

SECTION 9: GENERAL REQUIREMENTS

Subdivision 1: INTENT

The intent of this Section of the Zoning Ordinance is to establish general development performance standards. The regulations provided in this Section shall apply equally to all districts except where special provisions provide otherwise.

Subdivision 2: ACCESSORY BUILDINGS

- A. **Principal Structure Required.** Except where allowed as an interim use, an accessory building may not be constructed or otherwise located on a parcel of property until after the associated principal structure has been completed. An accessory structure may not remain, and must be removed, if the principal structure is removed, destroyed, or otherwise eliminated. If no structure on a lot is employed as a permitted, conditional or interim use, the structure is no longer a principal structure and no structure on the parcel may be employed for any accessory use.
- B. **Accessory Structure as an Interim Use.** In all zoning districts, the use of a building for a use permitted as an accessory use is allowed as an interim use, notwithstanding the absence of a principal structure, subject to the procedures, and performance and general development standards, set forth in this Ordinance. In addition, the City Council shall impose the following conditions in granting any interim use under this subdivision:
1. An interim use permit under this subdivision shall expire within one year. At the expiration of the permit, the property owner may apply for a second interim use permit for up to one year. No additional interim use permits shall be issued for the same use or structure, under this subdivision.
 2. An appropriate principal structure is planned for the site. A plan requires approval of any site plan necessary under the Zoning Code and proof that a valid building permit has been applied for the principal structure. The building permit must be maintained and renewed for the full term of the interim use permit.
 3. Upon expiration of the interim use permit, if a structure is not converted into a principal structure, or is not a permitted accessory use to an existing principal structure, the use must be discontinued and any structure or improvement that does not have a permitted use must be removed or demolished, immediately.

- C. **No Encroachment Over Lot Lines.** Doors and windows of accessory buildings must be constructed so that they do not extend beyond the lot lines when they are opened.
- D. **Location on Property.** Accessory structures must be located on the property as provided in this paragraph:
1. In all Residential Districts (i.e. R-1, R-2 and R-3) detached accessory buildings may only be located in the rear yard of the lot, except as required by Section 9, subd. 2(D)(2) or allowed by Section 9, subd. 2(D)(3)
 2. No detached accessory structure may be located within the setback from the Ordinary High Water Line (OHWL) as established by the Shoreland Overlay District. This restriction does not apply to stairs, paths, fences or docks, that are otherwise permitted.
 3. For property abutting a lake or navigable river, garages and other auto-oriented structures may be located on the road side of the lot.
- E. **Proximity to Principal Structure.** An accessory building, unless attached to and made a part of the principal structure shall not be closer than ten (10) feet to the principal structure. In cases where an accessory building is attached to the principal structure, it shall be made structurally a part of the principal structure and shall comply in all respects with the requirements of this Ordinance applicable to the principal structure.
- F. **Site Plan Required.** All accessory structures exceeding 120 sf in area shall require a building permit and approval of a Site Plan.
- G. **Setbacks Requirements for Accessory Structures.** Attached accessory structures must comply with all applicable setbacks to the principal structure. Detached accessory structures shall maintain rear and side yard setbacks of not less than five feet, except:
1. In the B-1 District, the underlying requirements of that zoning district shall apply; and,
 2. For all corner lots, the side yard setback along a public right-of-way shall be 15 feet, or the requirement of the underlying zoning class, whichever is less.

No structure may be constructed over any easement, public or private, without written authorization of the owner of the easement.

- H. **Design and Appearance of Exterior.** All accessory buildings greater than 120 square feet shall be constructed so that the appearance of its exterior is uniform and resembles the color and material of the principal structure. For purposes of this Subdivision 2(G):
1. Appearance is measured when viewed from adjacent property, or from water bodies, streams, rivers, roads, parks, or other facilities open to the public.
 2. Identical material is not required, but the following characteristics should be the same or similar:
 - a. Orientation of boards, grooves, grains, shingles and other exterior characteristics;
 - b. Color of siding
 - c. Color of roofing;
 - d. Style of siding (including, but not limited to, the apparent length and width of boards, shakes or panels and the texture, reflectivity, or gloss of materials); and
 - e. Style of roofing (including, but not limited to, the apparent length and width of shingles, shakes, boards, or panels and the texture, reflectivity, or gloss of materials).
 3. Notwithstanding this subdivision, an accessory structure is not required to match granite, brick, stone, concrete masonry or other similar stone-like material used on the principal structure. However, the material used must resemble the color and material of the principal structure, and should, at a minimum, match non-stone-like materials of the principal structure.
- I. **Prohibited Materials.** Unpainted, uncolored or unfinished material is prohibited, except if the material is designed and marketed for residential finish work, and is weather-resistant in its unpainted, uncolored or unfinished state.
- J. **Number of Structures.** Unless the zoning district has a stricter limit, the number of accessory buildings in all zoning districts shall be limited to two (2) detached accessory buildings and/or garages of any size.
- K. **Hoop Structures.** Hoop structures are prohibited.
- L. **Lot Coverage Restriction.** All detached accessory buildings on a lot may occupy no more than thirty percent (30%) of the area of the rear yard.

M. **A-40 District Exemptions.**

1. Subdivisions 2(G), 2(H), 2(I) and 2(J) do not apply to structures built within the A-40 Agricultural District where the structure is built at least 100 feet from a residential or commercial zoning district.
2. Subdivision 2(K) does not apply to the A-40 Agricultural District.

N. **Opt-Out Temporary Family Health Care Dwelling**

1. Pursuant to authority granted by Minnesota Statutes, Section 462.3593, subdivision 9, the City of Rockville opts-out of the requirements of Minn. Stat. §462.3593, which defines and regulates Temporary Family Health Care Dwellings.

Subdivision 3: OUTSIDE STORAGE, SCREENING AND LANDSCAPING

1. Residential Uses. All outside storage of materials and equipment for residential uses (excluding functional agricultural equipment actively used in a farming operation on a property within the A-40 district) shall be stored within a building or fully screened so as not to be visible from adjoining properties, except for the following:
 - a. Clothes line pole and wire.
 - b. Parking of licensed and operable vehicles in compliance with this Title (Off street parking).
 - c. Any combination of four or fewer licensed and operable recreational vehicles (RV's, boats, snowmobiles on a trailer, etc.) and/or seasonal automobiles may be parked or stored on property outside a home, provided:
 - i. They are not stored within the front yard, except if parked on an approved driveway.
 - ii. If stored within the side or rear yard they are at least five feet from the property line and landscaped/screened so as to be less visible from adjacent properties. If stored on a corner lot said storage must not interfere with motorist's views from intersecting streets.
 - iii. Storage and/or parking of commercial vehicles and/or equipment, or any combination thereof, greater than 22 feet

in length and ten feet in height and/or having a gross vehicle weight rating of more than 15,000 pounds is prohibited.

- iv. Standards of the City's Abandoned Car Ordinance are met.
 - d. Construction and landscaping material currently being used on the premises for a period not to exceed 6 months of any given project start date.
 - e. Lawn furniture or furniture used and constructed explicitly for outdoor use.
 - f. Rear or side yard exterior storage of firewood for the purpose of consumption only by those inhabiting the property on which it is stored.
2. Commercial/Industrial Uses. Except as allowed by district use provisions, outside storage of equipment, materials and inventory as a principal or accessory use for commercial and industrial uses shall require an interim use permit subject to the provisions of this Ordinance and all non-residential outside storage shall conform to the following conditions:
- a. The area occupied is not within a required front yard.
 - b. The storage area is totally fenced, fully screened, and/or landscaped according to a plan approved by the City.
 - c. If abutting a Residential District or a residential use a landscaped buffer of no less than 15 feet in width is provided according to a plan approved by the City.
 - d. The storage area is covered to control dust as approved by the City and proper storm water drainage is maintained, except drive aisles and entries/exits shall be covered with asphalt and/or cement.
 - e. All lighting is directed away from the public right-of-way and from neighboring residences.
 - f. All parking requirements are being met.
3. Refuse. All lots within all zoning districts shall be maintained in a neat and orderly manner. No rubbish, salvage materials, junk, or miscellaneous refuse shall be openly stored or kept in the open, when the same is construed by the City Council to be a menace or nuisance to the

public health, safety, or general welfare of the City, or to have a depressing influence upon property values in the area.

4. Waste Materials. Waste materials are to be picked up and disposed of in accordance with any and all city standards applicable to refuse/waste materials. Excluded waste materials must be disposed of in a safe and appropriate manner in accordance with local, state, and federal law. Release of excluded waste materials to public or independent sewage treatment systems, the environment, or the solid waste stream is strictly prohibited. The Disposal Service shall, upon collection, immediately assume title to and liability for solid waste materials, recyclables, and demolition debris.

Subdivision 4: LANDSCAPING

- A. This Section's purpose is to eliminate the problems of excessive uniformity, dissimilarity, inappropriateness or poor quality of design in the exterior appearance of structures and the lack of proper attention to site development and landscaping in the City.
- B. This Section's standards shall promote harmonious development in the City, increase the desirability of residence, encourage investment or occupation in the City, optimize use and value of land and improvements, increase the stability and value of property, provide for visual relief and aesthetics, add to the conditions affecting the City's peace, health and welfare of the City and establish a proper relationship between the taxable value of property and cost of City services.
- C. Maintaining certain standards is essential to ensure compatible relationships between land uses within the City. All permitted or conditional uses within the City's various zoning districts shall conform to the following general provisions and performance standards and the standards listed within the individual zoning classification.
- D. In all zoning districts, except the A-40 District, the lot area remaining after providing for buildings, parking areas, driveways, loading areas, sidewalks or other structures must be planted and maintained in grass, sodding, shrubs or other acceptable vegetation or landscaping techniques. Within six (6) months of issuance of a certificate of occupancy, residential dwellings located within A-40 District must have landscaping, as provided for above, covering the building site (as determined by the minimum lot size for a single family dwelling located in an A-40 District) surrounding the dwelling. All new uses other than single and two family dwelling units must provide a landscaping plan as part of their site plan review.

- E. Overall composition and location of landscaping shall complement the scale of the development and its surroundings. In general larger, well-placed contiguous planting areas shall be preferred to smaller, disconnected areas.
- F. Installation and Maintenance of Landscaping Materials.
 - 1. All landscape materials shall be installed to current industry standards.
 - 2. Maintenance and replacement of landscape materials shall be the responsibility of the property owner.
 - 3. Landscape materials shall be tolerant of specific site conditions, including but not limited to heat, drought and salt.
 - 4. Landscape species shall be indigenous or proven adaptable to the climate, but shall not be invasive species.
 - 5. Existing healthy plant material may be utilized to satisfy landscaping requirements, provided it meets the minimum plant size specified above.
 - 6. Landscape materials that are used for screening shall be of a size that allows growth to the desired height and opacity within 2 years.
 - 7. Landscape maintenance should incorporate environmentally sound management practices, including the use of water- and energy-efficient irrigation systems such as drip irrigation, and pruning primarily for plant health and public safety, replacing dead materials annually.

Subdivision 5: TOPSOIL REMOVAL

- A. No person shall strip, excavate or otherwise remove topsoil for sale or for use off premises except:
 - 1. In connection with the construction or alteration of a building on the premises;
 - 2. In connection with agricultural crop operations within the A-40 district;
 - 3. In connection with excavation or grading incidental to the work on the premises; or

4. In compliance with this Ordinance.

Subdivision 6: DWELLING UNIT RESTRICTIONS

- A. The purpose of this Section is to maintain neighborhood property values and otherwise promote health, safety, order and general welfare providing for manufactured homes in safe, attractive, residential neighborhoods with all urban services and desired amenities as other residential dwellings.
- B. Manufactured Homes Outside Manufactured Home Parks: No single-family manufactured home shall be located outside of a manufactured home park (or an RR District) unless it is in compliance with this Section and with Minnesota Statutes sections 327.31 through 327.35.
- C. No cellar, garage, tent, accessory building, or basement (except when used as an accessory portion of the living space of the family or as an earth sheltered home as defined in Minnesota Statutes '216C.06, Subd. 2, as amended) may be used as a residence or Dwelling Unit.
- D. Basements may be used as living quarters or rooms as a portion of residential dwellings. Rental unit(s) in basements shall be subject to provisions of the appropriate zoning district, the building code as defined and related codes.
- E. No dwelling shall hereafter be erected or altered unless it abuts a public street.
- F. Except and in the case of Planned Unit Development Districts and R-2, R-3 Districts and Rural Residential Districts, no more than one (1) principal building may be located on a lot. In the A-40 District a second dwelling may be located on the Lot by conditional use permit.
- G. Developments involving Manufactured Homes and/or patio homes (single story slab on grade homes) must provide a storm/fall out shelter (or room if applicable) meeting guidelines adopted by Stearns County.

Subdivision 7: CONNECTION TO PUBLIC SANITARY SEWER AND WATER REQUIRED

- A. All newly constructed principal structure must be connected to the City's public sewer and water services when:
 1. Said sewer/water facilities are within 350 feet from the proposed development; and/or,

2. The proposed development is located within a area guided toward future urban development (but not transitional development) within the Comprehensive Plan; and/or,
- B. Where municipal sewers are not available all sewage facilities must be connected to approved septic tanks and disposal fields.
 - C. Existing buildings which are not connected to municipal sanitary sewer services must connect to City sanitary sewer services if City sanitary sewer services are within three hundred fifty (350) feet of the building.
 - D. Existing buildings which are not connected to municipal water services must connect to City water services if municipal water services are within three hundred fifty (350) feet of the building. This provision does not apply to temporary construction sites or portable units approved by the City for temporary use. Connections along any force main section of municipal sewer services may be excluded.

Subdivision 8: LIGHTING

- A. **Purpose.** The purpose of this section is to create standards for outdoor lighting which will provide for nighttime safety, security and utility while reducing light pollution, light trespass, and conserving energy. It is the intent of this Section to require appropriate lighting levels, efficient (watts to lumens) lighting sources, full cut-off lighting, and to minimize/discourage lighting glare, lighting pollution and lighting trespass.
- B. **Exemptions.** The following are exempt from the standards contained in this section.
 1. Decorative seasonal lighting.
 2. Lighting for one-and two family dwellings.
 3. Lighting utilized for the purpose of illuminating national, state or local flags on flagpoles; provided no more than two luminaries are employed, the light fixtures include a cutoff component and the light source is directed at the flag and arranged to minimize the amount of light pollution, trespass, or glare on to adjacent properties and public streets.
 4. Temporary emergency lighting used by police, fire fighters, or other emergency services, as well as all vehicular luminaries.
 5. Hazard warning luminaries which are required by federal regulatory agencies.

6. As part of the approval of public street or sidewalk projects, the City Council may vary from the requirements of this Section.
7. Because of their unique requirement for nighttime visibility and their limited hours of operations, ball diamonds, playing fields and tennis courts are exempted from the general standards of this section. Lighting for these outdoor recreational uses shall be shielded to minimize light and glare from spilling over onto adjacent residential properties.
8. Exterior lighting in existence on the effective date of this chapter shall be exempt from the standards of this chapter and shall be considered legally nonconforming. Such fixtures may be repaired and maintained. However, if any legal nonconforming luminary is moved or damaged by any means to an extent that its total replacement is necessary, the luminary, or replacement, shall comply with this subdivision.

C. **Lighting Standards.** Following are general standards for lighting on private property.

1. Lighting plans shall be submitted with site plan reviews as required within individual multiple-family, commercial and industrial developments.
2. No flashing lights, beacons, search lights, lights that change colors, lights that flash on and off, lights that change intensity and/or similar lights shall be permitted.
3. Street, parking lot, security, walkway and building lights shall be designed to function as full cutoff luminaries which focus the light emitted only on the area to be lit and not onto adjacent properties or toward the sky.
4. Lighting intended for outdoor advertising which projects light into the sky shall be prohibited.
5. All luminaries located on commercial, industrial, or institutional property shall be designed so that the light source (bulb or lamp) is completely shielded from direct view of adjacent lot lines, a transitional yard or at any location on residentially zoned property.
6. All luminaries located on private property shall be designed or positioned so that the maximum illumination at the property line shall not exceed one-half (1/2) foot candle.

7. As part of the approval of public street or sidewalk projects, the City Council may vary from the requirements of this Section.

Subdivision 9: POLLUTION

- A. **Smoke Emissions.** The emission of smoke by any use shall be in compliance with and regulated by the Minnesota Pollution Control Standards, as amended.
- B. **Dust and Other Particulate Matter.** The emission of dust, fly ash or other particulate matter by any use shall be in compliance with and regulated by the Minnesota Pollution Control Standards, as amended.
- C. **Odors.** The emission of odorous matter in such quantity as to be offensive shall not be permitted. The emission of odor by any use shall be in compliance with and regulated by the Minnesota Pollution Control Standards, as amended.
- D. **Noise.** All noise shall be muffled so as not to be objectionable due to intermittence, beat frequency or shrillness and as measured at any property line, shall not exceed the minimum standards established by the State of Minnesota.
- E. **Fuel Storage.** No tank for the storage of fuel shall be placed or maintained above ground unless complying with all applicable MPCA regulations and approved by the City Council after review and comment by the Planning Commission.

Subdivision 10: SOLAR COLLECTORS

Solar collectors must adhere to the setback requirements of the district in which they are placed. When placed on the roof of structures, solar collectors are subject to the height requirements of the district in which they are located. When considering a variance for the placement of solar collectors, the City Council shall consider inadequate access to direct sunlight as a legitimate hardship pursuant to Minnesota Statutes Section 462.357, Subd. 6, as amended.

Subdivision 11: HEIGHT EXCEPTIONS

This Ordinance's height limitations do not apply to chimneys, cooling towers, elevator bulk heads, fire towers, grain elevators, silos, stacks, flag poles, tanks, water towers, pumping towers, permitted radio or television towers, monuments, cupolas, steeples and mechanical appurtenances pertaining to and necessary to the permitted use of the district in which they are located.

Subdivision 12: YARD SETBACK EXCEPTIONS

- A. The following are not considered encroachments on setback requirements: Boiler flues, chimneys, fireplaces, belt courses, leaders, sills, pilasters, lintels, steps, landings, cornices, eaves and gutters (all of which may not project more than thirty-six (36) inches into the setback), stone or cement patios and non-barrier creating landscape plantings.
- B. For clarification purposes, the following is a list of features that are not exempt and may not be located within the setback area: outside stairways, fire escapes, porches, platforms, decks, balconies and other similar projections.

Subdivision 13: BUILDING RELOCATION

Each location of a relocated building requires a building permit. Relocated buildings must conform to the Building Code, must be situated in a properly zoned area, and must meet all other requirements of this Ordinance.

Subdivision 14: STREET PLAN CONFORMANCE

No structure may be placed in a location which will interfere with future street or road construction as shown on the City's street plan or Official Map.

Subdivision 15: TEMPORARY STRUCTURES LIMITED

No temporary structure, trailer, tent or shack may be constructed, placed or maintained except as an accessory to and during construction of permanent buildings. In no event will any such structure be permitted for longer than one (1) year.

Subdivision 16: WETLAND SETBACKS

- A. **Purpose.** The purpose of this subdivision is to prevent negative impacts to the function, value, and quality of wetlands by establishing setbacks for structures, decks, driveways, patios, fences or other improvements.
- B. **Setbacks.** In addition to the setbacks established by the Zoning Ordinance, no structure, deck, driveway, patio, fence, or other improvement shall be located in any zoning district within the following setbacks.
 - 1. 10 feet from the limit of a wetland 0 – 5 acres.
 - 2. 20 feet from the limit of a wetland greater than 5 acres.

The owner of the property shall be responsible for submitting proof in a form acceptable to the City of the limit of the wetland. The City may require surveying, staking, and/or a certified delineation approved by Stearns County.

Subdivision 17: HANDICAPPED ACCESSIBILITY

When applicable, structures and/or facilities, including their exterior environment, must meet the accessibility portion of the State Building Code, Minnesota Rules Chapter 1341, or successor rules.

Subdivision 18: BUILDING NUMBERS

Every building shall have a proper building address number(s) made of durable material affixed to the building and clearly posted and placed to be easily seen from the public street. Building addressing and identification must comply with Stearns County's 911 policies.

Subdivision 19: PROTECTION OF EASEMENTS

- A. Applicability: This section applies to all zoning classifications. In the case where more restrictive language applies, the more strict standard shall be followed.
- B. All structures, plantings, landscaping, fences and similar items shall be set back from pipeline, drainage and utility easements except as provided for in subsection (C) below.
- C. Plantings such as trees and bushes may be placed in and utility easements (but not drainage easements) at the risk of the property owner. The city does not encourage extensive plantings or landscaping in the easement area because of the possibility of utility work in the easements. The city or utility service providers shall not be required to replace plantings or landscaping removed or damaged during work within the easement area.

Subdivision 20: MINING/EXTRACTIVE USES

- A. **Required Permits.** When permitted as an interim use in any applicable zoning district, mining/Extractive Use operations may be allowed as an interim use subject to the procedures set forth in this Ordinance. Unless a different time is specified in the interim use permit, one year shall be the presumptive term of any interim use permit allowing an Extractive Use.

- B. **Operations Regulated.** Operations regulated by this Subdivision shall be Extractive Uses, including without limitation, mining of granite and the mining, crushing, washing, refining or processing of sand, gravel, rock, black dirt, peat, soil and other minerals, and the removal thereof from the site.
- C. **Application Requirements.** The following information shall be provided by the person requesting an interim use permit for a mining operation:
1. The name and address of the applicant.
 2. The name and address of the owner of the land.
 3. The address and legal description of the land involved.
 4. The following maps, drawn at a scale of one (1) inch to one hundred (100) feet, unless otherwise stated below:
 - a. **Map A - Existing condition to include:**
 - (1) Contour map in two (2) foot intervals
 - (2) Existing vegetation
 - (3) Wetlands and existing surface water drainage patterns
 - (4) Existing structures
 - (5) Existing wells
 - b. **Map B - Proposed operation to include:**
 - (1) Structures to be erected (including 911 addressing)
 - (2) Location of sites to be mined showing depth of proposed excavation
 - (3) Location of machinery to be used in the mining operation
 - (4) Location of storage of mined materials, showing maximum height of storage deposits
 - (5) Location of vehicle parking, access roads and local routes to truck routes
 - (6) Location of storage of explosives
 - (7) Erosion and sediment control structures
 - c. **Map C - End use plan to include:**
 - (1) Final grade of proposed site showing elevations and contour lines at two foot intervals

- (2) Location and species of vegetation to be replanted
 - (3) Reclamation staging plan
5. A soil erosion and sediment control plan.
6. A plan for dust and noise control.
7. A complete description of all phases of the proposed operation to include an estimate of duration of the mining operation, location and approximate acreage of each state and time schedule for reclamation.
8. The highway, street or streets, or other public ways in the City upon and along which any material is to be hauled or carried.
9. A security statement by the applicant demonstrating the proposed activity will in no way jeopardize the public health, safety and welfare or is appropriately fenced to provide adequate protection.
10. A statement by the applicant for compliance with all conditions of the interim use permit.
11. A written right-of-entry given to the City or the City's agent to enter the land for the purpose of determining compliance, any time, with all applicable conditions imposed on the operation.

D. **Performance Standards.** The following performance standards shall apply to all mining operations approved after the effective date of this Ordinance.

1. **General provisions.** All equipment used for mining operations shall be constructed, maintained and operated in a manner as to minimize, as far as practical, noise, dust and vibrations adversely affecting the surrounding property. Additionally, the excavation shall be properly fenced.
2. **Water Resources.** The mining operation shall be conducted in such a manner as to minimize interference with the surface water drainage outside the boundaries of the mining operation.
3. **Safety Fencing.** Safety fencing may be required around all or portions of the mining operation at the discretion of the Planning Commission.
4. **Mining Access Roads.** The location of the intersection of mining access roads with any public roads shall be selected such that

traffic on the access roads will have a sufficient distance of public road in view so that any turns onto the public road can be completed within a margin of safety as determined by the Public Works Director.

5. Screening Barrier. To minimize problems of dust and noise and to shield mining operations from public view, a screening barrier (vegetative or non-vegetative) may be required between the mining site and adjacent properties or public roads as provided for in this Ordinance.
6. Setback. The following setback requirements shall apply to mining operations:
 - a. The processing of mined materials shall not be conducted closer than one hundred (100) feet to the property line, nor closer than five hundred (500) feet to any residential dwelling unit.
 - b. Mining of any materials shall not be conducted closer than two hundred (200) feet of any residential dwelling unit or residential zoning district boundary.
 - c. Mining of any materials shall not be conducted closer than thirty (30) feet to any property line or within thirty (30) feet of any public road right of way.
7. Hours of Operation. All hours of operation shall be set in the Interim Use Permit as approved by the Planning Commission. Hours of operation (including without limitation excavation, crushing, washing and hauling) shall be presumptively limited to 7:00 a.m. to 9:00 p.m. The City Council after review and recommendation by the Planning Commission may further limit the hours of operation.
8. Access Roads and Roadway Restoration. All access roads from mining operations to public highways, roads or streets or to adjoining property shall be paved or otherwise maintained to control dust. The City may require that the applicant pave or upgrade roads used for hauling from the property. The City may also require the applicant to provide financial security to ensure that any damage or excessive wear caused by hauling to or from the property is repaired by the owner and/or operator.
9. Land Reclamation. All mining sites shall be reclaimed immediately after mining operations cease. Reclamation shall be completed within one (1) year. The following standards shall apply:

- a. Within a period of three (3) months after final termination of a mining operation, or within three (3) months after abandonment of such operation for a period of six (6) months, or within three (3) months after expiration of an interim use permit for a mining operation, all buildings, structures and plants incidental to such operation shall be dismantled and removed by, and at the expense of, the mining operator last operating such buildings, structures and plants.
 - b. The peaks and depressions of the mined area shall be graded and back filled to a surface which will result in a gently rolling topography in substantial conformity to the land area immediately surrounding, and which will minimize erosion due to rainfall. No finished slope shall exceed eighteen percent (18%) grade.
 - c. Reclaimed areas shall be surfaced with soil of a quality at least equal to the topsoil of land areas immediately surrounding, and to a depth of at least six (6) inches. The topsoil shall be seeded, sodded or planted.
 - d. The finished grade shall be such that it will not adversely affect the surrounding land or future development of the site. The finished plan shall restore the mining site to a condition whereby it can be utilized for the type of land use proposed to occupy the site after mining operations cease.
10. Security/Bond. A bond or other financial security acceptable to the City Council shall be provided by the applicant to ensure compliance with the requirements of this Ordinance, to ensure completion of the land reclamation, and to ensure compliance of any conditions imposed as part of the interim use permit issued for any Extractive Use.

Subdivision 21: HOME OCCUPATIONS

- A. A Home Occupation use shall comply with the following standards:
 1. The home occupation shall be clearly incidental and subordinate to the residential use of the property.
 2. The home occupation shall be conducted only by persons residing on the premises. No person other than the residents of the premises shall be employed or engaged in such home occupation.

3. Operation of the home occupation shall be limited to the residential dwelling and any attached garage.
4. The use of any accessory or agricultural buildings for storage or business activity is prohibited.
5. The outdoor display or storage of goods, equipment or other materials used for the home occupation is prohibited.
6. The home occupation shall not generate excessive customer or client traffic that is detrimental to the character of the surrounding properties.
7. There shall be no indication of offensive noise, vibration, smoke, dust, odors, heat or glare at or behind the property line.
8. The home occupation shall not generate hazardous waste unless a plan for off-site disposal of the waste is approved.
9. The home occupation at a dwelling with an on-site sewage treatment system shall only generate normal domestic household waste unless a plan for off-site disposal of the waste is approved.
10. Signs shall meet the requirements of this Ordinance.
11. Parking shall meet the requirements of this Ordinance.

Subdivision 22: HOME EXTENDED BUSINESSES

- A. A Home Extended Business shall comply with the following standards:
 1. The home extended business shall be clearly incidental and subordinate to the residential use of the property.
 2. The home extended business shall be conducted only by persons residing on the premises. No person other than the residents of the premises shall be employed or engaged in such home extended business unless specifically approved as part of the conditional use permit. (Different from Home Occupation)
 3. Operation of the home extended business shall be limited to the residential dwelling and accessory or agricultural buildings on the same parcel. (Different from Home Occupation)

4. Areas used for the outdoor display or storage of goods, equipment, vehicles, or other materials used for the home extended business shall be located to the rear of the structure and further buffered from adjacent residential uses with landscaping, fencing or other acceptable methods of screening in accordance with this Ordinance.
5. The home extended business shall not generate excessive customer or client traffic that is detrimental to the character of the surrounding properties.
6. There shall be no indication of offensive noise, vibration, smoke, dust, odors, heat or glare at or beyond the property line.
7. The home extended business shall not generate hazardous waste unless a plan for off-site disposal of the waste is approved.
8. The home extended business at a dwelling with an on-site sewage treatment system shall only generate normal domestic household waste unless a plan for off-site disposal of the waste is approved.
9. Signs shall meet the requirements of this Ordinance.
10. Parking shall meet the requirements of this Ordinance.

Subdivision 23: SHORELANDS

Section 10.2 of the Stearns County, Minnesota Zoning Ordinance (as amended) relating to the Shoreland overlay district is hereby adopted by reference in its entirety.

Subdivision 24: FLOODPLAINS

Section 10.1 of the Stearns County, Minnesota Zoning Ordinance (as amended) relating to the floodplain overlay district is hereby adopted by reference in its entirety.

Subdivision 25: FEEDLOTS

Section 6.7 of the Stearns County, Minnesota Zoning Ordinance (as amended) relating to feedlots is hereby adopted by reference in its entirety except for setback requirements. Existing feedlots cannot sub-divide their property and be closer than 700' from a new sub-divided lot.

Subdivision 26: INDEPENDENT SEWAGE TREATMENT SYSTEMS

Stearns County Ordinance 198 (as amended) relating to independent sewage treatment systems is hereby adopted by reference in its entirety.

Subdivision 27: SETBACK REQUIREMENTS

Except where more strict standards are provided in this Ordinance, the following setback requirements shall apply:

- 1. Minimum Building Setbacks
 - A. Roadway:

Classified Roads	Setback from Road Centerline*	Setback from Road Right-of-Way*
Principal Arterial	150	75
Minor Arterial	120	60
Major Collector	100	50
Minor Collector	100	50

Un-Classified Roads	Setback from Road Centerline*	Setback from Road Right-of-Way*
County Road	100	50
City Road	63	30
Private Road Easement	63	30

*THE MORE RESTRICTIVE SETBACK SHALL APPLY