

## **SECTION VI - RURAL PRESERVATION MANAGEMENT DISTRICT (AG)**

### **Subdivision 1.0 District's Boundaries**

For all lands that are not classified in accordance with Section V of this Ordinance, they will lie within the Rural Preservation Management District. The Rural Preservation Management District is illustrated by **Official Ordinance Map #5**. These lands are predominantly noted for their agricultural and/or natural area uses. The Rural Preservation Management District is divided into eight rural preservation areas. These areas are described below.

Rural Preservation Area #1 - Lands that have prime soil characteristics and no natural areas associated with them.

Rural Preservation Area #2 - Lands that have prime soil characteristics and natural areas associated with them.

Rural Preservation Area #3 - Lands that have good soil characteristics and no natural areas associated with them.

Rural Preservation Area #4 - Lands that have good soil characteristics and natural areas associated with them.

Rural Preservation Area #5 - Lands that have marginal soil characteristics and no natural areas associated with them.

Rural Preservation Area #6 - Lands that have marginal soil characteristics and natural areas associated with them.

Rural Preservation Area #7 - Lands that have nontillable soil characteristics and no natural areas associated with them.

Rural Preservation Area #8 - Lands that have nontillable soil characteristics and natural areas associated with them.

### **Subdivision 2.0 Permitted and Conditional Uses**

The following chart indicates the permitted and conditional uses allowed within each Rural Preservation Area. Indication of permitted uses is made with the letter "P" and conditional uses with the letter "C". ANY USE WHICH IS NOT LISTED OR DOES NOT HAVE A "P" OR "C" INDICATING IT AS EITHER A PERMITTED OR CONDITIONAL USE WITHIN THE RESPECTIVE RURAL PRESERVATION AREA IS NOT ALLOWED. A definition of each use identified is given following the chart.

## RURAL PRESERVATION AREAS

	Area #1	Area #2	Area #3	Area #4	Area #5	Area #6	Area #7	Area #8
Agriculture	P	P	P	P	P	P	P	P
Airports	C	C	C	C	C	C	C	C
Business Uses	C	C	C	C	C	C	C	C
Demolition Landfill Sites	C	C	C	C	C	C	C	C
Essential Services	C	C	C	C	C	C	C	C
Extractive Uses	C	C	C	C	C	C	C	C
Feedlots (greater than 500 animal units) See Sec. VII of this Ordinance	C	C	C	C	C	C	C	C
Feedlots (less than 500 animal units) See Sec. VII of this Ordinance	P	P	P	P	P	P	P	P
Home Occupations	P	P	P	P	P	P	P	P
Industrial Uses	C	C	C	C	C	C	C	C
Manufactured Homes Type I	P	P	P	P	P	P	P	P
Manufactured Homes Type II	P	P	P	P	P	P	P	P
Non-Farm Dwellings	C	C	C	C	P	P	P	P
Open Space and Recreation	C	C	C	C	P	P	P	P
Roads	C	C	C	C	C	C	C	C
Soil & Water Conservation Structure	P	P	P	P	P	P	P	P
Solar Energy Farm	C	C	C	C	C	C	C	C
Solar Energy Systems	P	P	P	P	P	P	P	P
Special Public Uses	C	C	C	C	C	C	C	C
Subdivisions					C	C	C	C
Transmission Towers	C	C	C	C	C	C	C	C

Definitions:

Agriculture uses include farm dwellings, agricultural buildings and structures along with lands that are used for tillage and pasture activities.

Airports - Any land or structure which is used or intended for use, for the landing and take-off of aircraft, and any appurtenant land or structure used or intended or use of port buildings or other port structures or rights-of-way.

Business uses include gasoline stations, beauty shops, dog kennels, salvage yards and similar uses provided they meet the minimum standards of this Ordinance.

Demolition Landfill sites are those sites established for the collection of demolition debris from buildings, roads or other man-made structures. Demolition debris includes concrete, brick, bituminous concrete, untreated wood, masonry, glass, trees, rock and plastic building parts. Demolition debris does not include asbestos waste.

Essential services include wind turbine farms, overhead or underground electrical, gas, steam or water transmission or distribution systems and structures, or collection, communications, supply or disposal systems and structures, used by public utilities, rural electric cooperatives or governmental departments or commissions or as are required for protection of the public health, safety, or general welfare, including towers, poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes and accessories in connection therewith, but not including buildings. For the purpose of this Ordinance the word "building" does not include "structure" for essential services.

Extractive uses include the activities related to the extraction of minerals as described in Section I, Subdivision 8, Definitions.

Feedlots - a lot or building or combination of lots and buildings intended for the confined feeding, breeding, raising, or holding of animals and specifically designed as a confinement area in which manure may accumulate, or where the concentration of animals is such that a vegetative cover cannot be maintained within the enclosure. For purposes of this Ordinance, open lots used for the feeding and rearing of poultry (poultry ranges) shall be considered to be animal feedlots. Pastures shall not be considered animal feedlots under this Ordinance

Home occupations includes the use of a property zoned residential or agricultural for any occupation, activity or profession carried out for financial gain which is clearly subordinate and incidental to the use of the property as residential, which is carried out solely within the main dwelling or an accessory building, and does not alter or change the exterior character of the appearance of the property and that which is normally associated with a residential dwelling unit, and that is created and operated by the occupant of the dwelling. This does not include garage sales, yard sales and one-time product sales parties.

Industrial uses include facilities used for the storage of agricultural or non-agricultural related

products such as grain and fertilizer bins or beet piles and the storage of energy related products such as propane and natural gas.

### Manufactured Homes

Type I – A manufactured home used as living quarters, designed for transportation after fabrication on streets and highways on its own wheels or on flatbed or other trailers, and arriving at the site where it is to be occupied as a dwelling complete and ready for occupancy, except for minor and incidental unpacking and assembly operations, location on jacks, connection to utilities and the like.

Type II – A manufactured home that meets the following specifications:

1. The structure shall have a permanent masonry or wood foundation meeting the requirements of the State Building Code that shall be solid for the complete circumference of the structure.
2. The average width of the structure and foundation shall be twenty (20) feet.
3. The structure shall have conventional siding, lapping the foundation by a minimum of one (1) inch.
4. The structure shall be anchored in accordance with the State Building Code.
5. The structure shall have a pitched roof, covered with shingles or tile, with a minimum of twelve (12) inch eaves.

Non-farm dwellings are dwellings and accessory structures located on a parcel of land contiguous to or surrounded by farmland which is under separate ownership and which the resident of said dwelling neither operates nor is employed in agricultural activities thereon.

- a. Accessory structures, located on a tract of land where a non-farm dwelling already exists, are a permitted use.

Open space and recreational uses include public and private parks and recreation areas, wildlife management and water production areas, multi-purpose trail systems, environmental education sites, historic sites and interpretive centers.

Roads - A public right-of-way affording primary access by pedestrians and vehicles to abutting properties, whether designated as a street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, lane, service road, place or however otherwise designated.

Soil and water conservation structures include water reservoirs, windbreaks, and other measures which conform with the management practices encouraged by the Natural Resource Conservation Service, Farm Service Agency, Soil and Water Conservation District and other agencies for the protection of farmland against erosion and public waters from degradation by sedimentation.

Solar Energy Farm - A solar array composed of multiple solar panels on ground-mounted rack or poles, which is the primary land use for the parcel on which it is located.

Solar Energy Systems – A solar panel or array mounted on a building, pole or rack that is secondary to the primary use of the panel on which it is located and is directed, connected or designed to serve the energy needs of the primary use.

Special public uses include municipal sewer and water facilities, churches, cemeteries, electrical power sub-stations and similar public uses, but not public or parochial schools, libraries, nursing homes, hospitals or municipal buildings.

Transmission towers/antenna includes any pole, spire, structure or combination thereof, including supporting lines, cables, wires, braces and masts.

Subdivisions – The division or redivision of a lot, tract or parcel or land regardless of how it is to be used into two or more lots either by plat or by metes and bounds description, or the division or redivision of land involving dedication of a new park, playground, street or other public right-of-way facility; or the vacation, realignment or any other change in existing streets, alleys, easements, recreation areas, water or other public improvements of facilities, provided however, that the following classes shall be exempt:

1. The division of land for agricultural purposes into parcels greater than five (5) acres where no new streets, roads or other right-of-way are involved.
2. The division of a lot for the purpose of attachment to contiguous lots provided no residual plat is left unattended.

### **Subdivision 3.0 Additional Standards for Permitted and Conditional Uses**

In addition to those standards for conditional uses set forth in Section XIII of this Ordinance, permitted and conditional uses are subject to the following regulations:

1. All farm and non-farm buildings and accessory structures within the Rural Preservation Management District of the County shall be setback from all state, county, township roads and all other public roads at least one-hundred (100) feet from the right-of-way of the road. Implement storage and hay bales must also comply with these standards, if such obstructions are deemed unsafe, unsuitable, or improperly located for the effective and efficient maintenance of public roads and public safety.
2. Accessory structures, located on a tract of land where a non-farm dwelling already exists, are a permitted use.
3. The demolition or razing of an existing building site shall require a demolition permit.

### **Subdivision 4.0 Lot Size, Setback and Height Regulations (minimum requirements).**

1. Front Yard Setbacks – One hundred (100) feet

2. Side Yard Setbacks - Thirty (30) feet
3. Rear Yard Setbacks – Thirty (30) feet
4. Lot Width – Every lot shall have a width of not less than one hundred (100) feet abutting a public road right-of-way.
5. Lot Area Regulation
  - a. Non-farm dwellings, shall consist of at least 3 acres of land per site and only one such site shall be allowed by conditional use permit on each quarter quarter (1/4 - 1/4) section of land located within Rural Preservation Areas #1 - #4. Non-farm dwellings in Rural Management Areas #5 - #8 shall be a permitted use.

Exception: A second dwelling may be permitted on existing building sites in Rural Preservation Areas #1 - #4, provided that the building site is located on a tract of land not less than 6 acres.

- b. Farm dwellings shall consist of at least 3 acres of land per site.

Exceptions: (For existing sites only)

1. A waiver form may be obtained from the appropriate road authority when the proposed building or structure is within the 100' setback of the public road and in line with other structures and buildings on the site. If the waiver is not approved, the applicant may request a public hearing before the Board of Adjustment.
2. A waiver form may be obtained from neighboring property owner(s) for proposed buildings and structures within the required setbacks of the neighboring property line. If the waiver is not approved, the applicant may request a public hearing before the Board of Adjustment.

Standards for Waivers:

A waiver may not be used for buildings or structures exceeding 50% of the required setback.

### **Subdivision 5.0 General Regulations**

Additional requirements for signs, parking, and other regulations in the Rural Preservation Area are set forth in Section XII - General Regulations and in Section XX – Signs.

### **Subdivision 6.0 Farmstead & Field Windbreak Plantings**

#### 6.1 Intent

To preserve and enhance the existing aesthetics and scenic values of present plantings and to encourage increased tree planting throughout Yellow Medicine County because of its natural prairie topography and to conserve our precious agricultural topsoil.

To enhance wildlife habitat, to create snow, wind and water retention areas and green spaces and other environmental uses beneficial to citizens of Yellow Medicine County.

## 6.2 Existing Farmstead Windbreaks and Field Windbreaks

- a. No person shall remove or destroy any SWCD Cost-Shared living field windbreak in the Rural Preservation areas of the County without first making an application for, and obtaining a conditional use permit. No such permit shall be issued unless the landowner has entered into a contractual restrictive agreement covenant providing for the implementation of an alternative erosion control plan meeting the standards and specifications agreed upon by the Yellow Medicine County Soil and Water Conservation District. The restrictive covenant must be approved by the Planning Commission before the Conditional Use Permit is issued. No permit will be required for normal and necessary thinning or removal of damaged or expired trees in the field windbreaks.

## 6.3 Standards for Height, Side, and Rearyard Lot Area Regulations

- a. New farmstead windbreaks shall be one-hundred (100) feet from the road right-of-way.  
Exception: on existing farmsteads where plantings need to establish the required buffer zone from windbreak to structures on the site for proper function of the farmstead windbreak for wind and snow retention, approval by the appropriate road authority will be required.
- b. No trees will be allowed on any right-of-way when farmstead windbreaks or field windbreaks are replaced.
- c. Tree plantings under electrical highlines shall be of a shorter variety with a maximum of sixteen (16') feet at maturity.
- d. All field windbreaks and homestead groves shall maintain a two hundred (200') foot setback from all public road intersections and all public roads and railroad intersections.
- e. Trees shall be setback from side and rear property lines one-half the width of the crown of the tree at maturity.

Exception: Where persons request to plant on or closer to a property line, a contractual restrictive agreement covenant shall be entered into with adjacent property owners to be obtained from the County Zoning Administrator and the Soil and Water Conservation District

## 6.4 County and Judicial Ditches

- a. A setback of fifty (50') feet must be maintained along drainage ditch systems for all on-going operations and maintenance such as, but not limited to ditch cleaning, grading of spoil banks, spraying and cutting of noxious weeds, brush and trees.

OFFICIAL ORDINANCE MAP #5

RURAL PRESERVATION MANAGEMENT DISTRICT

On display at Yellow Medicine County Planning Office