

CHAPTER 3

GENERAL PROVISIONS APPLYING IN ALL DISTRICTS

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1-3-1: MINIMUM LOT SIZE:

Wetlands shall be excluded from the area considered for meeting any minimum lot size requirements of this Ordinance. Buildable area shall mean the upland area of a lot remaining after the minimum yard setback requirements of this Ordinance have been complied with.

1-3-2: YARD EXCEPTIONS:

Yard setback requirements specified for zoning districts in Article 5A through 5I shall be subject to the following exceptions:

A. Front Yard Exceptions:

1. **Ornamentations:** Eaves, cornices, belt courses, and similar ornamentations may project over a front yard not more than two feet (2').
2. **Platforms, Terraces, Steps, Open Porches:** Steps, terraces, platforms and porches having no roof covering and being not over forty-two inches (42") in height may extend into a front yard.

B. Side Yard Exceptions:

1. **Ornamentations:** Eaves, cornices, belt courses and similar ornamentations may project over a side yard not more than two feet (2').
2. **Platforms, Terraces, Steps:** Platforms, terraces and steps not over forty-two inches (42") in height may extend into a side yard. Platforms, terraces and steps shall be located at least five feet (5') from side yard lot lines.
3. **Fireplaces:** Fireplaces may extend into a side yard a distance of not more than eighteen inches (18").

C. Rear Yard Exceptions:

1. **Ornamentations:** Eaves, cornices, belt courses, and similar ornamentations may extend into the rear yard.
2. **Platforms, Terraces, Steps, Open Porches:** Steps, terraces, platforms and porches having no roof covering and being not over forty-two inches (42") in height may extend into a rear yard.

3. **Garages:** Private garages, attached to a dwelling, may extend into the rear yard.

1-3-3: HIGHWAY SETBACKS:

Front Yard setbacks from roads in all zoning districts shall meet the following requirements.

- A. **Minimum Setbacks:** Development shall meet the following minimum front yard setbacks from listed road types. The listed road types are the functional classifications indicated in the County Transportation Report.

<u>Road Type</u>	<u>Setback</u>
Principal arterial	175 feet
Collector	125 feet
Township road	125 feet

Township road located entirely within a platted subdivision or:

Local road	90 feet
Local road (UED)	65 feet

- B. **Measured from Center Line:** The front yard setback requirements in subsection A, above, shall be measured from the nearest center line of the right of way.
- C. **Cul-de-Sacs:** The front yard setback from cul-de-sacs shall be twenty feet (20') and shall be measured from the edge of the road right-of-way.
- D. **Front Yard Setback Averaging:** Where structures existing on the effective date of this Ordinance on lots contiguous to the lot or parcel proposed for development, have a different setback from that required in subsection A, above, the front yard setback of a new structure may approximate the prevailing setback in the immediate vicinity. The Zoning Administrator shall determine the necessary front yard requirements in such cases.

1-3-4: PIPELINE RIGHT-OF-WAY SETBACKS:

All structures shall be setback a minimum of sixty feet (60') from the edge of any public or private utility pipeline right-of-way.

1-3-5: FENCES:

The following requirements shall apply to fences in all zoning districts.

- A. **Residential Sight-Obscuring Fence Prohibited:** No sight-obscuring fence over forty-eight inches (41") in height shall be erected within the front yard of any lot used for residential purposes.
- B. **Maximum Height:** No fence shall exceed a height of six feet (6') without first obtaining a permit from the zoning administrator.
- C. **Within Road Right of Way or Ditch Back Slope:** No fence shall be erected on a road right of way or within the confines of the ditch back slope.
- D. **Fences to Confine Animals on Residential Lots:** Fences erected to confine allowed animals on residential lots or parcels shall conform to the following requirements:
1. **Exception:** These provisions shall not apply to single residential parcels where they abut

agricultural parcels.

2. **Required:** Fences conforming to the provisions of this subsection shall be required for the keeping of allowed horses and other allowed large animals, not including domesticated dogs and cats.
3. **Setback:** Fencing required under this subsection shall be located at least five feet (5') from any property line of an adjacent platted residential subdivision.

E. Electric Fences:

1. **Conformance with Codes Required:** Electrical fences shall conform in all respects to the state regulations for electrical wiring, and shall be energized only with underwriters' laboratories approved equipment.
2. **Warning Signs:** Electric fences in or adjacent to a platted area shall be marked by warning signs every fifty feet (50').

1-3-6: MANUFACTURED HOMES:

The following provisions apply to mobile homes in all zoning districts.

- A. **Manufactured Home Parks Prohibited:** Manufactured home parks are not permitted in any zoning district within the Township.
- B. **Single-Family Residence:** Manufactured homes as single-family residences are allowed in all zoning districts that allow single-family residences. Manufactured homes must comply with the applicable sections of this Ordinance dealing with residential uses.
- C. **Foundation, Anchoring, and Skirting:** Manufactured homes that meet the provisions of subsection B., above, shall be placed upon a permanent foundation for the entire perimeter of the manufactured home or shall be anchored and skirted to meet the requirements of Minnesota Rules, Chapter 1350.

1-3-7: TREES; TREE PLANTING:

The following tree and tree planting requirements apply in all districts:

- A. **Projection Over Public Ways Prohibited:** No person, whether owner or tenant of any property along the streets or roadways of the Township, shall permit any trees to project over the sidewalks, streets, and roadways, and twelve feet (12') above streets and roadways.
- B. **Responsibility to Trim:** It is the duty of all persons, whether owners or tenants, to keep the trees along public streets and roadways adjoining such property trimmed in such manner that trees shall not interfere with travel on said streets, roadways, and sidewalks.
- C. **Road Right of Way; Ditch Back Slope:** No person shall plant any tree, shrub, or other vegetable growth except lawn grass on any road right of way, or within confines of the ditch back slope.
- D. **Intersections:** For the purpose of ensuring reasonable visibility at street or roadway intersections, trees shall be trimmed to at least twelve feet (12') above street or roadway surface.
- E. **Shelterbelts:** Shelterbelts shall not be planted closer than one hundred twenty-five feet (125') from center of road.
- F. **Windbreaks:**
 1. **North and West:** Farmstead windbreaks, when planted north and west of road, stay one hundred feet (100') away from center of road.

2. **East and South:** Farmstead windbreaks, when planted east and south of road, stay seventy-five feet (75') away from center of road.
- G. **Hedges:** Hedges may be planted seventy feet (70') from the center of road if they do not exceed a height of twenty-four inches (24").
- H. **Platted Areas:** In platted areas, trees and shrubs may be planted no closer than seventy feet (70') from center of road.

1-3-8: HOME OCCUPATIONS, STANDARDS FOR APPROVAL:

The following standards apply to home occupations:

- A. **Home Occupations within Subdivisions:** Home occupations within dwellings in subdivisions are a permitted use if all of the following provisions are met:
 1. **Where Located:** The home occupation shall be located wholly within the dwelling and shall be incidental and subordinate to the residential use of the property.
 2. **Size Limited:** The area of the dwelling where the home occupation is located shall not exceed twenty-five percent (25%) of the main floor area, but not including basement or garage floor space.
 3. **Structural Changes:** Structural changes shall not be made in the dwelling.
 4. **Employees:** Employees shall be limited to person(s) residing in the dwelling and immediate family members.
 5. **Sign:** One non-illuminated sign only of a maximum size of four (4) square feet and attached to the dwelling is allowed to advertise the home occupation on site. Such sign shall meet the setbacks for structures for the zoning district within which the home occupation is located.
 6. **Evidence of Occupation:** Evidence of the occupation such as outdoor storage shall not be visible from the road, except one sign that meets the provisions of subsection 5, immediately above.
 7. **Traffic:** No traffic shall be generated by the home occupation beyond that which is reasonable and normal for the area in which it is located.
 8. **Adverse Effect:** The occupation shall not adversely affect the character of the uses permitted in the district in which it is located.
 9. **Septic:** The septic system shall be adequate for the residential and home occupation use combined.
- B. **Permitted Home Occupations Outside of Subdivisions:** Rural Home occupations operated on residential lots not located in platted subdivisions are a permitted use if all of the following provisions are met:
 1. **Where Located:** Home occupations operated on residential lots not located in platted subdivisions may be located within the dwelling or in a separate nonresidential or farm building and shall be incidental and subordinate to the residential use of the property.
 2. **Size Limited within Dwelling:** If the home occupation is located within the dwelling, the area of the dwelling where the home occupation is located shall not exceed twenty-five percent (25%) of the main floor area, but not including basement or garage floor space. Structural additions may be made to a dwelling to accommodate a home occupation provided the alterations shall not exceed twenty-five percent (25%) of the main floor of the area of the dwelling, but not including basement or garage floor area.

3. **Size Limited in Accessory structure:** Any accessory structure principally used for the home occupation shall not exceed twelve hundred (1200) square feet. Home occupations located in accessory structures may result in a split tax classification for the parcel where the structures are located. A commercial property tax rate may apply to home occupations in accessory structures.
 4. **Employees:** Employees shall be limited to person(s) residing in the dwelling, immediate family members and one additional non-family employee.
 5. **Sign:** One non-illuminated sign only of a maximum size of four (4) square feet and attached to the dwelling is allowed to advertise the home occupation on site. Such sign shall meet the setbacks for structures for the zoning district within which the home occupation is located.
 6. **Evidence of Occupation:** Evidence of the occupation such as outdoor storage shall not be visible from the road, except one sign that meets the provisions of subsection 5, immediately above.
 7. **Traffic:** No traffic shall be generated by the home occupation beyond that which is reasonable and normal for the area in which it is located.
 8. **Adverse Effect:** The occupation shall not adversely affect the character of the uses permitted in the district in which it is located.
 9. **Septic:** The septic system shall be adequate for the residential and home occupation use combined.
 10. **Parking:** One (1) additional parking space may be provided for the use of clients, deliveries, etc.
- C. **Conditional Home Occupations:** Conditional home occupations not located in subdivisions may exceed the provisions of subsection B, immediately above, if they meet all of the following provisions:
1. **Conditional Use:** Home occupations allowed under this section shall be processed as a conditional use permit meeting the requirements of this section in addition to the general requirements for a conditional use permit. A site plan shall be submitted with the conditional use permit application showing the location of all existing structures and describing the proposed use.
 2. **Review of Permit:** Conditional home occupation uses shall be reviewed and inspected by the planning department at least once every five years for compliance with conditions.
 3. **Where Located:** Conditional home occupations shall be located on lots not located in platted subdivisions. Conditional home occupations may be located within the dwelling or in a separate nonresidential or farm building.
 4. **Size Limited within Dwelling:** If the home occupation is located within the dwelling, the area of the dwelling where the home occupation is located shall not exceed twenty-five percent (25%) of the main floor area, but not including basement or garage floor space. Structural additions may be made to a dwelling to accommodate a home occupation provided the alterations shall not exceed twenty-five percent (25%) of the main floor of the area of the dwelling, but not including basement or garage floor area.
 5. **Size Limited in Accessory structures:** A new accessory structure or structures principally used for the home occupation shall not exceed ten thousand (10,000) square feet in total for all structures thus used. A new accessory structure shall mean any structure built at the time the conditional home occupation permit is applied for or a structure built within the immediately preceding five (5) years. If an existing accessory structure, or combination of structures, is proposed to be used for the home occupation, the structure or structures shall not exceed thirty thousand (30,000) square feet in total for all structures thus used. Existing accessory structures shall have been in existence for a period of more than five (5) years prior to the application for a conditional home occupation. If a combination of new and existing accessory structures is

proposed to be used for the home occupation, only one new structure is allowed and shall not exceed ten thousand (10,000) square feet and the existing structures combined with the new structures shall not exceed thirty thousand (30,000) square feet in total. Proposed uses exceeding the size limits in this paragraph shall be located in ASC Agricultural Service Center Districts or other commercial districts because of associated traffic, parking, employee, utility and signage needs. Home occupations located in accessory structures may result in a split tax classification for the parcel where the structures are located. A commercial property tax rate may apply to home occupations in accessory structures.

6. **Minimum Lot Size:** The minimum lot size required for a lot on which a conditional home occupation is permitted shall be eighty thousand (10,000) square feet.
7. **Employees:** Employees shall be limited to person(s) residing in the dwelling, immediate family members and up to five (5) additional non-family employees. The Planning Commission may allow additional employees if traffic, parking, utility and impact on surrounding properties are addressed.
8. **Sign:** One non-illuminated sign only of a maximum size of thirty-two (32) square feet is allowed to advertise the home occupation on site. Such sign shall meet the setbacks for structures for the zoning district within which the home occupation is located.
9. **Traffic and Roads:** Traffic generated by the use shall be considered by the Planning Commission and traffic generated by the home occupation shall not exceed that which is reasonable for the area in which it is located and the road adjacent to the home occupation.
10. **Adverse Effect:** The occupation shall not adversely affect the character of the uses permitted in the district in which it is located.
11. **Performance Standard:** No equipment or processes used in the conditional home occupation shall create noise, vibration, glare, fumes, odors or electrical interference detectable off the premises.
12. **Buffering:** Buffering may be required by the Planning Commission to minimize adverse effects on adjacent properties and roadways.
13. **Utilities:** The home occupation shall not create usage exceeding the capacity of available on-site sewage treatment and drinking water.
14. **Parking:** Additional parking spaces may be required by the Planning Commission for the use of clients, deliveries, etc.

1-3-9: ESSENTIAL SERVICES:

- A. **Permitted:** Essential services extending from the system to serve en route parcels of land abutting a public right of way or easement are not subject to yard or setback regulations, zoning certificates, other than the approval of the owner.
- B. **Buildings and Structures:** Essential services buildings and structures shall not be located less than fifty feet (50') from any lot line. This subsection shall be considered a variance to permit a lot area less than the minimum required for the district in which such building structure is located. In consideration of an application for a conditional use, the Planning Commission shall find:
 1. **Landscaping:** That the landscape treatment is in keeping with the neighborhood and provides screening where appropriate.
 2. **Public Hazard Not Created:** That the installation is secure from the public and does not create a potential public hazard.

3. **Architectural Style:** That the building is of an architectural style in keeping with the neighborhood.
 4. **Access; Parking:** That access and parking is adequately provided.
 5. **Maintenance Program:** That the proposed maintenance program of the building, structure, and grounds is in keeping with the neighborhood.
- C. **Transmission Services:** The applicant for such a conditional use shall conform to the following procedures and standards:
1. **Procedure for Transfer:** Essential service such as high voltage (200 KV or less) electrical power or bulk gas or fuel being transferred from station to station and not intended for en route consumption nor located within highway and street rights of way shall follow the following procedure:
 - a. **Filing of Maps:** The owner shall file with the Zoning Administrator such maps indicating the location, alignment, and type of service proposed as shall be requested.
 - b. **Public Hearing:** The Planning Commission shall hold a public hearing.
 2. **Ordinary Service Extensions:** It is not intended that the Zoning Administrator shall request maps or filings for ordinary service extensions which would delay by virtue of such filings or town board considerations the services public utilities must immediately provide to customers.
- D. **Existing Lines or Facilities; Reconstruction, Relocation:**
1. **Permit Required:** No filing or application shall be necessary under this Section to maintain, reconstruct or relocate existing lines or facilities where the general line and conformation thereof remains essentially the same unless said construction is within the traveled roadway. In such case, the permit shall be obtained from the Zoning Administrator.
 2. **Emergency Work:** Emergency work otherwise requiring a filing or application shall be accomplished provided such filing or application is made as soon thereafter as possible.
- E. **Location; Construction:** Essential services shall be located and constructed at such places and in such manner that they will not segment land of any one farm, and will not interfere with the conduct of agriculture by limiting or interfering with the access to fields or the effectiveness and efficiency of the farmer and farm equipment including crop spraying aircraft.

1-3-10: FLOODPROOFING MEASURES:

A. General Flood Plain District:

1. **Regulations Adopted:** Permitted and conditional uses proposed for the General Flood Plain District that incorporate floodproofing techniques must comply with sections 209 through 1406 of the 1972 Edition, and any amendments thereto, of "Floodproofing Regulations" (FPR), as developed by the office of the Chief of Engineers, U.S. Army, Washington D.C., a copy of which is hereby incorporated by reference and declared to be part of this Ordinance.
2. **Definitions:** Where definition of terms as set forth in section 301 of FPR conflict in meaning with the definition of terms as set forth in this Ordinance, the latter shall prevail.
3. **Conditions Attached to Permit:** Appropriate conditions may be attached to the granting of a conditional use permit, including, but not limited to, the following:
 - a. **Design:** Floodproofing measures shall be designed in a manner consistent with the flood protection elevation of the particular area, flood velocities, duration, rate of rise, hydrostatic and hydrodynamic forces and other factors associated with the regulatory flood.

- b. **Submission of Plan:** The applicant shall submit a plan certified by a registered engineer stating that the floodproofing measures are consistent with the regulatory flood protection and associated factors.
- c. **Required Measures:** The following floodproofing measures may be required without limitation:
 - (1) **Anchoring:** Anchorage to resist flotation and lateral movement.
 - (2) **Doors; Bulkheads:** Installation of watertight doors, bulkheads or similar methods of construction.
 - (3) **Reinforcement of Walls:** Reinforcement of walls to resist water pressure.
 - (4) **Reduction of Seepage:** The use of paints, membranes, or mortar to reduce the seepage of water through walls.
 - (5) **Water Supply, Waste Treatment Systems:** The construction of water supply and waste treatment systems which will prevent the entrance of flood waters.
 - (6) **Flotation Reduction:** The addition of mass or weight to structures to reduce flotation.
 - (7) **Pumps:** The installation of pumps to lower water levels in structures.
 - (8) **Subsurface Drainage Systems:** The installation of pumping facilities or comparable practices for subsurface drainage systems for buildings to relieve external foundation, wall, and basement floor pressures.
 - (9) **Electrical Equipment:** The location of all electrical equipment, circuits, and installed appliances in a manner which will ensure they are not subject to flooding and to provide protection from inundation by the regional flood.
 - (10) **Storage of Toxic, Hazardous Materials:** The location of all structural storage facilities for chemicals, explosives, buoyant materials, flammable liquids or other toxic materials which could be hazardous to public health, safety and welfare above the flood protection elevation or the provision of adequate floodproofing to prevent flotation of storage containers which could result in the escape of toxic materials into flood waters.

1-3-11: GENERAL PARKING REQUIREMENTS:

All parking hereafter constructed shall conform to the provisions of this Ordinance and meet the regulations of the district in which they are applied.

- A. **Minimum Size Requirements:** The following requirements shall be considered to be the minimum requirements per parking space:
 - 1. **Area:** Three hundred (300) square feet (including access drive).
 - 2. **Width:** Ten feet (10').
 - 3. **Depth:** Twenty feet (20').
- B. **Reduction and Use of Parking Space:** On-site parking facilities existing at the effective date hereof shall not subsequently be reduced to less than the minimum requirements of this Section. Required parking spaces shall not be used for storage of goods or storage of vehicles which are inoperable.
- C. **Computing Requirements:**
 - 1. **Floor Space:** Floor space shall mean gross floor area of the specific use.
 - 2. **Parking Space Requirements:** Parking space requirements for a use not specifically mentioned

herein shall be the same as required for a similar use and as determined appropriate by the Township Planning Commission.

- D. Yards:** Parking areas shall be subject to front yard requirements in accordance with the district in which such parking area is located.
- E. Design, Maintenance of Commercial or Industrial Parking Areas:**
- 1. Lighting:** Any lighting used to illuminate an off-street parking area shall be reflected away from public right of way, adjacent residences or agricultural land.
 - 2. Design:** All off-street parking areas shall be designed so that no part of any vehicle parked therein shall be nearer than fifteen feet (15') from the property line.
 - 3. Screen; Fence:** On-site parking or loading areas abutting residential districts or within fifty feet (50') of residential structures shall be screened or fenced. Such fencing shall be included as part of the site plan.
 - 4. Access Drives:** The number and width of access drives shall be located so as to minimize traffic congestion and traffic hazard.
 - 5. Surfacing; Drainage:** The surfacing and drainage of parking areas accommodating more than four (4) vehicles shall meet the requirements of the County Engineer.
- F. Required Site Plan:** Any application for a development permit shall include a site plan showing on-site parking and loading requirements as stated in this Ordinance.
- G. Required Number of On-Site Parking Spaces:** The minimum number of on-site parking spaces for the following uses shall be as follows:

<u>Type</u>	<u>Parking Spaces</u>	<u>Unit of Measure/ Gross Area</u>
Residential dwelling units	2	Unit
Offices	1	500 square feet
Automotive, trailer or marine sales and service	1	500 square feet
Drive-in eating establishments	20 + 1	500 square feet
Public or religious assemblies	1	4 seats
Automotive service stations	4 + 2 for each	Service bay
Public and private health clubs	20 + 1 for each	500 square feet (main building)
Commercial recreation areas	20 + 1 for each	500 square feet
Motels and hotels	1	Rental sleeping unit
Restaurants, cafes or nightclubs	1	75 square feet customer area
Retail sales and service establishments	1	100 square feet customer area
Storage, wholesale and warehousing		The greater of 1 space per each 2 employees in a shift or 1 space per each 2,000 square feet

1. **Company Vehicles:** In addition to the above requirements, company vehicles normally kept on the premises shall be provided an additional space.
2. **Loading/Unloading Areas:** Loading and unloading areas for goods, supplies, and services shall be sufficient to meet the requirements of each use.
3. **Single Car Garage and Driveway:** A single car garage and driveway shall be considered two (2) parking spaces for single- family residential uses.

1-3-12: SIGNS:

All signs hereinafter erected, altered, substantially repaired, relocated and maintained in Hawley Township, except official traffic and road or street signs, shall conform to the following provisions:

- A. **Permit Required:** No sign shall be erected unless the owner of the land on which the sign will be placed obtains a sign permit.
- B. **Billboards Prohibited:** Off-premise signs, more commonly known as billboards, shall be prohibited.
- C. **Sign Types – Where Allowed:** Wall signs and monument signs are allowed in any zoning district. Pylon signs are allowed only in the HC and LHC districts.
- D. **Number Per Lot:** A maximum of one (1) large sign, or two (2) small signs that combined do not exceed the maximum size per lot as specified in subsection E.2, below, shall be permitted in all districts except HC and LHC Districts. In HC and LHC Districts a maximum of one (1) sign not exceeding the maximum size as specified in subsection E.1, below, per frontage is allowed.
- E. **Maximum Size:** The maximum size of a permitted sign is as follows:
 1. **Commercial Districts:** In the HC and LHC districts, maximum size is one hundred and twenty-eight (128) square feet for each of two allowed sign faces, or for wall signs, five percent (5%) of the area of the building wall on which the sign is located.
 2. **Residential Uses and Home Occupations:** In all zoning districts the maximum size of a permitted sign is as follows:
 - a. For residential uses and permitted home occupations, four (4) square feet for each of two allowed sign faces.
 - b. For conditional home occupations, thirty-two (32) square feet for each of two allowed sign faces.
 3. **Two Faces:** If two sign faces are proposed, they shall be touching on one vertical side and shall be at an angle of no greater than ninety (90) degrees to one another.
- F. **Maximum Height:** Monument signs shall not exceed twelve (12) feet in height above the average grade at the base of the sign. No part of a pylon sign shall exceed thirty (30) feet in height above the average grade at the base of the sign. No building-mounted sign shall extend above the roof of the building. Ground mounted signs are encouraged instead of building-mounted or pylon signs.
- G. **Illumination:** Signs for residential uses and home occupations shall not be illuminated. If a permitted sign in a commercial district is externally illuminated, the illumination shall be directed only on to the sign and the light source shall not be visible from neighboring properties.
- H. **Safe Condition:** All signs shall be maintained in a safe condition. No sign shall be permitted that shall in any way endanger the health or safety of the general public.
- I. **Clean Area:** All areas surrounding a permitted sign shall be kept free from unreasonable growth,

debris or rubbish. Failure to correct such conditions after being so directed in writing by the Zoning Administrator shall be cause for revocation of the existing sign permit and removal of the sign.

- J. Temporary Signs:** Signs of a temporary nature that do not exceed twelve (12) square feet in area shall be exempt from the permitting requirement. Temporary signs may be displayed for a period not to exceed thirty (30) days, on a maximum of two (2) occasions per year.
- K. Removal for Roadway Construction:** Signs shall be removed by the sign owner at no expense or claim of damage to any governmental unit, if necessary for the construction, reconstruction or relocation of any public roadway.
- L. Limits on Location:** The following limits on location shall apply to all signs, permitted and temporary:
 - 1. Setbacks:** All signs shall conform to the yard setbacks for structures for the zoning district within which the sign is located.
 - 2. Road Right of Way:** No sign except as erected by an official unit of government for the direction of traffic or necessary public information shall be permitted within the right-of-way of any public road.

1-3-13: STORAGE OF MANURE:

Animal waste produced by an animal feedlot or stable facility shall not be stored within three hundred feet (300') of edge of a drainage ditch, wetland or public water.

1-3-14: PROVISIONS FOR KEEPING ANIMALS ON RESIDENTIAL PARCELS:

- A. Residential Parcel:** A parcel of land that meets the criteria set forth either in Minnesota Statute 273.13, as amended, or by the Clay County Assessor for classification as “residential” (Class 1) for property taxation purposes. This definition does not apply to parcels in legally platted subdivisions.
- B. Animals on Residential Parcels:** The keeping of chickens, ducks, geese, turkeys or other domestic fowl and/or cattle, horses, pigs, goats, sheep or other domestic livestock on residential parcels shall conform to the following provisions:
 - 1. Minimum Parcel Size:** None of the aforementioned animals shall be kept on a parcel smaller than two (2) acres in size.
 - 2. Useable Area:** Useable area is calculated by subtracting one (1) acre from the parcel’s total acreage. The number of whole acres remaining after subtracting one (1) acre is considered the “Useable Area”.
 - 3. Number of Animals Allowed Per Parcel:** A maximum of one (1) animal unit per fenced acre of useable area is allowed.
 - 4. Fences:** Fences confining animals shall be located at least ten (10) feet from adjoining property lines.
 - 5. All manure generated by animals on the property shall be disposed of in an appropriate manner approved by the Township Planning Commission.**
 - 6. The Clay County Animal Unit definitions shall be used to determine the actual number of animals that constitute one (1) animal unit.**