and docking areas, and parking areas; and
 - g. For properties with existing sewage treatment systems, a certificate of compliance, consistent with *Minnesota Rules Chapter 7082.0700 Subp. 3*, is required for variance approval. A sewage treatment system shall be considered compliant if the only deficiency is the system's improper setback from the ordinary high water level.
 - h. Other conditions the zoning authority deems necessary.
2. In evaluating plans to construct sewage treatment systems, roads, driveways, structures, or other improvements on steep slopes, conditions to prevent erosion and to preserve existing vegetation screening of structures, vehicles, and other facilities as viewed from the surface of public waters assuming summer, leaf-on vegetation shall be attached to permits.

D. Nonconformities.

1. All legally established nonconformities as of the date of this ordinance may continue, but will be managed according to *Minnesota Statutes, Sections 394.36 Subd. 5* and this Ordinance for alterations and additions; repair after damage; discontinuance of use; and intensification of use.
2. All additions or expansions to the outside dimensions of an existing nonconforming structure must meet the setback, height, lowest floor elevations, and other requirements of this ordinance. Any deviation from these requirements must be authorized by a variance.

E. Notifications to the Department of Natural Resources.

1. All amendments to this shoreland ordinance must be submitted to the Department of Natural Resources for review and approval for compliance with the statewide shoreland management rules.
2. All notices of public hearings to consider variances, ordinance amendments, or conditional uses under shoreland management controls must be sent to the commissioner or the commissioner's designated representative at least ten (10) days before the hearings. Notices of hearings to consider proposed subdivisions/plats must include copies of the subdivision/plat.
3. All approved ordinance amendments and subdivisions/plats, and final decisions approving variances or conditional uses under local shoreland management controls must be sent to the commissioner or the commissioner's designated representative and postmarked within ten (10) days of final action. When a

variance is approved after the Department of Natural Resources has formally recommended denial in the hearing record, the notification of the approved variance shall also include the summary of the public record/testimony and the findings of facts and conclusions which supported the issuance of the variance.

4. Any request to change the shoreland management classification of public waters within Pope County must be sent to the commissioner or the commissioner's designated representative for approval, and must include a resolution and supporting data as required by *Minnesota Rules, part 6120.3000, subp.4*.
5. Any request to reduce the boundaries of shorelands of public waters within Pope County must be sent to the commissioner or the commissioner's designated representative for approval and must include a resolution and supporting data. The boundaries of shorelands may be reduced when the shoreland of water bodies with different classifications overlap. In these cases, the topographic divide between the water bodies shall be used for adjusting the boundaries.

F. **Mandatory EAW.** An Environmental Assessment Worksheet consistent with *Minnesota Rules, Chapter 4410* must be prepared for projects meeting the thresholds of *Minnesota Rules, part 4410.4300*.

4.6.7 Impervious Surface

No lot shall be covered by more impervious surface than as shown in the table below.

Table 1: Impervious Surface Standard

Zoning District	Maximum Impervious Surface
Shoreland-General Development*	25%
Shoreland-Recreational Development*	
Shoreland-Rivers & Streams*	
Shoreland-Natural Environment*	20%

4.6.8 Reserved for Future Use

4.6.9 Reserved for Future Use

~~10.8 GUEST COTTAGES & GUEST QUARTERS~~

~~10.10 IMPERVIOUS SURFACE:~~

4.6.13 Accessory Structures: *(AS AMENDED 15 October 2024)*

The purpose of this section is to provide a higher development standard and to control the size and location of accessory buildings in the Shoreland zoning districts. Accessory structures meeting the below indicated performance standards may be administratively permitted.

- A. The following table provides dimension and location requirements per range as demarcated below, for accessory structures to be located in a Shoreland zoning district.

Table 1: Accessory Structure Performance Standards

		1 st Range	2 nd Range	3 rd Range	4 th Range
Required OHWL Setbacks per zone (ft)	S-GD	75-149 ft	150-224 ft	225-499 ft	500+ ft
	S-RD	100-199 ft	200-299 ft	300-499 ft	500+ ft
	S-NE	200-399 ft	400-499 ft	500+ ft	
	S-RS	150-299 ft	300-500 ft	*	*
Maximum Footprint (sq ft)		1,000 sq ft	2,000 sq ft	3,000 sq ft	4,000 sq ft
Maximum Sidewall Height (ft)		12 ft	14 ft	14 ft	14 ft

**Outside of the shoreland zoning district boundary (1,000 ft from OHWL in S-GD, S-RD, S-NE and 500 ft from OHWL in S-RS), structure size is limited by the applicable zoning district performance standards.*

- B. The following types of Accessory Structures are exempt from section 4.6.13.A.:
1. Agricultural structures.
 2. Appurtenant structures.
- C. In allowing the types of structures regulated by this section, the Administrator shall make the following findings:
1. The proposed structure will not look out-of-place in comparison with other structures of the same neighborhood (within 500 feet),
 2. The proposed structure will not create a use that is incompatible with existing uses of the neighborhood.
 3. The proposed location of the structure does not impact or create a non-conformity with regard to an existing on-site septic system or its components.
 4. The proposed location of the structure does not encroach on or into area(s) set aside or designated for the primary or backup (secondary) septic system locations.

5.6 RESIDENTIAL DISTRICT REGULATIONS:

5.6.1 Accessory Structures: *(AS AMENDED 15 October 2024)*

The purpose of this section is to provide a higher development standard and to control the size and location of accessory buildings in the Residential zoning district. Accessory structures meeting the below indicated performance standards may be administratively permitted.

- A. The following table provides dimension and location requirements for accessory structures to be located in the Residential zoning district.

Table 2: Accessory Structure Performance Standards

	Standard
<i>Maximum Footprint (sq ft)</i>	4,000 sq ft
<i>Maximum Sidewall Height (ft)</i>	14 ft

- B. The following types of Accessory Structures are exempt from section 5.6.1.A.:
1. Agricultural structures.
 2. Appurtenant structures.
- C. In allowing the types of structures regulated by this section, the Administrator shall make the following findings:
1. The proposed structure will not look out-of-place in comparison with other structures of the same neighborhood (within 500 feet),
 2. The proposed structure will not create a use that is incompatible with existing uses of the neighborhood.
 3. The proposed location of the structure does not impact or create a non-conformity with regard to an existing on-site septic system or its components.
 4. The proposed location of the structure does not encroach on or into area(s) set aside or designated for the primary or backup (secondary) septic system locations.

4.2 SHORELAND - GENERAL DEVELOPMENT DISTRICT (S-GD):**4.2.1 Permitted Uses:**

- A. Single family seasonal and year-round residential uses.
 - 1. Single Family Dwelling. Only one primary single family dwelling unit is administratively permittable per lot.
 - 2. Guest Cottages subject to performance standards in Section 4.6.5.A.
 - 3. Guest Quarters subject to performance standards in Section 4.6.5.B.
 - 4. Accessory structures as defined in Section 2.2, including:
 - a. Accessory buildings, subject to Section 4.6.13; and
 - b. Appurtenance structures, i.e., decks, patios, swimming pools, saunas, etc.
- B. Agricultural uses, subject to Section 10.3.
- C. Parks and playgrounds.
- D. Public accesses, publicly owned.
- E. Home occupations meeting Section 10.9 requirements.
- F. Existing golf courses and other similar commercial recreational facilities characterized by significant open or green space.
- G. Antennae when mounted on a rooftop or along a building or other structure.
- H. Water-oriented accessory structure or Facility. *(AS AMENDED 19 June 2018)*
- I. One vacation rental unit per parcel which meet 10.30.3.2.a. requirements. *(AS AMENDED 7 July 2020)*
- J. Accessory Solar Energy Systems: Residential/Personal, subject to the performance standards in Section 10.12. *(AS AMENDED 7 July 2020)*
- K. Controlled Access Lots identified as part of a subdivision processed in accordance with Section 10.25 and subject to the standards in Section 4.6.4.
- L. Recreational camping vehicles, subject to performance standards in Section 10.15.

4.2.2 Conditional Uses:

- A. Planned Unit Developments
- B. Campgrounds, resorts and motels.
- C. Commercial.
- D. Duplexes, triplex and quad dwellings.
- E. Industrial uses for which it is necessary to locate within shoreland, provided that all storage within 500 feet of a public right-of-way or public water shall be completely enclosed in buildings or effectively screened by appropriate landscaping and a solid wall or fence that is no less than eight (8) feet in height.
- F. Manufactured Home Park provided the criteria found in Section 10.13 are met.
- G. Churches, chapels, temples, synagogues and public meeting places.

- H. Golf courses and other similar commercial recreational facilities characterized by significant open or green space.
- I. Towers, subject to the standards at Section 10.5.
- J. Standalone single family dwelling units in excess of one.
 - 1. Are required to conform with section 4.6.1; and
 - 2. Are required to be located within the lot such that each dwelling unit could be located on a conforming single family sized lot if subdivided, Certificate of Survey required.
 - 3. Are required to provide for two (2) septic system locations for each parcel in conformance with Minnesota Administrative Rules, Chapter 7082, Part 7082.0100, Subpart 3.F.

4.2.3 Interim Uses:

- A. Mining and extraction, subject to performance standards in Section 10.2.
- B. Recreational camping vehicles, subject to performance standards in Section 10.15.
- C. Solar Energy Systems: Solar Garden or Farm, subject to performance standards in Section 10.12.
- D. Vacation rental properties, subject to performance standards in Section 10.30.

4.3 SHORELAND - RECREATIONAL DEVELOPMENT DISTRICT (S-RD):

4.3.1 Permitted Uses:

- A. Single family seasonal and year-round residential uses.
 - 1. Single Family Dwelling. Only one primary single family dwelling unit is administratively permittable per lot.
 - 2. Guest Cottages subject to performance standards in Section 4.6.5.A.
 - 3. Guest Quarters subject to performance standards in Section 4.6.5.B.
 - 4. Accessory structures as defined in Section 2.2, including:
 - a. Accessory buildings, subject to Section 4.6.13; and
 - b. Appurtenance structures, i.e., decks, patios, swimming pools, saunas, etc.
- B. Agricultural uses, subject to Section 10.3.
- C. Parks and playgrounds.
- D. Home occupations, subject to Section 10.9.
- E. Antennae when mounted on a rooftop or along a building or other structure
- F. Water-oriented accessory structure or Facility. *(AS AMENDED 19 June 2018)*
- G. One vacation rental unit per parcel which meet 10.30.3.2.a. requirements. *(AS AMENDED 7 July 2020)*
- H. Accessory Solar Energy Systems: Residential/Personal, subject to the performance standards in Section 10.12. *(AS AMENDED 7 July 2020)*
- I. Controlled Access Lots identified as part of a subdivision processed in accordance

with Section 10.25 and subject to the standards in Section 4.6.4.

- J. Recreational camping vehicles, subject to performance standards in Section 10.15.

4.3.2 Conditional Uses:

- A. Planned Unit Developments.
- B. Commercial.
- C. Campgrounds, resorts and motels.
- D. Duplexes, triplex and quad dwellings.
- E. Public accesses.
- F. Churches, chapels, temples, synagogues and public meeting places.
- G. Golf courses and other similar commercial recreational facilities characterized by significant open or green space.
- H. Towers, subject to the standards at Section 10.5.
- I. Standalone single family dwelling units in excess of one.
 - 1. Are required to conform with section 4.6.1; and
 - 2. Are required to be located within the lot such that each dwelling unit could be located on a conforming single family sized lot if subdivided, Certificate of Survey required.
 - 3. Are required to provide for two (2) septic system locations for each parcel in conformance with Minnesota Administrative Rules, Chapter 7082, Part 7082.0100, Subpart 3.F.

4.3.3 Interim Uses:

- A. Mining and extraction, subject to performance standards in Section 10.2.
- B. Recreational camping vehicles, subject to performance standards in Section 10.15.
- C. Solar Energy Systems: Solar Garden or Farm, subject to performance standards in Section 10.12.
- D. Vacation rental properties, subject to performance standards in Section 10.30.

4.4 SHORELAND - NATURAL ENVIRONMENT DISTRICT (S-NE):

4.4.1 Permitted Uses:

- A. Single family seasonal and year-round residential uses.
 - 1. Single Family Dwelling. Only one primary single family dwelling unit is administratively permissible per lot.
 - 2. Guest Cottages subject to performance standards in Section 4.6.5.A.
 - 3. Guest Quarters subject to performance standards in Section 4.6.5.B.
 - 4. Accessory structures as defined in Section 2.2, including:

- a. Accessory buildings, subject to Section 4.6.13; and
 - b. Appurtenance structures, i.e., decks, patios, swimming pools, saunas, etc.
- B. Agricultural uses, subject to Section 10.3.
- C. Home occupations, subject to Section 10.9.
- D. Antennae when mounted on a rooftop or along a building or other structure.
- E. Water-oriented accessory structure or Facility. *(AS AMENDED 19 June 2018)*
- F. Accessory Solar Energy Systems: Residential/Personal, subject to the performance standards in Section 10.12. *(AS AMENDED 7 July 2020)*
- G. Controlled Access Lots identified as part of a subdivision processed in accordance with Section 10.25 and subject to the standards in Section 4.6.4.
- H. Recreational camping vehicles, subject to performance standards in Section 10.15.

4.4.2 Conditional Uses:

- A. Parks and playgrounds.
- B. Planned Unit Development.
- C. Public accesses.
- D. Duplexes, triplex and quad dwellings.
- E. Towers, subject to the standards at Section 10.5.
- F. Commercial (limited to small scale manufacturing, processing and servicing businesses). *(AS AMENDED 18 July 2017)*
- G. Public/Semipublic/Private recreational facilities characterized by significant open or green space (examples: golf courses, shooting ranges, hunting preserves). *(AS AMENDED 19 June 2018)*
- H. Standalone single family dwelling units in excess of one.
 - 1. Are required to conform with section 4.6.1; and
 - 2. Are required to be located within the lot such that each dwelling unit could be located on a conforming single family sized lot if subdivided, Certificate of Survey required.
 - 3. Are required to provide for two (2) septic system locations for each parcel in conformance with Minnesota Administrative Rules, Chapter 7082, Part 7082.0100, Subpart 3.F.

4.4.3 Interim Uses:

- A. Mining and extraction, subject to performance standards in Section 10.2.
- B. Recreational camping vehicles, subject to performance standards in Section 10.15.
- C. Solar Energy Systems: Solar Garden or Farm, subject to performance standards in Section 10.12.
- D. Hobbyist Wind Energy Conversion Systems, subject to performance standards in Section 10.12.
- E. Vacation rental properties, subject to performance standards in Section 10.30.

4.5 SHORELAND - RIVERS AND STREAMS DISTRICT (S-RS):**4.5.1 Permitted Uses:**

- A. Single family seasonal and year-round residential uses.
 - 1. Single Family Dwelling. Only one primary single family dwelling unit is administratively permittable per lot.
 - 2. Guest Cottages subject to performance standards in Section 4.6.5.A.
 - 3. Guest Quarters subject to performance standards in Section 4.6.5.B.
 - 4. Accessory structures as defined in Section 2.2, including:
 - a. Accessory buildings, subject to Section 4.6.13; and
 - b. Appurtenance structures, i.e., decks, patios, swimming pools, saunas, etc.
- B. Agricultural uses, subject to Section 10.3.
- C. Parks and playgrounds.
- D. Home occupations, subject to Section 10.9.
- E. Antennae when mounted on a rooftop or along a building or other structure.
- F. Water-oriented accessory structure or Facility.
- G. One vacation rental unit per parcel which meet 10.30.3.2.a. requirements.
- H. Accessory Solar Energy Systems: Residential/Personal, subject to the performance standards in Section 10.12.
- I. Controlled Access Lots identified as part of a subdivision processed in accordance with Section 10.25 and subject to the standards in Section 4.6.4.
- J. Recreational camping vehicles, subject to performance standards in Section 10.15.

4.5.2 Conditional Uses:

- A. Planned Unit Development.
- B. Commercial (limited to small scale manufacturing, processing and servicing businesses).
- C. Campgrounds, resorts and motels.
- D. Duplexes, triplex and quad dwellings.
- E. Public accesses.
- F. Public/Semipublic/Private recreational facilities characterized by significant open or green space (examples: golf courses, shooting ranges, hunting preserves).
- G. Towers, subject to the standards at Section 10.5.
- H. Standalone single family dwelling units in excess of one.
 - 1. Are required to conform with section 4.6.1; and
 - 2. Are required to be located within the lot such that each dwelling unit could be located on a conforming single family sized lot if subdivided, Certificate of Survey required.
 - 3. Are required to provide for two (2) septic system locations for each parcel in

conformance with Minnesota Administrative Rules, Chapter 7082, Part 7082.0100, Subpart 3.F.

4.5.3 Interim Uses:

- A. Mining and extraction, subject to performance standards in Section 10.2.
- B. Recreational camping vehicles, subject to performance standards in Section 10.15.
- C. Solar Energy Systems: Solar Garden or Farm, subject to performance standards in Section 10.12.
- D. Vacation rental properties, subject to performance standards in Section 10.30.

5 RESIDENTIAL DISTRICT (R)

5.1 PURPOSE:

The purpose of this district is to allow residential development in areas where substantial residential development has already taken place and where additional residential development is both anticipated and encouraged.

5.2 PERMITTED USES:

- A. Single Family Dwelling. Only one primary single family dwelling unit is administratively permissible per lot.
- B. Two-Family Dwellings. Only one two-family dwelling unit is administratively permissible per lot.
- C. Agricultural uses, subject to Section 10.3.
- D. Parks and playgrounds.
- E. Home occupations meeting Section 10.9 requirements.
- F. Antennae when mounted on a rooftop or along a building or other structure.
- G. One vacation rental unit per parcel which meet 10.30.3.2.a. requirements. *(AS AMENDED 7 July 2020)*
- H. Accessory Solar Energy Systems: Residential/Personal, subject to the performance standards in Section 10.12. *(AS AMENDED 7 July 2020)*
- I. Accessory Dwelling Unit, limited to one administratively permissible per lot or parcel which meets or exceeds the zoning district minimum lot area.
- J. Accessory structures as defined in Section 2.2, including:
 - 1. Accessory buildings, subject to Section 5.6.1; and
 - 2. Appurtenance structures, i.e., decks, patios, swimming pools, saunas, etc.
- K. Recreational camping vehicles, subject to performance standards in Section 10.15.

5.3 CONDITIONAL USES:

- A. Churches, chapels, temples and synagogues.
- B. The offices of members of recognized professions.
- C. Planned Unit Developments.
- D. Those commercial uses which serve local permanent residents and the resort industry, such as grocery stores, marine supplies, equipment and service; recreational equipment sales and privately owned and licensed recreational activity.
- E. Multiple family dwellings allowed at a density of one unit per 7,500 square feet. Lots intended for multiple family dwellings must identify two (2) sewage treatment sites.
- F. Bed and Breakfast facilities.
- G. Manufactured Home Parks provided the criteria found in Section 10.13 are met.

- H. 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.
- I. Towers, subject to the standards at Section 10.5.
- J. Golf courses and other similar commercial recreational facilities characterized by significant open or green space.
- K. Accessory Dwelling Units in excess of one per lot or parcel.

5.4 INTERIM USES

- A. Vacation rental properties, subject to the performance standards in Section 10.30.
- B. Recreational camping vehicles, subject to performance standards in Section 10.15.
- C. Solar Energy Systems: Solar Garden or Farm, subject to the performance standards in Section 10.12.
- D. 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 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. Antennae when mounted on a rooftop or along a building or other structure.
- G. Existing golf courses and other similar commercial recreational facilities.
- H. Farm drainage systems, flood control and watershed/erosion control devices meeting all County, State and Federal minimum regulations.
- I. Accessory Dwelling Unit, limited to one administratively permissible per lot or parcel.
- J. Home occupations meeting Section 10.9 requirements.
- K. Vacation rental use, subject to performance standards in Section 10.30.3.2.a.
- L. Parks and playgrounds.
- M. Recreational camping vehicles, subject to performance standards in Section 10.15.
- N. Special events, non cannabis related, with a capacity of less than two hundred (200) people, subject to performance standards in Section 10.29.4.D.4.
- O. 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.
- 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 and religious facilities.
 - 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 Administrator and made available to the public. The disclosure forms shall be on file in the office of the 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 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. Accessory Dwelling Units in excess of one per lot or parcel.
- T. 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, 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 event, cannabis.
- I. Special events, non cannabis related, 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. Wind Energy Conversion Systems, subject to performance standards in Section 10.12.
- L. 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 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 feedlots 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. Antennae when mounted on a rooftop or along a building or other structure.
- G. Existing golf courses and other similar commercial recreational facilities.
- H. Farm drainage systems, flood control and watershed/erosion control devices meeting all County, State, and Federal minimum regulations.
- I. Accessory Dwelling Unit, limited to one administratively permissible per lot or parcel.
- J. Home occupations meeting Section 10.9 requirements.
- K. Vacation rental use, subject to performance standards in Section 10.30.3.2.a.
- L. Parks and playgrounds.
- M. Recreational camping vehicles, subject to performance standards in Section 10.15.
- N. Special events, non cannabis related, with a capacity of less than two hundred (200) people, subject to performance standards in Section 10.29.4.D.4.
- O. 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.

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 Administrator and made available to the public. The disclosure forms shall be on file in the office of the 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. Accessory Dwelling Units in excess of one per lot or parcel.
 - Q. Educational and religious facilities.
 - R. 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.
- 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, 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 event, cannabis.
- J. Special events, non cannabis related, with a capacity of more than two hundred (200) people, subject to performance standards in Section 10.29.
- K. Vacation rental properties, subject to performance standards in Section 10.30.
- L. Wind Energy Conversion Systems, subject to performance standards in Section 10.12.
- M. 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.

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 cultivation as defined in 202405) 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 Administrator 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.

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

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

F. Accessory structures.

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.

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.

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 (not including cannabis cultivation as defined in 202405) 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 Administrator 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 Administrator to be of the same general character, as those permitted uses listed in this section.

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 Administrator 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 Administrator to be of the same general character, as those permitted uses listed in this section.

E. Accessory structures.**8.2.3 Conditional Uses:**

- A. Agricultural products processing.
- 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.
- 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.