

CHAPTER 41

A-1, AGRICULTURAL DISTRICT

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SECTION

- 41.01: Purpose
- 41.02: Permitted Uses
- 41.03: Interim Uses
- 41.04: Accessory Uses
- 41.05: Conditional Uses
- 41.06: Lot Area, Density, and Setback Requirements
- 41.07: Building Height

41.01: PURPOSE: The purpose of the A-1 District is to provide suitable areas of the City to be retained and utilized for low density residential, open space, and/or agricultural uses and to prevent rapid urbanization and provide economy in public expenditures. The A-1 District is further intended to govern and implement the Long Range Urban Service Area of the City as defined by the Comprehensive Plan.

41.02: PERMITTED USES: Subject to applicable provisions of this Ordinance, the following are permitted uses in the A-1 District:

- A. Farms, farmsteads, farming and agricultural related buildings and structures subject to Minnesota Pollution Control Standards, but not including new animal feedlots established after 1 July 1999 or other commercial operations.
- B. Hobby farms.
- C. Public parks, playgrounds, recreational uses, wildlife areas and game refuges.
- D. Forestry, nurseries, greenhouses, and tree farms excluding retail sales.
- E. Single family detached dwellings at a density of not more than one (1) dwelling unit per forty (40) acres of land.
- F. Day care facilities, as defined in Chapter 2 of this Ordinance, licensed by the State and serving twelve (12) or fewer persons.
- G. Residential care facilities serving six (6) or fewer persons.
- H. Essential services.

41.03: INTERIM USES: Subject to applicable provisions of this Chapter, the following are interim uses in an A-1 District and are further governed by Chapter 5 of this Ordinance.

- A. None.

41.04: ACCESSORY USES: Subject to applicable provisions of this Ordinance, the following are permitted accessory uses in the A-1 District:

- A. Operation and storage of such vehicles, equipment and machinery which are incidental and customary to permitted or conditional uses allowed in this district.
- B. Home occupations as regulated by Chapter 21 of this Ordinance.
- C. Private recreational vehicles and equipment.
- D. Swimming pool, tennis courts and other recreational facilities which are operated for the enjoyment and convenience of the residents of the principal use and their guests.
- E. Tool houses, sheds and similar buildings for storage of domestic and farm supplies and non-commercial recreational equipment.
- F. Private garages, parking spaces and car ports for licensed and operable passenger cars and trucks.
- G. Fences.
- H. Radio and television receiving antennas including single satellite dish TVROs, short-wave radio dispatching antennas, or those necessary for the operation of household electronic equipment including radio receivers, federal licensed amateur radio stations and television receivers, as regulated by Section 33 of this Ordinance.
- I. Signs.

41.05: CONDITIONAL USES: Subject to applicable provisions of this Ordinance, the following are conditional uses allowed in an A-1 District: (Requires a conditional use permit based upon procedures set forth in and regulated by Chapter 4 of this Ordinance.)

- A. Governmental and public regulated utility buildings and structures necessary for the health, safety and general welfare of the City, provided that:

1. When abutting a residential use in a residential use district, the property is screened and landscaped in compliance with Section 16.10 of this Ordinance.
 2. The provisions of Section 4.02.E of this Ordinance are considered and determined to be satisfied.
- B. Commercial outdoor recreational areas including golf courses and country clubs, swimming pools and similar facilities provided that:
1. The principal use, function or activity is open, outdoor in character.
 2. Not more than five (5) percent of the land area up to a maximum of four thousand (4,000) square feet of the site shall be covered by buildings or structures.
 3. The use will not negatively impact abutting or neighboring existing or potential residential uses.
 4. When abutting a residential use or a residential use district, the property is screened and landscaped in compliance with Section 16.10 of this Ordinance.
 5. The traffic generated by the use can be adequately accommodated (both volume and weight) upon the City streets serving the property upon which the use is located.
 6. The provisions of Section 4.02.E of this Ordinance are considered and determined to be satisfied.
- C. Cemeteries, provided that:
1. At minimum, the site accesses on a major collector.
 2. The site is landscaped in accordance with Section 16.10 of this Ordinance.
 3. The provisions of Section 4.02.E of this Ordinance are considered and determined to be satisfied.
- D. Mining, sand and gravel extraction, land reclamation and alteration provided that:
1. The use will be in compliance with the provisions of Section 16.14 of this Ordinance and other applicable provisions of the City Code.

2. The provisions of Section 4.02.E of this Ordinance are considered and determined to be satisfied.

41.06: LOT AREA, DENSITY, AND SETBACK REQUIREMENTS: The following minimum requirements shall be observed in an A-1 District, subject to additional requirements, exceptions and modifications set forth in this Ordinance.

A. Lot Area Requirements:

1. Lot area: Not less than two and one-half (2 ½) acres.
2. Lot width: Not less than one hundred fifty (150) feet.
3. Lot depth: Not less than one hundred fifty (150) feet.

B. Density: Not greater than one (1) dwelling unit per forty (40) acres subject to the following:

1. Previously Undivided Quarter-Quarter Sections: In a complete quarter-quarter section, one (1) parcel may be subdivided, the division to be used for residential or hobby farm uses, provided that:
 - a. Lots conform to the minimum standards established for the A-1 Zoning District.
 - b. The division covers all lands within the section.
 - c. A deed restriction shall be placed upon the section which is exercising development rights to prohibit additional subdivision, unless it conforms to applicable zoning district requirements.
 - d. The initial quarter-quarter section is under common ownership.
 - e. The division is processed according to the City's Subdivision Ordinance.
 - f. The sites are capable of accommodating a private well and septic system.
2. Quarter-quarter sections containing lots of record, as defined by Section 2.02 of this Ordinance, established prior to 1 July 1999, provided that:

- a. Lots conform to the minimum standards established for the A-1 Zoning District.
- b. A deed restriction shall be placed upon any new parcels which are exercising development rights to prohibit additional subdivision, unless it is conforming to applicable zoning district requirements.
- c. The division is processed according to the City's Subdivision Ordinance.
- d. The sites are capable of accommodating a private well and septic system.

C. Principal Structure Setbacks:

1. Front Yard:

<u>Setbacks From Centerline</u>	<u>Setbacks From Right of-Way Lines</u>	<u>Road Class</u>
130 feet	65 feet	Principal/Minor Arterial Street
130 feet	65 feet	Collector Street
65 feet	35 feet	Local Street
35 feet	35 feet	From Cul-De-Sac Right-of-Way

Where a lot is located at the intersection of two (2) or more streets that bound two (2) or more sides of the lot, no building shall project beyond the front yard line of either street.

- 2. Side Yard: Thirty (30) feet.
- 3. Rear Yard: Forty (40) feet.

D. Accessory structure setbacks as regulated by Section 17.12 of this Ordinance.

41.07: BUILDING HEIGHT: The following minimum requirements shall be observed in an A-1 District, subject to additional requirements, exceptions and modifications set forth in this Ordinance:

- A. The maximum height of principal buildings shall not exceed two and one-half (2-1/2) stories or thirty-five (35) feet, excluding farm structures.
- B. Accessory structures shall be governed by Section 17.12 of this Ordinance.

CITY OF CLEAR LAKE
SHERBURNE COUNTY,
MINNESOTA
ORDINANCE NO. 810

AN ORDINANCE AMENDING SECTION 41 (A-1 AGRICULTURAL DISTRICT) OF
THE CLEAR LAKE ZONING ORDINANCE

THE CITY COUNCIL OF THE CITY OF CLEAR LAKE ORDAINS AS FOLLOWS:

Section I. Purpose and Intent. The purpose and intent of this Ordinance is to recognize that it is in the City's interest to authorize the use of agricultural structures for non-agricultural purposes on a temporary basis, as a way to minimize blight and increase business activity. Due to the temporary nature of the reuse, the City finds that rezoning these properties out of A-1 Agricultural to be unnecessarily burdensome to the property owner and not in the City's interest. This Ordinance recognizes the benefits to the City of temporarily authorizing the reuse of agricultural structures for non-agricultural purposes. This Ordinance also recognizes that due to the nature of some temporary non-agricultural uses, it is in the City's best interest to create an avenue to place reasonable conditions on the temporary reuse of the agricultural structure for non-agricultural purposes, and also to establish a maximum length of time for said temporary reuse.

Section II. Amendment.

Section 41.03, Subsection A (A-1 Agricultural District-Interim Uses) is hereby amended as follows:

- A. Delete the word "None"
- B. Add the following language:

41.03 (A) Temporary non-agricultural uses in a structure designed and previously use for agricultural purposes, for a period of time not to exceed five (5) years from the date of issuance of the interim use permit, provided that:

1. After the period of time provided for in the interim use permit, the permit automatically expires.
2. Notwithstanding the period of time provided for in the interim use permit, said permit shall expire upon the sale or transfer of the property.
3. The property owner shall notify the City when the use authorized in the permit changes.
4. The City, at its discretion, may review the terms and conditions stated in the permit at any time and, upon due notice and a public hearing, may amend the terms and conditions of the permit.

Section III. Effective Date. This Ordinance shall be in full force and effect upon its publication as provided by law.

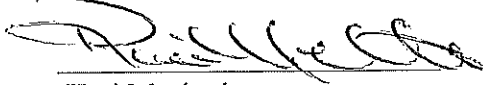
Passed in regular session of the City Council on the 27th day of June, 2017.

CITY OF CLEAR LAKE



Tim Goenner
Mayor

Attest:



Kari Mechtel
City Clerk

CITY OF CLEAR LAKE
SHERBURNE COUNTY, MINNESOTA
ORDINANCE NO. 811

COPY

**AN ORDINANCE ALLOWING SOLAR GARDENS AND SOLAR ENERGY FARMS AS
INTERIM USES IN THE A-1 AGRICULTURAL DISTRICT**

THE CITY COUNCIL OF THE CITY OF CLEAR LAKE ORDAINS AS FOLLOWS:

Section I. PURPOSE AND INTENT. To allow solar gardens and solar energy farms, as defined in Ordinance 810, as interim uses in the A-1, Agricultural District.

Section II. Zoning Ordinance Chapter 41, Section 41.03, is modified as follows

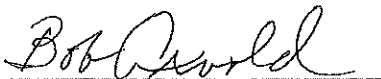
41.03: INTERIM USES: Subject to applicable provisions of this Chapter, the following are interim uses in an A-1 District and are further governed by Chapter 5 of this Ordinance.

A. Solar Gardens and Solar Energy Farms, subject to the provisions of Ordinance No. 810.

Section III. EFFECTIVE DATE. This Ordinance shall take effect upon its summary publication in the City's official newspaper.

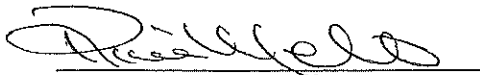
ADOPTED by the City Council of the City of Clear Lake this ~~28~~ day of March 2019.

CITY OF CLEAR LAKE

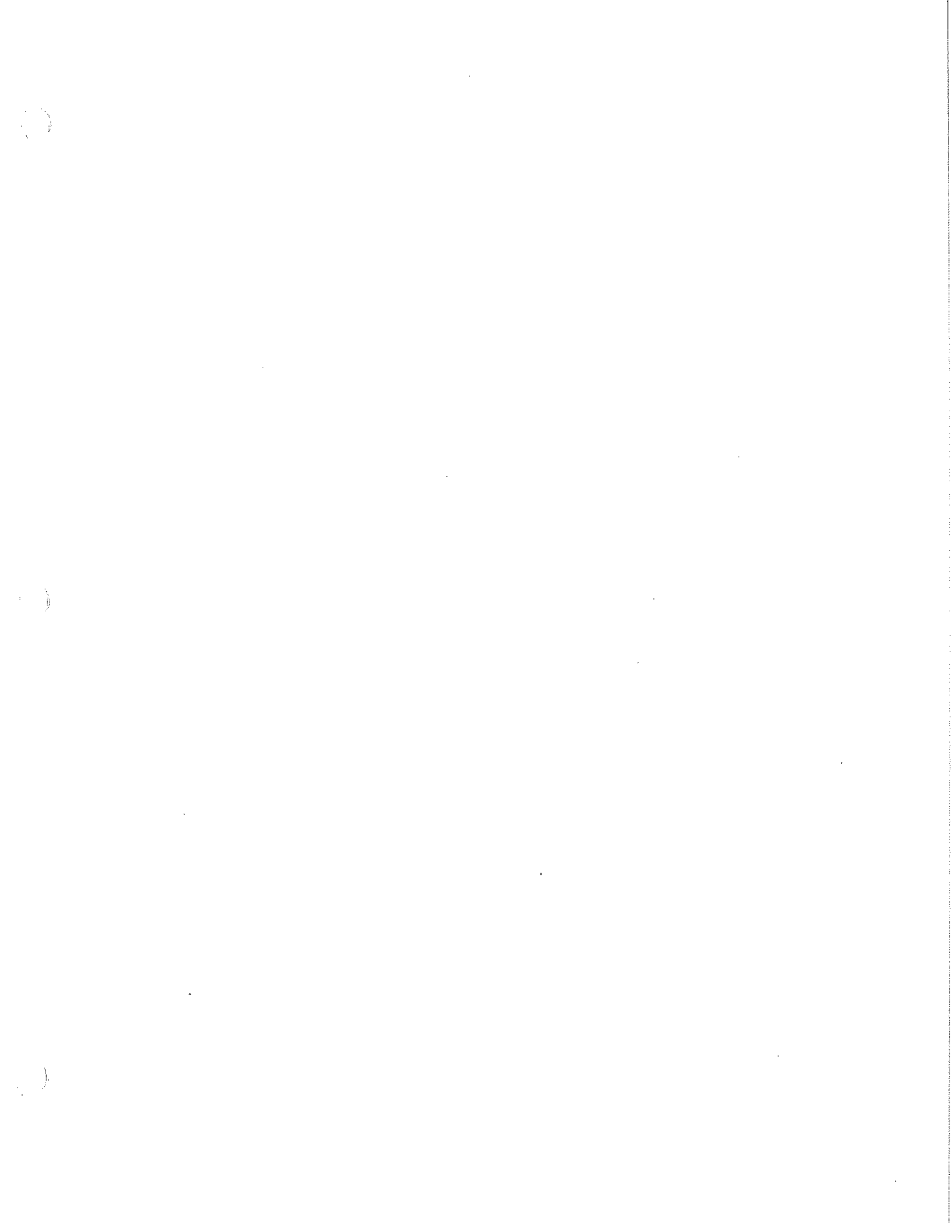


Bob Arnold
Acting Mayor

Attest:



Kari Mechtel
City Clerk



CHAPTERS 42 THROUGH 44

RESERVED

