ARTICLE IV

ZONING DISTRICTS

SECTION 401 DISTRICT A - AGRICULTURE

401.1 PURPOSE

Agricultural districts are established in rural areas for the purpose of protecting viable agricultural lands from non-farm influence, retaining valuable areas for conservation purposes, preventing scattered non-farm growth, preserving a secure economy in governmental expenditures, and preserving other natural resources of the community.

401.2 PERMITTED USES

1. Agricultural land uses, including livestock.
2. Single family residential dwellings.
3. Forestry and nurseries.
4. Seasonal produce stands.
5. Telephone and electrical distribution lines, pipelines, and necessary appurtenant structures.
6. Public recreation.
7. A state-licensed residential facility serving six or fewer persons, in accordance with the provisions of Minnesota Statutes Section 462.357 Subd. 7, and Section 401.7 of this Ordinance.
8. A state-licensed day care facility serving 12 or fewer persons, in accordance with the provisions of Minnesota Statutes Section 462.357 Subd. 7, and Section 401.7 of this Ordinance.
9. Home occupations not requiring an Interim Use Permit.

401.3 ACCESSORY USES

Garages and storage buildings, which are accessory to residential uses, may be constructed with a maximum sidewall height of fourteen (14) feet and a maximum square footage according to the following schedule:

Lot Size	Maximum Aggregate Sq. Ft. Of Outbuildings Allowed
40,000 sq. ft. or less	1,600 sq. ft.
40,001 sq. ft. - 2.5 acres	2,400 sq. ft.
2.51 - 5.0 acres	3,200 sq. ft.
5.01 – 10.0 acres	4,000 sq. ft.
10.01 – 15.0 acres	5,000 sq. ft.

401.4 CONDITIONAL USES

1. Public utility buildings and structures.
2. Agricultural-related commercial or industrial uses that demonstrate a direct relationship to agricultural production and services and which are compatible with the rural character of the area and adjacent land uses.
3. Churches, schools and cemeteries.
4. Police stations.
5. Fire stations.

401.5 INTERIM USES

1. Home occupations with a maximum of one employee not residing on the premises or home occupations requiring use of an accessory structure, subject to the requirements of Section 202.1 and Section 1108 of this Ordinance.
2. Bed and breakfast facilities.
3. Mining and extraction.
4. Communication towers and antennae.
5. Dwellings for farm employees, consistent with the provisions of Section 814.
6. Recycling operations, consistent with the provisions of Section 818.
7. Kennels
8. Expansion of legal nonconforming excavating/road contracting businesses, operating with valid Conditional Use Permits at the time of the adoption this Ordinance, to allow accessory office use, provided such expansion is limited to 25 % of the total floor area of the existing principal structure.
9. On-site and Off-site advertising signs, subject to the provisions of Article X SIGN REGULATIONS.
10. Commercial horse boarding.
11. Home-based non-farm businesses, subject to the requirements of Section 202.2 and Section 1108 of this Ordinance.

401.6 GENERAL REGULATIONS

Additional requirements for parking signs, sewage systems, areas and height, and subdivision regulations are set forth in Articles V through XI.

401.7 DENSITY

The maximum density in this district is one residential dwelling per quarter-quarter section. If a property owner owns the entire quarter-quarter section, one additional house may be constructed if the original dwelling was constructed before January 1, 1981, or if the parcel was a lot of record before January l, 1981.

401.8 LOT SIZE

The minimum lot size shall be 40,000 square feet in size.

401.9 LOT COVERAGE

The maximum impervious surface coverage of lots shall be 25% of the lot area.

SECTION 402 DISTRICT CO – CONSERVATION

402.1 PURPOSE

The CO - Conservation District is intended to be applied to areas where the natural features are unique, endangered, or could be extensively damaged by development. Areas included are steep slopes, major drainageways, large wet soil areas, unique wooded areas, and bedrock outcrops.

402.2 PERMITTED USES

1. Agricultural land uses, including livestock.
2. Single family residential dwelling.
3. Public recreational and interpretive uses.
4. Telephone and electrical distribution lines, pipelines, and other related uses.
5. Home occupations not requiring an Interim Use Permit.

402.3 ACCESSORY USES

Garages and storage buildings, which are accessory to residential uses, may be constructed with a maximum sidewall height of fourteen (14) feet and a maximum square footage according to the following schedule:

Lot Size	Maximum Aggregate Sq. Ft. Of Outbuildings Allowed
40,000 sq. ft. or less	1,600 sq. ft.
40,000 sq. ft. - 2.5 acres	2,400 sq. ft.
2.51 - 5.0 acres	3,200 sq. ft.
5.01 – 10.0 acres	4,000 sq. ft.
10.01 – 15.0 acres	5,000 sq. ft.

402.4 CONDITIONAL USES

[Section reserved for future use].

402.5 INTERIM USES

1. Kennels.

2. Home occupations with a maximum of one employee not residing on the premises or home occupations requiring use of an accessory structure, subject to the requirements of Section 202.1 and Section 1108 of this Ordinance.
3. Commercial horse boarding.

402.6 GENERAL REGULATIONS

Construction of any use listed above shall conform to all standards in this Ordinance or applicable subdivision regulations on steep slopes, drainage, erosion and sedimentation, wet soils, tree removal, and floodplains.

The height, yard area, and lot width and depth regulations of the Agricultural (A) District shall apply for all uses other than utility facilities permitted in this district.

Additional requirements for parking signs, sewage systems, areas and height, and subdivision regulations are set forth in Articles V through XI.

402.7 DENSITY

The maximum density in this district is one residential dwelling per quarter-quarter section. If a property owner owns the entire quarter-quarter section, one additional house may be constructed if the original dwelling was constructed before January 1, 1981, or if the parcel was a lot of record before January l, 1981.

402.8 LOT SIZE

The minimum lot size shall be 40,000 square feet in size.

402.9 LOT COVERAGE

The maximum impervious surface coverage of lots shall be 25% of the lot area.

SECTION 403 DISTRICT F - FLOODPLAIN OVERLAY

403.1 PURPOSE

The Overlay District is intended to be applied to properties which lie within a primary floodway, which for the purposes of this Ordinance shall be construed to be a stream channel and the portions of the adjacent floodplain as are required to efficiently carry the flood flow of the stream, and on which properties special regulations are necessary for the minimum protection of the public health and safety, and minimum protection of property and improvements from hazards and damage resulting from flood waters.

403.2 TOWNSHIP REGULATIONS

Land Use regulations of the Agricultural (A) District shall apply to all lands in the Floodplain Overlay (F) District except that all structures designed for human habitation shall be conditional uses.

The height, yard area, and lot width and depth regulations of the Agricultural (A) District shall apply for all uses permitted in this district.

403.3 COUNTY REGULATIONS

The Dakota County Floodplain Ordinance prescribes additional land use regulations for the Floodplain Overlay District. If any specific regulations in the Dakota County Floodplain Ordinance differ from any said regulation contained herein, the most restrictive specific regulation shall apply.

403.4 GENERAL REGULATIONS

Requirements for signs, sewage treatment, area and height, and subdivision regulations are set forth in Articles V through XI.

403.5 DISCLAIMER OF LIABILITY

The F District herein established is intended to provide a reasonable approach to flood control based on present information. As additional information becomes available, the extent of the various boundaries shall be so altered to maintain this reasonableness. This ordinance does not imply that areas beyond the District limits will be free from flooding; nor shall this Ordinance, or districts established therein, create a liability on the part of, or cause action against Marshan Township or any office, official, or employee thereof, for any flood damage that may result from reliance upon this ordinance or flood district so established.

403.6 DENSITY

The maximum density in this district is one residential dwelling per quarter-quarter section. If a property owner owns the entire quarter-quarter section, one additional house may be constructed if the original dwelling was constructed before January 1, 1981, or if the parcel was a lot of record before January l, 1981.

403.7 LOT SIZE

The minimum lot size shall be 40,000 square feet in size.

403.8 LOT COVERAGE

The maximum impervious surface coverage of lots shall be 25% of the lot area.

SECTION 404 DISTRICT S - SHORELAND OVERLAY

404.1 PURPOSE

The S - Shoreland District is intended to apply to properties in the Agriculture (A) District which lie within 300 feet of the shoreline protected waters, which for the purposes of this Ordinance shall be construed to be tributaries of the Vermillion River. Such properties require special regulations for the minimum protection of public health, safety, and aesthetics.

404.2 TOWNSHIP REGULATIONS

Land use regulations of the Agriculture (A) District shall apply for all lands in the Shoreland Overlay (S) District. The height, yard area, lot width and depth regulations of the Agriculture District shall apply for all uses permitted in this District.

404.3 COUNTY REGULATIONS

The Dakota County Shoreland Ordinance prescribes additional land use and placement regulations for the Shoreland Overlay District. If any specific regulations in the Dakota County Shoreland Ordinance differ from any said regulation contained herein, the most restrictive specific regulation shall apply.

404.4 GENERAL REGULATIONS

Requirements for signs, sewage treatment, area and height, and subdivision regulations are set forth in Articles V through XI.

404.5 DENSITY

The maximum density in this district is one residential dwelling per quarter-quarter section. If a property owner owns the entire quarter-quarter section, one additional house may be constructed if the original dwelling was constructed before January 1, 1981, or if the parcel was a lot of record before January l, 1981.

404.6 LOT SIZE

The minimum lot size shall be 40,000 square feet in size.

404.7 LOT COVERAGE

The maximum impervious surface coverage of lots shall be 25% of the lot area.