



PINE COUNTY ZONING BOARD AGENDA

Thursday, Jan 23, 2025

5:30 p.m. Doug Carlson Room, North Pine Gov. Center
1602 Highway 23 North, Sandstone, MN 55072

VIRTUAL PARTICIPATION OPTION VIA ZOOM

Join Zoom Meeting

Pine County Planning and Zoning is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting

<https://us06web.zoom.us/j/85656515152?pwd=sVbwNQ5xZrSabc1vz6FeAHgRdlwYol.1>

Meeting ID: 856 5651 5152

Passcode: 155221

To join by phone:

1 312 626 6799

Meeting ID: 856 5651 5152

Passcode: 155221

Notice of participation via interactive technology

Pine County Zoning Board Member Tom Jensen will be attending the Pine County Zoning Board meeting on Thursday, January 23, 2025 at 5:30 p.m. Via interactive technology, pursuant to Minnesota Statute 13D.02. Board Member Jensen will be seen and heard at the meeting via electronic means and will participate from 27340 Old 41, Bonita Springs, Florida, a location open and accessible to the public.

A.) CALL MEETING TO ORDER

B.) PLEDGE OF ALLEGIANCE

C.) ELECTION OF OFFICERS

1. Chair
2. Vice Chair
3. Secretary

D.) APPROVAL OF AGENDA

E.) APPROVAL OF MINUTES – December 19, 2024

F.) OTHER BUSINESS

1. Subdivision Report
2. Short-Term Rental Report
3. August 2024 Shoreland Ordinance Amendment
4. County Zoning Ordinance Amendments
 - i. Short Term Rentals
 - ii. Density Zoning Clarification
5. SSTs Ordinance change 5.02.04 Holding Tanks

G.) ADJOURNMENT



PINE COUNTY
DEPARTMENT OF PLANNING, ZONING, AND SOLID WASTE

1610 Hwy 23 N. • Sandstone, MN • 55072
(320) 216-4220 • (800) 450-7463 x4220

Memo

To: Pine County Zoning Board

From: Dave Banta, Land and Resources Manager
Kelly Schroeder, County Auditor-Treasurer

Date: January 13, 2025

Re: January 23, 2025 Zoning Board Meeting

A Zoning Board meeting has been scheduled for January 23, 2025 at 5:30 p.m., as the annual organizational meeting, review the final 2024 minor subdivision report, the Short-term Rental permits which were administratively issued, and consider several ordinance changes.

Shoreland Ordinance Amendment:

In August 2024, the Zoning Board recommended amending the Pine County Shoreland Ordinance in several sections, including:

- 1.) Updating the definition of “Home Occupation” to address some concerns that were brought up regarding the definition.
- 2.) Adding a definition of “Office Building” due to item #5 below.
- 3.) Clarifying the language around Interim Use permits to be similar the statutory language.
- 4.) Adding the Water-oriented Commercial Residential District to mirror Windemere Township’s current districts.
- 5.) Added a conditional use to the high-density residential districts of “Office Building”
- 6.) Updating the Agricultural feedlot section to reflect current statute.
- 7.) Included the provision that if a township requires permits for Short-term rentals, the county will honor those in shoreland areas, without additional application to the county or fee.
- 8.) Updated a significant amount of septic language from the Shoreland Ordinance as it is covered well in the SSTS Ordinance.
- 9.) Added a non-conforming structure section that allows replacement buildings for non-conforming structures to be replaced at locations less than the required setback without variance if certain conditions are met.

After the meeting, the ordinance was sent to the DNR for review, which the DNR did not approve item #4 due to the reasons they state in the attached copy of the changes, therefore, this has been at a standstill.

County Zoning Amendment:

When the County Shoreland Ordinance was amended in June 2024, Short-term Rentals were changed from an Interim Use Permit, to a Permitted use through an administrative permit. However, the County Zoning ordinance still lists it as an administrative permit, thus it should be updated to mirror the shoreland ordinance.

Another issue that has come up with the County Zoning Ordinance is the density Zoning. In November, the Zoning Board heard a variance request from a property owner in Pine Lake Township wanting to create 5 lots in a 4-per 40 area. However, that quarter, quarter section already had some acreage split from it and joined with acreage in another quarter, quarter. Prior to that meeting, the ordinance was interpreted that acreage that was already split should not be counted as an existing parcel in both quarter, quarters; however, at that meeting, it was discussed that the Board felt it should be counted in both quarter quarters, since each of the quarter, quarters had already been split. This clarifying language should be added to Section 3.4 of the ordinance.

SSTS Ordinance Amendment:

When the SSTS Ordinance was adopted in 2014, it required water meters for properties with holding tanks. Over the years, it has been apparent this is not practical and does not provide any helpful data. It was originally thought staff could use the water meter records and the pumping records to ensure property owners were not “midnight pumping”. Yet, this correlation cannot be made, as for example, irrigation system water does not go into a septic system (it was thought that the meter could be put after any outside water spickets, but without reconfiguring entire plumbing of many of these cabins/houses, this is not practical). Additionally, these water meters are located inside the buildings, making them inaccessible to staff without a willing property owner or a court order. Staff would like to remove this requirement from the ordinance.

Enclosures:

- 1.) Agenda for the January 23, 2025 Zoning Board Meeting
- 2.) Minutes of the December 19, 2024 Zoning Board Meeting
- 3.) Minor subdivision report and maps
- 4.) Short-term rental permit issued after the June 2024 ordinance change.
- 5.) Copy of the proposed Shoreland Ordinance Amendment
- 6.) Copy of the proposed County Ordinance Amendment
- 7.) Copy of the proposed SSTS Ordinance Amendment

CC: Pine County Board of Commissioners, Pine County Administrator, Pine County Attorney, Pine County Auditor, Minnesota DNR Area Hydrologist



PINE COUNTY ZONING BOARD MINUTES

December 19, 2024, 6:00 p.m.
North Pine Government Center
1602 Highway 23 N, Sandstone

Members Present: Les Orvis, Susan Grill, Skip Thomson, Nancy Rys, Tom Jensen (Online via Zoom from Florida), Dirk Nelson, Patrick Schifferdecker

Staff Present: David Banta- Land & Resources Manager, Kelly Schroeder- Auditor/Treasurer

Others Present: Casey Clark, Heather Clark, Jay Olson (Online via Zoom)

CALL MEETING TO ORDER

The meeting was called to order at 6:00 p.m.

APPROVAL OF AGENDA

Grill requested an addition to the agenda to discuss short-term rentals.

Motion by Schifferdecker to pass the amended agenda. Seconded by Grill. A roll call vote was taken, motion passed 7-0.

APPROVAL OF MINUTES – November 21, 2024

Motion by Grill to approve the minutes. Seconded by Schifferdecker. A roll call vote was taken, motion passed 7-0.

OLSON VARIANCE REQUEST: 47716 Little Tamarack Rd, Sandstone

Jay Olson is requesting a variance at 47716 Little Tamarack Road, Sandstone (PID: 32.5034.000), Pine Lake Township, Section 33, Township 42, Range 17 as follows: The applicant has requested a variance from Section 5.2.1A of the Pine County Shoreland Management Ordinance to construct a 20'x24' dwelling that does not meet the required 150' OHWL setback for Little Tamarack Lake.

County Auditor-Treasurer Schroeder noted that there will also be a 6' porch on the lake side of the cabin with a roof only. This means rather than the originally stated 41' variance the applicant needs a 47' variance. Schroeder noted she did inquire with County Attorney Frederickson if the notices needed to be corrected, but he felt it was a negligible difference, it was not necessary.

Land & Resources Manager Banta gave an overview of the project and explained the lot only has a small corner in the Southeast that could meet the setbacks; however, this would only provide for approximately a 10' wide building.

Casey Clark, whom will be purchasing the property and building the cabin also reviewed the project and explained the location was chosen to be further back from the lake than the other cabins on the lake and still provide room for a septic, well, and parking, as parking on the township road at the curve is not advisable.

No public comment was received.

Jensen asked when the lot was created. Schroeder noted the plat was subdivided in 1986, and would have been required to meet the lot standards at that time which likely were less stringent.

For the variance request to construct a 20'x24' cabin with 6' open porch on the lake side that does not meet the required 150' OHWL setback for Little Tamarack Lake, the Board produced the following findings of fact based on the MN DNR Shoreland and Floodplain variance worksheet.

- 1.) The variance is in harmony with the general purpose and intent of the ordinance because there are other cabins closer to the lake and there is room on this lot for water and sewer.
- 2.) The project is consistent with the Comprehensive Plan because it is a lot of record.
- 3.) A practical difficulty does exist on the property that prevents the owners from complying with the ordinance because the lot is long and narrow and was subdivided before the current regulations.
- 4.) The variance would be consistent with the essential character of the locality because there has already been a camper on the property.
- 5.) The applicant's proposed use is reasonable as it's a small cabin on the lake.

Motion by Jensen to approve the variance to construct a 20'x24' cabin with 6' open porch on the lake side with the following conditions:

1. The porch cannot exceed 6' and must remain open (roof and concrete floor only).
2. The cabin cannot be increased in size in the future.

Seconded by Schifferdecker. A roll call vote was taken, motion passed 6-1 with Grill dissenting.

OTHER BUSINESS

2025 Zoning Board Schedule

Banta presented the proposed 2025 Zoning Board schedule. There was a discussion regarding moving the current 6:00pm time as some of the meetings are ending rather late.

Motion by Schifferdecker to approve the 2025 Zoning Board schedule with a start time of 5:30pm.

Seconded by Orvis. A roll call vote was taken, motion passed 7-0.

Cannabis Zoning

Schroeder handed out copies of the Cannabis Zoning Ordinance that was adopted by the County Board on December 17th. There was some brief discussion surrounding different points of the ordinance.

Short-Term Rentals

- i. Grill noted when the short-term rentals went to the administrative permit, the staff were to bring forward a listing of the permits given like we do in minor subdivision. That information will be pulled together for the January meeting.
- ii. Banta explained there have been some concerns regarding short-term rentals meeting the required Minnesota Department of Health license requirements as is required by the interim use and administrative permits that were issued. Banta will continue to research and bring this information back to the January meeting.

ADJOURNMENT

Chair Thomson adjourned the meeting at 6:55 p.m.

Nancy Rys
Zoning Board Secretary

Skip Thomson
Zoning Board Chair

Minor Subdivision Report

7/1/2024 to 1/1/2025

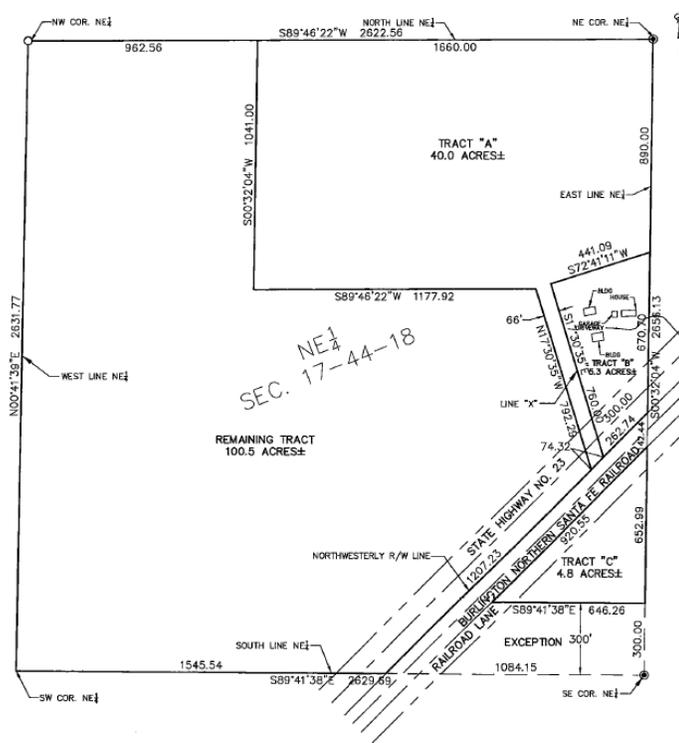
File #	Property Owner	PID	S-T-R	Site Address	Complete Date	Subdivision Type	Division Summary
M-24-033	Steve & Lisa Hosna	15.0030.000		45714 Dove Rd, Hinckley	7/22/2024	Exemption	120 acres to 40ac & 80 ac
M-24-031	Edward Hattenberger	03.0432.000	35-41-20	35965 Wildlife Rd, Hinckley	7/29/2024	4.01(A)	40 acres into 37 ac & 2.57 ac
M-24-034	Nels Olander	03.0234.004	21-41-20	40004 Meadow Lily Ln, Hinckley	8/1/2024	4.01(A)	Splitting 90 acres into 10 acres and 80 acres
M-24-035	Paul J Zimmer II	22.0218.000	19-44-19	22.0218.000	7/30/2024	Exemption	Reconfiguring 39.39 acre parcel (22.0218.000) and 280 acre parcel (22.0216.000) to 120 acres and 200 acres
M-24-036b	Daniel Henkel	27.0028.002	18-43-21	65770 Big Pine Rd, Finlayson	7/31/2024	Exemption	At least 150' will be split off the northern portion of PID 27.0244.000 and joined with PID 27.0280.002.
M-24-036c	John & Roslind Jennrich	27.0244.000	18-43-21	65691 Big Pine Rd, Finlayson	7/31/2024	Exemption	5 acres will be split off PID 27.0280.005 and joined with PID 27.0244.000
M-24-036a	Mark & Rachael Henkel	27.0280.001	18-43-21	65950 Big Pine Rd, Finlayson	7/31/2024	Exemption	The easterly 5 acres of PID 27.0280.002 will be split off and joined with PID 27.0280.001
M-24-037	Lonny Nelson	41.0006.000		5383 2nd Ave, Kerrick	8/26/2024	4.01(A)	Splitting 13.3 acres from 97.16 acres
M-24-038	Kirsten Best	12.0067.000		21493 Happys Dr, Hinckley	8/16/2024	4.01(A)	Splitting 45.91 acres into 15.91 ac, 10 ac, 10 ac, 10 ac parcels
M-24-032	Darlene Hanson/Tammy Benson	07.0248.000	17-44-18	78553 State HWY 23, Bruno	7/29/2024	4.01(A)	Splitting 155 acres into 5.3 ac, 4.8 ac, 40ac, 100.5 ac
M-24-006a	Boggs to MN Power/Workman	41.0042.000	35-45-18	8347 State Hwy 23, Kerrick	8/28/2024	Exemption	lot line adjustments with 41.0043.000, 16.0392.001, 16.0392.004, and 41.0047.000
M-24-039	Eric Johnson	30.0389.000	24-43-17	63646 Willard Munger Trl, Sandstone	8/29/2024	Exemption	Splitting 400 acres into 120 acres and 280 acres
M-24-040	Paul H. Hornby	03.0240.001	22-41-20	93109	9/14/2024	4.01(A)	Splitting 40 acres into 5 acres and 35 acres
M-24-041	John P. Nuckols	29.0136.003		12014 Brunswick Rd, Pine City	9/11/2024	4.01(A)	Splitting 43 acres into 20.1 acres and 22.9 acres

File #	Property Owner	PfD	S-T-R	Site Address	Complete Date	Subdivision Type	Division Summary
M-24-042	Tanner Mikrot	04.0247.000	16-45-19	33.5487.000	9/9/2024	Exemption	Small section of lot line moved north to accommodate buildings
M-24-043	Finlayson Properties LLC	27.0376.000	22-43-21	27.0376.000		4.01(A)	splitting 35.75 acres into 3-5.02 acre lots and 20.69 acre lot
M-24-045	Thomas Tokarczyk & Janice Boyles	04.0089.000	11-45-21	92175 Denham Rd, Sturgeon Lake	9/18/2024	Exemption	Splitting 160 acres into 1-40 acre parcel and a 120 acre parcel
M-24-046	Thomas Tokarczyk & Janice Boyles	04.0093.000	11-45-21	04.0093.000	9/18/2024	Exemption	Splitting 80 acres into 2-40 acre parcels
M-24-047	Lewis & Shannon Brockette	17.0208.004	16-44-20	25802 Heinz Rd, Willow River	9/26/2024	Exemption	Splitting 160.36 acres into 2-80+/- acre parcels
M-24-048	Shawn Kerfoot & Robert Yocum	12.0102.001/12.0102.000		14911 Groningen Rd, Sandstone	9/27/2024	Exemption	Moving 80' from PID 12.0102.000 to 12.0102.001
M-24-049	Raymond Trombley	27.0466.000/27.0465.001/27.0468.	31-43-20	10028 Bass Lake Rd, Sandstone	9/29/2024	Exemption	75' lot line adjustment moving all parcels 50' to the east
M-24-050	Robert Dunagan	35.5063.000		115 Lincoln St, Brook Park	10/3/2024	Exemption	Splitting lots 14-17 and Lots 18-20; however 14-17 don't have 12" of soil, so they need to be tied to PID 35.0020.000
M-24-051	Martin & Lois Kruse	15.0135.000		17950 Carnie Rd, Hinckley	10/10/2024		VOID - included in file M-24-057
M-24-052	John Witucki	03.0311.000	27-41-20	28602 State Hwy 48, Hinckley	10/14/2024	Exemption	Splitting 80 acres into 2-40 acre parcels
M-24-053	The Estate of Judith Olson	05.0041.000		81487 Birch Creek Rd, Willow River	10/21/2024	4.01(A)	Dividing 80 acres into two lots of 39.76 each
M-24-044	Kenneth & Linda Kroschel	12.0281.000	19-42-21	52077 Sjodahl Rd, Sandstone	9/25/2024	4.01(A)	Splitting 40 acres into 10.0 acre, 10.04 acre, and 18.42 acre parcels
M-24-054	Donald & Kimberly Anderson	32.0049.000		58135 Duxbury Rd, Sandstone	10/22/2024	Exemption	Cleaning up ambiguous legal descriptions of 32.0051.001, 32.0045.000, 32.0049.000), no actual change
M-24-055	Steven M. & Kelly M. Schneider	22.0309.002	30-44-19	73741 Jensen Rd, Askov	11/14/2024	Exemption	Spiting 20 acres off the North side and combining it with PID 22.0309.000
M-24-056	Gerald & Andrea Piasek	18.0226.000	26-40-21	18.0226.000	10/31/2024	4.01(A)	Splitting 80 acres into 20.02 acres and 59.98 acres
M-24-057	Martin & Lois Kruse	15.0135.000		17950 Carnie Rd, Hinckley	11/14/2024	4.01(A)	Splitting 64.39 acres into a 21.24 acre parcel (which due to inability to support a septic system must be combined with PID 15.0135.005, 24.0
M-24-058	Grant Lindberg	31.0525.001/31.0253.000	7-44-21	9372 County Rd 41, McGrath	11/19/2024	Exemption	Letter of exemption

File #	Property Owner	PID	S-T-R	Site Address	Complete Date	Subdivision Type	Division Summary
M-24-059	Matt Steinert	06.0308.001	34-40-22	25109 Brook Park Rd, Brook Park		4.01(A)	splitting 8 acres from 192 acre parcel
M-24-060	Fred Carlson	35.5049.000, 35.5047.001,	22-40-22	201 Main St S, Brook Park	12/12/2024	Exemption	Combining PIDS 35.5049.000 & 35.5047.001 and taking the south 40' of Lots 6-8 from PID 35.5046.000

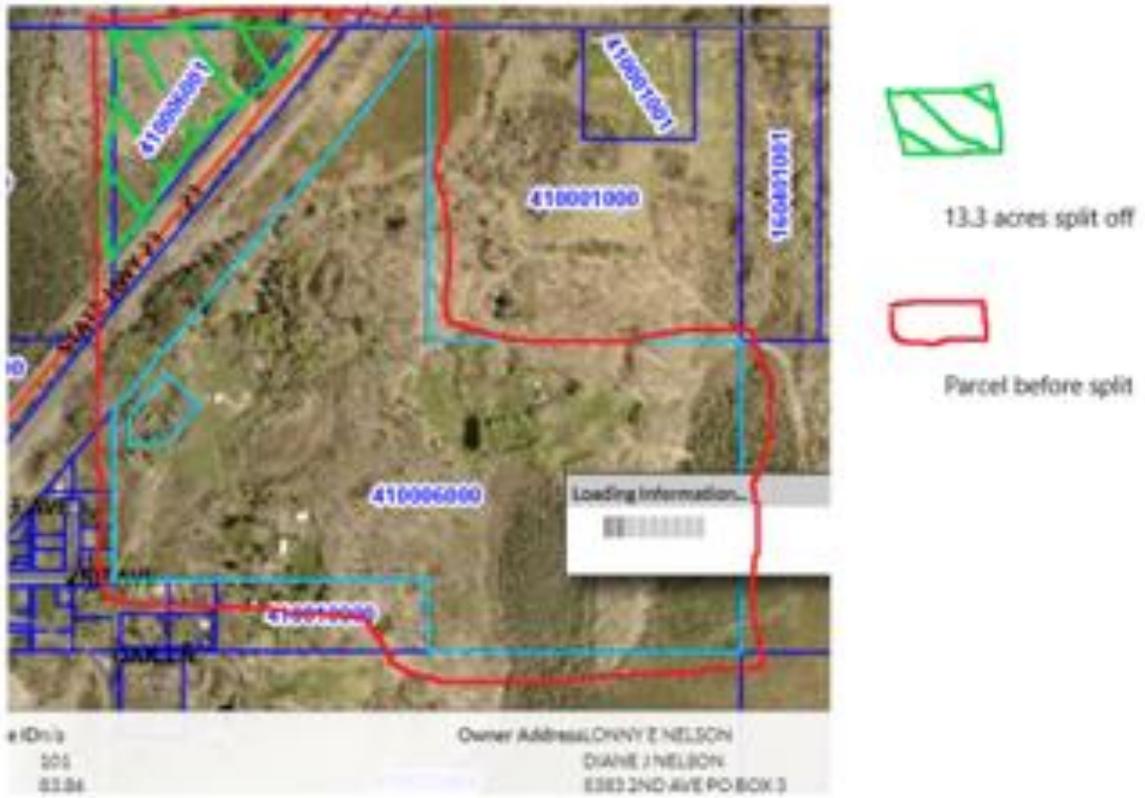


M-24-031 (above) 40 acres to 37 acres & 2.57 acres

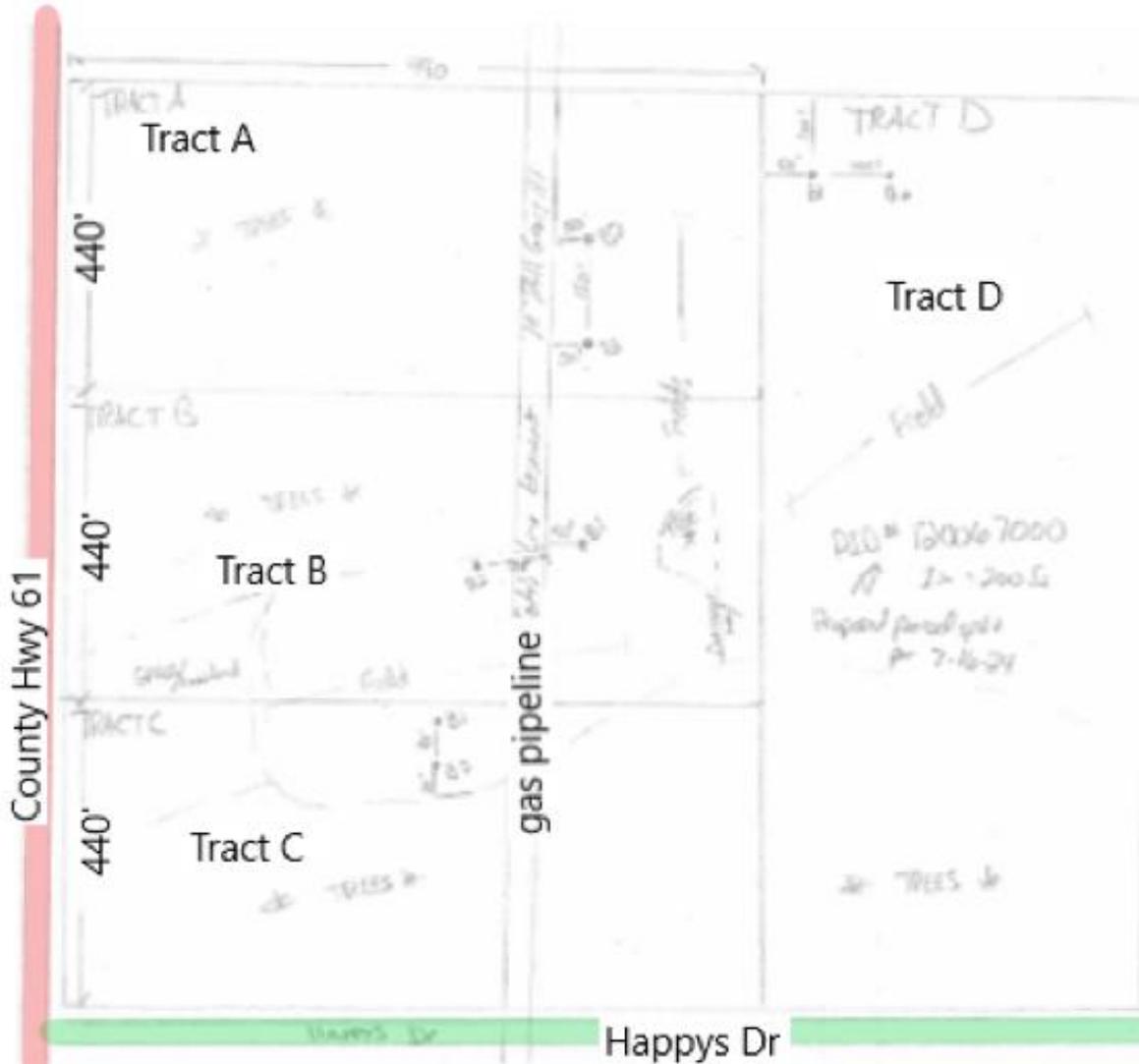


Note: Tract B extends to the Southeast ROW of State Hwy 23. At the centerline of State Hwy 23 it is 300'.

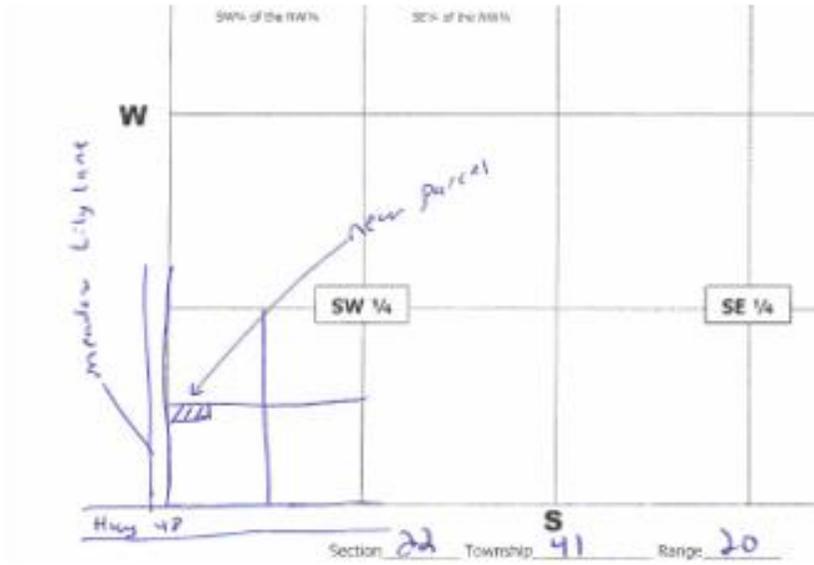
M-24-032 (above) Tract A 40 ac, Tract B 5.3 ac, Tract C 4.8ac, Remainder 100.5 ac



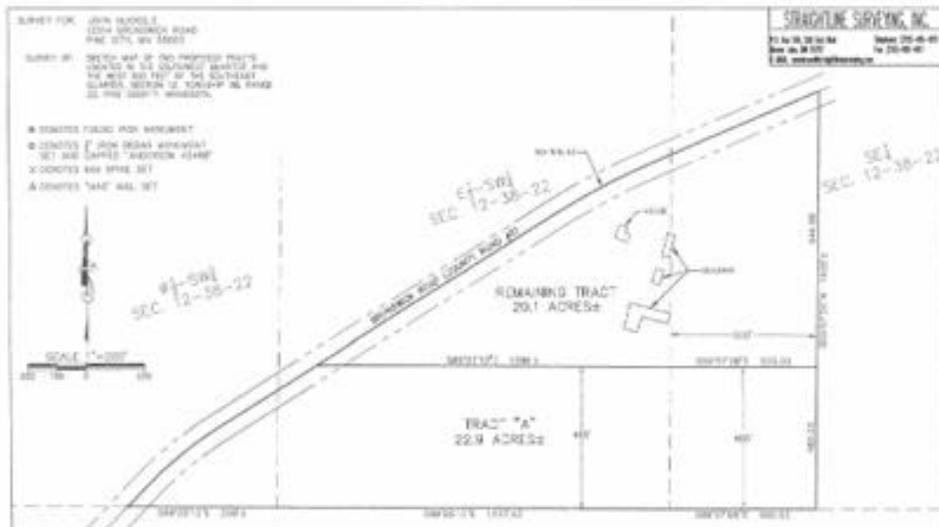
M-24-037 (above) split off 13.3 acres from 97.16 acres



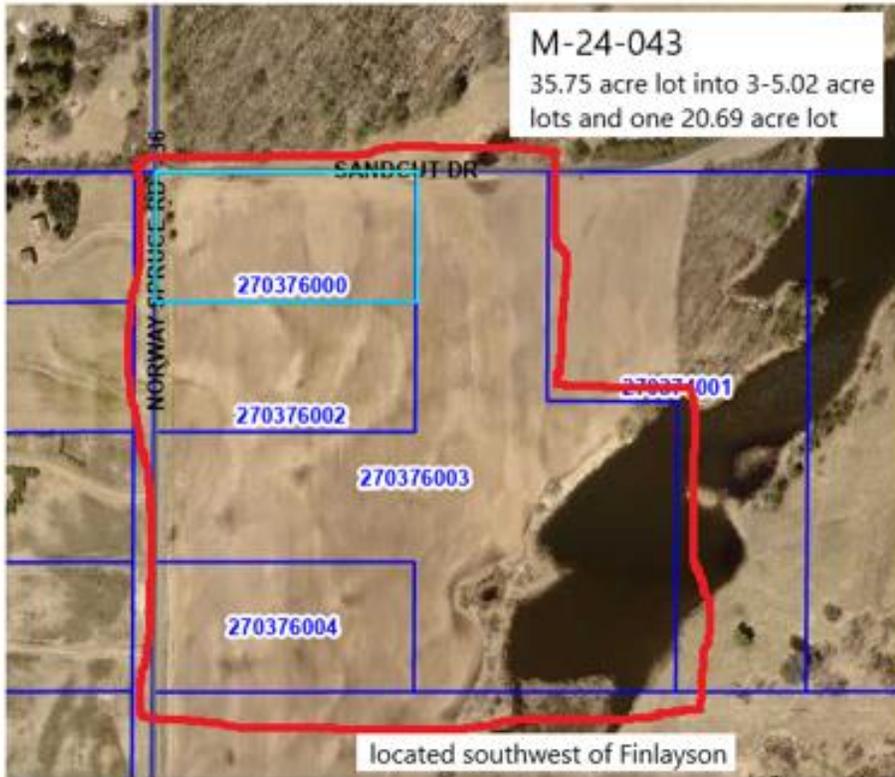
M-24-038 Divide 45.91 acres into 4 tracts: 3-10 acres and 1-15.91 acres.



M-24-040 (above) Create a 5 acre parcel from a 40 acre parcel.
Remainder is a 35 acres.



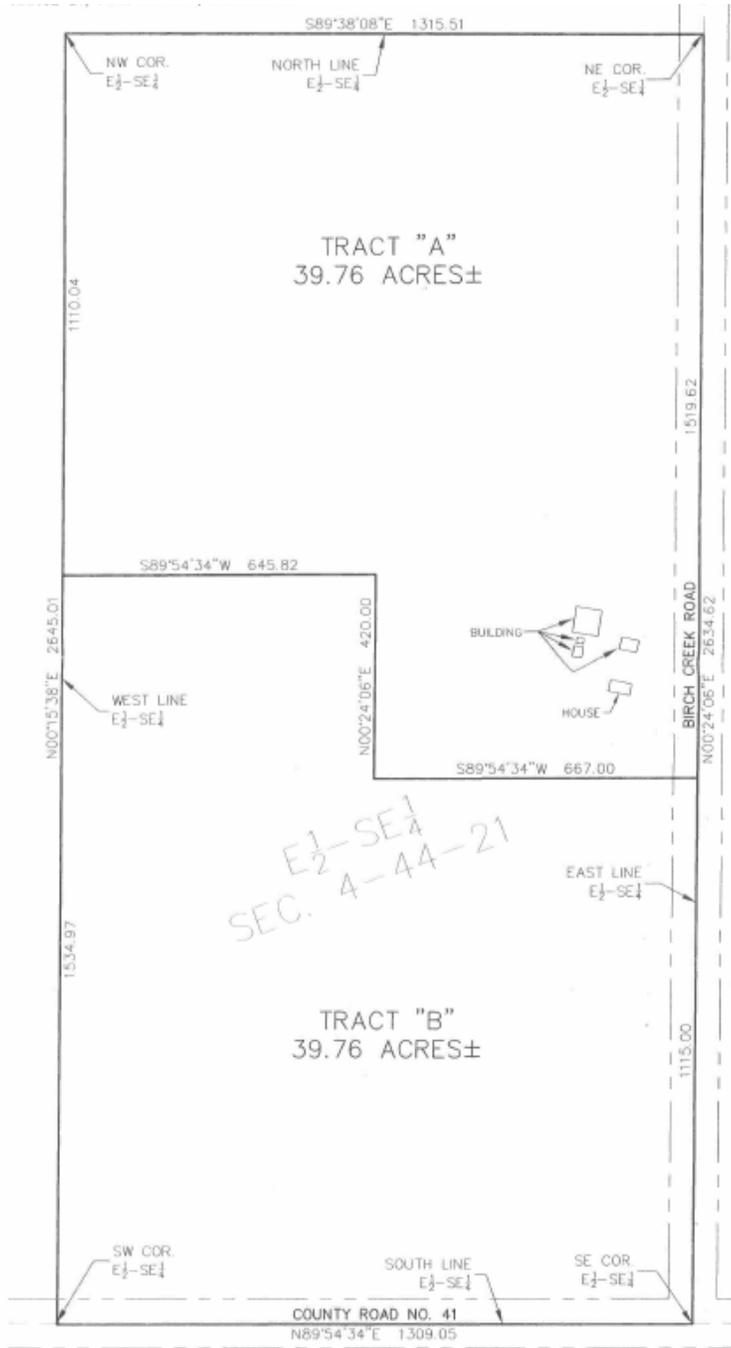
M-24-041 (above) Create a new tract 22.9 acres from a 43 acre parcel



M-24-043 4.01(A)



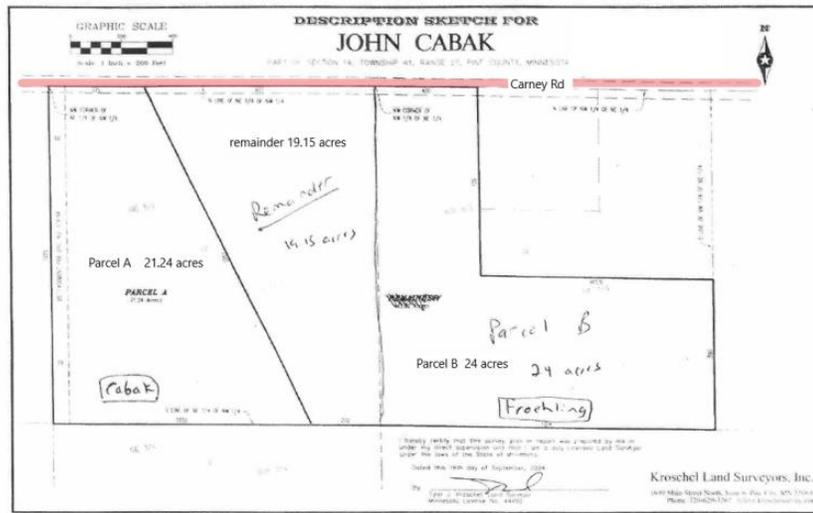
M-24-044 splitting 40 acres into 10, 10.04, and 18.42 acres.



M-24-053 An 80 acre parcel into two 39.76 acre parcels (above)



M-24-056 (above)



Parcel Bid = 15,035,000 17850 Carney Rd

M-24-057 (above) make 2 new tracts plus remainder tract: 21.24 ac, 19.15 ac, 24 ac



M-24-059 (above) 8 acres split from a 192 acre tract



PINE COUNTY
DEPARTMENT OF PLANNING, ZONING, AND SOLID WASTE
1610 Hwy 23 North • Sandstone, MN • 55072
(320) 216-4220 • (800) 450-7463 ext 4220 • Fax (320) 216-4244

PLEASE POST YELLOW CARD IN RENTAL.

SHORT TERM RENTAL PERMIT

Date: August 7, 2024

Permit Number: O-24-092

0-24-098

Name: Carol Clark

Property Address: 25724 Crooked River Road

PID#: 08.0188.000

Permit Requirements: Owner has agreed to the following conditions:

- A license from the Minnesota Department of Health must be obtained before operating.
- A septic certificate of compliance or municipal/sanitary hook up information must be provided before operating.
- Owner must maintain a local property manager or be available for guests and complaints.
- Quiet hours shall be abided from 9pm-7am Sunday-Thursday, and 11pm-7am Friday, Saturday, and holidays.
- No on-street parking.
- Guest ATVs/snowmobiles shall be prohibited.
- Guests may not use tents, campers, or similar devices on the property.
- Each rental party may not have more than one motorized boat in use at the property.
- Launching motorized boats from premises is prohibited if waterbody provides a public launch.
- Owner will make the property available to County inspectors upon request.
- Up to two dogs are allowed and must be leashed in or in fenced area.

Occupancy limited to septic system capacity, 2 guests per bedroom: 4 guests maximum

Permit good for three (3) years, or until: August 7, 2027

A SHORT TERM RENTAL PERMIT MUST BE RENEWED EVERY THREE YEARS.
THIS PERMIT WILL EXPIRE UPON SALE OR TRANSFER OF THE PROPERTY.

Mike Gainor
Pine County Land & Resources Manager

Ordinance 202~~54-28~~

SHORELAND MANAGEMENT

ORDINANCE

FOR

PINE COUNTY, MINNESOTA

Adopted March 1, 2016
Amended November 7, 2017
Amended August 7, 2018
Amended September 7, 2021
Amended February 1, 2022
Amended June 4, 2024

Amended Xxxx, X, 2025

Drafted By:
Pine County Planning & Zoning
1610 Hwy 23 N
Sandstone, MN 55072

public utilities or governmental departments or commissions, or as are required for protection of the public health, safety, or general welfare, including towers, poles, wires, substations, mains, drains, sewers, pipes, fire alarm boxes, police call boxes and accessories in connection therewith, but not including buildings. For the purpose of this ordinance, the word "building" does not include "structure" for essential services.

Event Venue. "Event Venue" means for-profit wedding venues, retreats, arts and entertainment venues and other such facilities.

Extractive Use. "Extractive Use" means the use of land for surface or subsurface removal of sand, gravel, rock, industrial minerals, other non-metallic minerals, and pent not regulated under Minnesota Statutes, ~~Sections~~sections 93.44 to 93.51.

Forest Land Conversion. "Forest Land Conversion" means the removal of forest vegetative cover to prepare for a new land use other than re-establishment of a subsequent forest stand.

Guest Cottage. "Guest Cottage" means a structure used as a dwelling unit that may contain sleeping spaces and kitchen and bathroom facilities in addition to those provided in the primary dwelling unit on a lot.

Guest Quarters. "Guest Quarters" means an accessory structure that contains a dwelling unit that may contain sleeping spaces and/or kitchen and/or bathroom facilities in addition to those provided in the primary dwelling unit on a lot. All finished upper story spaces in accessory structures shall be considered guest quarters for the purpose of this ~~Ordinance~~ordinance.

Height of Building. "Height of Building" means the vertical distance between the highest adjoining ground level at the building or ten (10) feet above the lowest ground level, whichever is lower, and the highest point of a flat roof or average height of the highest gable of a pitched or hipped roof.

Home Occupation. "Home Occupation" means a use of non-residential nature conducted entirely within the dwelling or accessory structures and carried on only by the inhabitants or immediate family member (parent, child, sibling, grandparent, grandchild) thereof, which use is clearly incidental and secondary to the use of the dwelling for residential purposes, and which does not include an operational activity that is or may be a nuisance to or otherwise incompatible with the surrounding area. Home based businesses which have employees or contractors working on site that are not the inhabitants or immediate family member (parent, child, sibling, grandparent, grandchild) thereof, are considered commercial or industrial uses depending

capacity and construction requirements of Minnesota Rules, cChapter 7080, Subsubpart 4. B. (2) (b); (11) septic systems where the septic tank does not meet the minimum setback of ten (10) feet from an occupied dwelling with a basement; and (12) lack of a septic system if running water is available to the property.

Non-conformity. "Non-conformity" means any legal use, structure or parcel of land already in existence, recorded, or authorized before the adoption of official controls or amendments thereto, that would not have been permitted to become established under the terms of the official controls as now written, if the official controls had been in effect prior to the date it was established, recorded or authorized.

Office Building. "Office building" means a space where employees gather either of the same organization or differing organizations to perform administrative work in or to support and realize the various goals of the organizations.

Ordinary High Water Level. "Ordinary High Water Level" (OHWL) means the boundary of public waters and wetlands, and shall be an elevation delineating the highest water level which has been maintained for a sufficient period of time to leave evidence upon the landscape, commonly that point where the natural vegetation changes from predominantly aquatic to predominantly terrestrial. For watercourses, the ordinary high water level is the elevation of the top of the immediate bank of the channel. For reservoirs and flowages, the ordinary high water level is the operating elevation of the normal summer pool.

Park. "Park" means an area or portion of an area dedicated or designated by any Federal, State, tribal, or local agency primarily for public recreational use, whether or not such use is limited to certain times or days, including any land leased, reserved, or held open to the public because of that use.

Planned Unit Development. "Planned Unit Development" (PUD) means a type of development characterized by a unified site designed for a number of dwelling units or dwelling sites on a parcel, whether for sale, rent, or lease, and also usually involving clustering of these units or sites to provide cress of common open space, density increases, and a mix of structure types and land uses. These developments may be organized and operated as condominiums, time-share enterprises, or any combination of these, or cluster subdivisions of dwelling units, residential condominiums, townhouses, apartment buildings, campgrounds, recreational vehicle parks, resorts, hotels, motels, and conversions of structures and land uses to these uses.

In order to secure information upon which to base its determination, the Planning Commission may require the applicant to furnish, in addition to the information required for a zoning permit, the following information.

- A. A plan of the area showing contours, soil types, high water mark, groundwater conditions, bedrock, slope, and vegetative cover.
- B. Location of buildings, parking areas, traffic access, driveways, walkways, piers, open spaces, and landscaping.
- C. Plans of buildings, sewage disposal facilities, water supply systems, and arrangements of operations.
- D. Specifications for areas of proposed filling, grading, lagooning, or dredging.
- E. Other pertinent information necessary to determine if the proposed use meets the requirements of this ordinance.

3.71 Interim Uses

3.71.1 Purpose and Intent

- A. To allow a use for a limited period of time that reasonably ~~utilized~~ utilizes the property in a manner until the occurrence of a particular event, or until zoning regulations no longer permit it, not permitted in the applicable zoning district.
- B. ~~To allow a use that is presently acceptable, but not permitted within the zoning districts described in Sections 4.3 through 4.4 of this ordinance.~~

3.71.2 Procedure

The application, public notice, public hearing, and procedure requirements for interim use permits shall be the same as those for ~~Conditional~~ conditional Use-use Permits permits as provided in ~~M.S. Minnesota Statutes, section~~ 394.26

3.71.3 Standards Applicable to all Interim Uses

The ~~Zoning Board~~ Planning Commission shall issue interim use permits only if it finds that such use at the proposed location:

- A. Meets the standards of a conditional use permit set forth in ~~section~~ Section 3.7 of this ordinance.

lakes, the Zoning Administrator shall assign a district that conforms to the neighboring properties land use district, where it can be shown conclusively what the zoning district of the locality is intended to be. Where it cannot be shown conclusively what the intended land use district is, the Zoning Administrator shall consult the County Zoning Board of Adjustment and/or initiate an ordinance amendment ~~to amending~~ the zoning map.

4.3 Districts and Purposes

4.3.1 Special Protection District (SP) ~~District~~-Purpose

The Special Protection District (SP) is intended to be used for two basic purposes. The first purpose is to limit and properly manage development in areas that are generally unsuitable for development or uses due to flooding, erosion, limiting soil conditions, steep slopes, or other major physical constraints. ~~A-~~The second purpose is to manage and preserve areas with special historical, natural or biological characteristics.

4.3.2 Residential-~~Recreational~~ District (RR) Purpose

The purpose of the Residential-~~Recreational~~ District (RR) is primarily intended to allow low to medium density seasonal and year around residential uses on lands suitable for such uses. It is also intended to prevent establishment of various commercial, industrial, and other uses in these areas that cause conflicts or problems for residential uses. Some non-residential uses with minimal impacts on residential uses are allowed if properly managed under conditional use procedures.

4.3.3 High Density Residential District (HD) Purpose

The purpose of the High Density Residential District (HD) is intended for use on lands with heterogeneous mixes of soils, vegetation, and topography that are not well suited to residential development using standard, lot-block subdivisions. This approach enables such areas to be developed, often even with higher than lot-block densities, while also avoiding and preserving unsuitable terrain and soils. Other compatible uses such as residential planned unit development, surface water-oriented commercial, multiple unit, single family, parks, historic sites, and semi-public/public are also allowed, primarily as conditional uses.

4.3.4 Water-~~Oriented~~-oriented Commercial District (WC) Purpose

The purpose of the Water-oriented Commercial District (WC) is intended to be

used only to provide for existing or future commercial uses adjacent to water resources that are functionally dependent on such close proximity.

4.3.5 Water-oriented Commercial Residential District (WRC) Purpose
The purpose of the Water-oriented Commercial Residential District (WRC) intended to provide for existing or future commercial-residential purposes, or when residential or commercial planned unit developments are accepted condition uses in areas which could otherwise be considered as Water-oriented Commercial.

Commented [DP1]: This district should have a use table like all other districts to explain specifically what uses are allowed and how each one is managed (permitted, conditional, prohibited) in the district. Is section 4.4.5 supposed to be the use table for the Water-oriented Commercial Residential District?

Commented [DP2]: Is this about allowing mixed commercial and residential uses such as restaurant, office, condos/apartments, resorts, etc.? If so, using the word "mixed use" would help clarify what this district is designed for. Regardless, a little more narrative would really help understand what this district is for.

4.3.6 General Use District (G) Purpose

The purpose of the General Use District (G) is intended to be used only for lands already developed or suitable for development with concentrated urban, particularly commercial land uses. It should not generally be used on natural environment lakes or remote river classes. Several other intensive urban uses such as industrial and commercial planned unit developments are allowed in this district if handled as conditional uses.

Commented [DP3]: We cannot approve this phrase. We're not clear on intent or why this is needed - it raises concerns over clarity of uses in shoreland district. If there is a commercial use in the water-oriented commercial district that wants to convert to a residential use, the county should rezone that land to "water-oriented commercial residential district," a district that allows this use. This phrase seems like a back door approach to allowing changes in use without the proper public hearings and public transparency needed for changes in land use.

4.4 Allowed Uses

Allowed uses for each district are shown in Sections 4.4.1 ~~thru~~ through 4.4.10 of this ordinance. Uses not specifically listed as allowed uses in a district shall be prohibited in that district, unless granted under the provisions of Section 6 of the Pine County Shoreland Ordinance ~~in this ordinance~~. All uses shall comply with all applicable state and federal regulations, and shall meet the applicable setbacks for the district in which the use is located. For the lake and river classes, districts, and uses in this subpart, P = permitted uses, C = conditional uses, and N = prohibited uses.

Section 4.4.1 Lake Class in Special Protection District

Use	General development	Recreational development	Natural environment
Forest management	P	P	P
Sensitive resource management	P	P	P
Agricultural: cropland and pasture	P	P	P
Agricultural feedlots	C	C	C
Parks and historic sites	C	C	C
Extractive use	C	C	C

Section 4.4.3 Lake Classes in High Density Residential District

Use	General development	Recreational development	Natural environment
Single residential	P	P	P
Duplex, triplex, quad residential	P	P	P
Residential planned unit developments	C	C	C
Commercial planned unit developments	C	C	C
Surface water-oriented commercial	C	C	C
<u>Office Building</u>	C	C	C
Semi-public/public	C	C	C
Parks and historic sites	C	C	C
Forest management	P	P	P
Essential Services	P	P	P
Short-term Rental	P	P	P
Home Occupations	P	P	P
Event Venue	C	C	C
Low-Impact Campground	C	C	C

Section 4.4.4 Lake Classes in Water-~~Oriented-oriented~~ Commercial District

Use	General development	Recreational development	Natural environment
Surface water-oriented commercial	C	C	C
Commercial planned unit development	C	C	C
Semi-public/public	C	C	C
Parks and historic sites	C	C	C
Forest management	P	P	P
Essential Services	P	P	P
Self-Storage Garage	C	C	C
Event Venue	C	C	C
Low-Impact Campground	C	C	C

Section 4.4.5 Lake Classes in Water-oriented Commercial Residential District

<u>Use</u>	<u>General development</u>	<u>Recreational development</u>	<u>Natural environment</u>
<u>Surface water-oriented commercial</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Commercial planned unit development</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Residential planned unit development</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Semi-public/public</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Parks and historic sites</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Forest management</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Essential Services</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Self-Storage Garage</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Event Venue</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Low-Impact Campground</u>	<u>C</u>	<u>C</u>	<u>C</u>

Section 4.4.6 Lake Classes in General Use District

<u>Use</u>	<u>General development</u>	<u>Recreational development</u>	<u>Natural environment</u>
Commercial	P	P	C
Commercial planned unit development	C	C	C
Industrial	C	C	N
Semi-public/public	P	P	C
Extractive use	C	C	C
Parks and historic sites	C	C	C
Forest management	P	P	P
Mining of metallic minerals and peat	P	P	P
Essential Services	P	P	P
Self-Storage Garage	C	C	C
Surface water-oriented commercial	C	C	C
Event Venue	C	C	C
Low-Impact Campground	C	C	C

Use	Remote	Forested	Transition	Tributary
Single residential	P	P	P	P
Duplex, triplex, quad residential	P	P	P	P
Residential planned unit developments	C	C	C	C
Commercial planned unit developments	C	C	C	C
Surface water-oriented commercial	C	C	C	C
<u>Office Building</u>	C	C	C	C
Semi-public/public	C	C	C	C
Parks and historic sites	C	C	C	C
Forest management	P	P	P	P
Essential Services	P	P	P	P
Short-term Rental	P	P	P	P
Home Occupations	P	P	P	P
Event Venue	C	C	C	C
Low-Impact Campground	C	C	C	C

Section 4.4.9 River Classes in Water-Oriented-oriented Commercial District

Use	Remote	Forested	Transition	Tributary
Surface water-oriented commercial	C	C	C	C
Commercial planned unit development	C	C	C	C
Semi-public/ Public public	C	C	C	P
Surface water-oriented commercial	C	C	C	C
Parks and historic sites	C	C	C	C
Forest management	P	P	P	P
Essential Services	P	P	P	P
Self-Storage Garage	C	C	C	C
Event Venue	C	C	C	C
Low-Impact Campground	C	C	C	C

Section 4.4.10 River Classes in Water-oriented Commercial Residential District

<u>Use</u>	<u>Remote</u>	<u>Forested</u>	<u>Transition</u>	<u>Tributary</u>
Surface water-oriented commercial	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
Commercial planned unit development	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
Residential planned unit development	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
Semi-public/public	<u>C</u>	<u>C</u>	<u>C</u>	<u>P</u>
Parks and historic sites	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
Forest management	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Essential Services	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Self-Storage Garage	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
Event Venue	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
Low-Impact Campground	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>

Section 4.4.10 River Classes in General Use District

<u>Use</u>	<u>Remote</u>	<u>Forested</u>	<u>Transition</u>	<u>Tributary</u>
Commercial	C	C	C	C
Commercial Planned-planned unit development	C	C	C	C
Industrial	N	C	N	C
Semi-public/ Public public	C	C	C	C
Extractive use	C	C	C	C
Surface water-oriented commercial	C	C	C	C
Parks and historic sites	C	C	C	C
Forest management	P	P	P	P
Mining of metallic minerals and peat	P	P	P	P
Essential Services	P	P	P	P
Self-Storage Garage	C	C	C	C
Event Venue	C	C	C	C
Low-Impact Campground	C	C	C	C

- b) Signs may be placed, when necessary, within the shore impact zone if they are designed and sized to be the minimum necessary to convey needed information. They must only convey the location and name of the establishment and the general types of goods or services available. The signs must not contain other detailed information such as product brands and prices, must not be located higher than ten (10) feet above the ground, and must not exceed thirty-two (32) square feet in size. If illuminated by artificial lights, the lights must be shielded or directed to prevent illumination out across public waters.
 - c) Other outside lighting may be located within the shore impact zone or over public waters if it is used primarily to illuminate potential safety hazards and is shielded or otherwise directed to prevent direct illumination out across public waters. This does not preclude use of navigational lights.
- B. Uses without ~~water-water~~-oriented needs must be located on lots or parcels without public waters frontage, or, if located on lots or parcels with public waters frontage, must either be set back double the normal ordinary high water level setback or be substantially screened from view from the water by vegetation or topography, assuming summer, leaf-on conditions.

5.6.2 Agriculture Use Standards

- A. General cultivation farming, grazing, nurseries, horticulture, truck farming, sod farming, and wild crop harvesting are permitted uses if steep slopes and shore and bluff impact zones are maintained in permanent vegetation or operated under ~~an~~ approved conservation plan (Resource Management Systems) consistent with the field office technical guides of the ~~local County soil~~ Soil and ~~water-Water conservation~~ Conservation ~~districts~~ District or the United States Soil Conservation Service, as provided by a qualified individual or agency. The shore impact zone for parcels with permitted agricultural land uses is equal to a line parallel to and fifty (50) feet from the ordinary high water level.

- B. Agricultural feedlots must meet the following standards:

New animal feedlots are not allowed in shoreland. Modifications or expansions to existing feedlots or resumption of old feedlots are conditional uses and must meet the following standards:

- A. Feedlots must be designed consistent with Minnesota Rules, Chapter 7020:

Commented [DP7]: Please make this consistent with Section 5.2.2 in the model. Under PCA rules, no new feedlots are allowed in shoreland. Modifications of existing ones are under certain standards listed in the model.

B. Feedlots must not further encroach into the existing ordinary high water level setback or the bluff impact zone and must not expand to a capacity of 1,000 animal units or more; and,

C. Old feedlots not currently in operation may resume operation consistent with Minnesota Statutes, Section 116.0711.

~~1) New feedlots must not be located on the shoreland of watercourses or in bluff impact zones and must meet a minimum setback of three hundred (300) feet from the ordinary high water level of all public waters basins.~~

2) Modifications or expansions to existing feedlots that are located within three hundred (300) feet of the ordinary high water level or within a bluff impact zone are allowed if they do not further encroach into the existing ordinary high water level setback or encroach on bluff impact zones.

Commented [DP8]: Here is the feedlot text from the model ordinance.

Commented [DP9]: This seems redundant with the language added above.

5.6.3 Forest Management Use Standards. The activities associated with all forest management practices on forest land must be conducted consistent with the provisions of the Water quality—Quality in Forest Management "Best Management Practices in Minnesota."

5.6.4 Extractive Use Standards

A. Site Development and Restoration Plan. An extractive use site development and restoration plan must be developed, approved, and followed over the course of operation of the site. The plan must address dust, noise, possible pollutant discharges and duration of operation, and anticipated vegetation and topographic alterations. It must also identify actions to be taken during operation to mitigate adverse environmental impacts, particularly erosion, and must clearly explain how the site will be rehabilitated after extractive activities end.

B. Setbacks for Processing Machinery. Processing machinery must be located consistent with setback standards for structures from ordinary high water levels of public waters and from bluffs.

5.6.5 Mining of Metallic Minerals and Peat Use Standards
Mining of metallic minerals and peat, as defined in Minnesota Statutes, Sections—sections 93.44 to 93.51, shall be a permitted use provided the provisions of Minnesota Statutes, Sections—sections 93.44 to 93.51 are satisfied.

- I. Home-based businesses shall be allowed a single advertising sign not to exceed sixty-four (64) square feet in area or be located closer than ten (10) feet from any property line or roadway easement for each permitted business.

5.6.7 Short-term ~~Term rental~~ Rental Use standards ~~Standards~~

Short-term rentals may only be operated under a valid permit issued by the County, and shall be subject to the following standards:

- A. An application shall be submitted on a form furnished by the County, providing adequate information for the County to ensure that all ordinance requirements are met. If a township requires a permit to operate a short-term rental, the township permit must be obtained first, prior to submitting a county application. A copy of said township permit may be substituted for the county application form and no fee will be charged if the township permit provides adequate information for the County to ensure all ordinance requirements are met.
- B. Permits shall expire three (3) years after issuance or upon sale or transfer of the property. Permits will be eligible for renewal with a new application demonstrating compliance with all requirements.
- C. Guests must abide quiet hours from 9 pm to 7 am Sunday to Thursday and 11 pm to 7 am Friday, Saturday, and holidays.
- D. The applicant shall demonstrate compliance with Minnesota Department of Health licensing requirements prior to project commencement.
- E. The property must maintain a valid certificate of septic compliance performed by a licensed septic inspector throughout its time of operation.
- F. Rental units on chassis (tiny houses, RVs, etc.), must provide direct connection to a septic system with a valid compliance certificate.
- G. Camping outside of the permitted dwelling unit in a tent, camper, or similar device shall not be permitted by guests.
- H. Occupancy will be limited to septic system capacity and the number of overnight guests cannot exceed two persons per bedroom.
- I. ~~The Applicant~~ applicant shall not advertise the property as available to more guests than the occupancy limit identified on the permit.

14) Quiet hours of 10~~_pm-~~to 7~~_am~~ must be maintained.

15) Maximum of two (2) tents per campsite or rental party.

5.7 Water Supply and Sewage Treatment

5.7.1 Water Supply. Any public or private supply of water for domestic purposes must meet or exceed standards for water quality of the Minnesota Department of Health and the Minnesota Pollution Control Agency.

5.7.2 Sewage Treatment. Any premises used for human occupancy must be provided with an adequate system of sewage treatment and/or grey water disposal, as follows:

A. Publicly owned sewer systems must be used where available.

B. All private sewage treatment systems must meet or exceed the Minnesota Pollution Control Agency's standards for individual sewage treatment systems contained in the Pine County Subsurface Sewage Treatment Systems Ordinance and Minnesota Rules 7080-7083. ~~document titled "Individual Sewage Treatment System Standards, Minnesota Rules, Chapter 7080," a copy of which is hereby adopted by reference and declared to be a part part of this ordinance. In addition to the Minnesota Rules, Chapter 7080 regulationsstandards, the County will also require the following:~~

~~1) After May 1, 1994, individual sewage treatment system evaluators, designers, inspectors, pumpers and installers shall have provisional Minnesota Pollution Control Agency certification. After May 1, 1996, full certification shall be required.~~

~~2) All privies must provide a sealed tank as defined in Minnesota Rules, Chapter 7080 and no open pits will be allowed. Any privy not connected to the dwelling shall not require installation or design by a certified installer, designer, or evaluator. In remote areas not accessible by pumper trucks, the owner may request approval for land application of wastewater provided the application site is outside the shoreland area and provided it meets township regulations.~~

C. On-site sewage treatment systems must be set back from the ordinary high water level in accordance with the setbacks contained in Section 5.2.1 of this ordinance.

~~D. All proposed sites for individual sewage treatment systems shall be evaluated in accordance with the criteria in subitems (1) – (4), below. It shall be the responsibility of the applicant to provide sufficient soil borings and percolation tests from on-site field investigations.~~

~~Evaluation criteria:~~

- ~~1) Depth ~~depth~~ to the highest known groundwater table or seasonally saturated soil condition, or bedrock;~~
- ~~2) Soil ~~soil~~ conditions, properties, and permeability;~~
- ~~3) Slope ~~slope~~; and~~
- ~~4) The ~~the~~ existence of low lands, local surface depressions, and rock outcrops.~~

~~E.D.~~ Non-conforming sewage treatment systems shall be regulated and upgraded in accordance with Section 6.3 of this ordinance.

Section 6.0 Non-Conformities

All legally established non-conformities as of the date of this ordinance may continue, but they will be managed according to the applicable state statutes and other regulations of the ~~county~~ County for the subjects of alterations and additions, repair after damage, discontinuance of use, and intensification of use; except that the following standards will also apply in shoreland areas:

6.1 Construction on Non-~~conforming~~ Conforming Lots of Record

- 6.1.1 Lots of record in the ~~office~~ Office of the County Recorder as of October 1, 1973 that do not meet the requirements of Section 5.1 of this ordinance may be allowed as building sites without variances from lot size requirements provided (1) the use is permitted in the zoning district; (2) the lot has been in separate ownership from abutting lands at all times since it become substandard; (3) was created in compliance with official controls in effect at the time; (4) impervious surface lot coverage does not exceed 25 percent (25%); and (5) sewage treatment and setback requirements of this ordinance are met.

6.1.8 In evaluating all variances, zoning and building permit applications, or conditional use requests, the zoning authority shall require the property owner to address, when appropriate, storm water runoff management, reducing impervious surfaces, increasing setback, restoration of wetlands, vegetative buffers, sewage treatment and water supply capabilities, and other conservation-designed actions.

6.2 Repair, ~~restoration~~Restoration, ~~maintenance~~Maintenance, or ~~improvement~~Improvement to Certain Non-conforming-Conforming Structures

6.2.1 For homestead, non-homestead residential real estate and seasonal residential real estate occupied for recreational purposes except as otherwise provided by law, a non-conformity, including the lawful use or occupation of land or premises existing at the time of the adoption of this ordinance, may be continued, including through repair, replacement, restoration, maintenance, or improvement, but not including expansion. If the non-conformity or occupancy is discontinued for a period of more than one (1) year, or any non-conforming building or structure is destroyed by fire or other peril to the extent of greater than ~~50-fifty~~ percent (50%) of its estimated market value, as indicated in the records of the ~~county-County assessor-Assessor~~ at the time of damage, and no building permit has been applied for within 180 days of when the property is damaged, any subsequent use or occupancy of the land or premises must be a conforming use or occupancy. If such building permit is applied for, the ~~board-Zoning Administrator~~ may impose reasonable conditions upon a zoning or building permit in order to mitigate any newly created impact on adjacent property or water body. When a non-conforming structure in the shoreland district with less than fifty percent (50%) percent of the required setback from the water is destroyed by fire or other peril to greater than ~~50-fifty~~ percent (50%) of its estimated market value, as indicated in the records of the ~~county-County assessor-Assessor~~ at the time of damage, the structure setback may be increased if practicable and reasonable conditions are placed upon a zoning or building permit to mitigate created impacts on the adjacent property or water body.

6.2.2 Replacement non-conforming structures may be replaced in their entirety without a variance if the following conditions are met:

A. The new replacement structure is no larger than the existing structure in terms of footprint or livable volume. Changes to the roof pitch may be allowed if they do not increase the livable volume.

B. Future expansions of the structure are not allowed.

C. The non-conformity must be improved through the replacement

process and returning the structure to its original location is not allowed.

6.2.3 Deck additions may be allowed without a variance to a structure not meeting the required setback from the ordinary high water level if all of the following criteria and standards are met:

- A. The structure existed on the date the structure setbacks were established.
- B. A department evaluation of the property and structure reveals no alternative location for a deck meeting or exceeding the existing ordinary high water level setback of the structure.
- C. The deck does not encroach into any shore impact or bluff impact zones.
- D. The deck is constructed primarily of wood and is not roofed or screened.

6.3 ~~Non-conforming~~ Conforming Sewage Treatment Systems

6.3.1 All non-conforming properties will be subject to the regulations described in the Pine County Subsurface Sewage Treatment Systems Ordinance as well as Minnesota Chapter-Rules, chapter 7080.

Section 7.0 Subdivision/Platting Provisions

7.1 ~~Land Suitability~~

Each lot created through subdivision, including planned unit developments authorized under Section 8.0 of this ordinance, must be suitable in its natural state for the proposed use with minimal alteration. The land suitability analysis shall consider susceptibility to flooding, existence of wetlands, soil and rock formations with severe limitations for development, severe erosion potential, steep topography, and inadequate water supply or sewage treatment capabilities. Additional information may be required by the County to complete the land suitability analysis in evaluating the impacts on near shore aquatic conditions unsuitable for water-water-based recreation, important fish and wildlife habitat, presence of significant historic sites, or any other feature of the natural land likely to be harmful to the health, safety, ~~or~~ and welfare of future residents of the proposed subdivision or of the ~~county~~ County.

7.2 ~~Consistency With~~ with Other Controls

Subdivisions must conform to all official controls of the County including the Pine County Subdivision and Platting Ordinance and any township ordinances, if applicable. A subdivision will not be approved where a later variance form from one or more standards in official controls would be needed to use the lots for their intended



**PINE
COUNTY**
MINNESOTA

Zoning Ordinance

Adopted January 17, 2021

Amended May 5, 2020

Amended November 13, 2020

Amended May 4, 2021

Amended April 19, 2022

Amended June 4, 2024

Amended Xxxx, X, 2025

Shooting Range: An outdoor area designed and operated for the use of rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, archery, or any other shooting activity, but does not include firing ranges principally used by police or military operated by any level of government.

Short-Term Rental Home: ~~Any home, cabin, condominium, or similar building represented to the public as a place where sleeping accommodations are furnished to the public on a nightly or weekly basis and for less than thirty days for compensation and is not a bed and breakfast, resort, hotel, or motel.~~

Sign: Any device, structure, fixture, or placard using graphic, symbols, and/or written copy for the primary purpose of identifying, providing directions, or advertising any establishment, product, goods, or services. Shall include but not limited to: temporary signs, off-premises advertising signs, and on-premises advertising signs

Single Residential: A structure maintained and used as a single dwelling unit.

Solid Waste Disposal Site: A solid waste land disposal facility, a construction and demolition debris land disposal facility, an industrial solid waste land disposal facility, a compost facility, a transfer station, a solid waste processing facility, a waste tire facility, a waste tire collection site, a waste tire processing facility, or a recycling facility.

Structure: Any building, mobile home or appurtenance, including decks and steel shipping containers, except aprons, sidewalks, slabs, fences, and underground utility lines.

Temporary Sign: A sign affixed, erected or maintained on a premise or lot for a limited amount of time, including, but not limited to, banners, sidewalk signs, sandwich board signs, yard signs, large portable signs, inflatables, or similar displays.

Temporary Family Health Care Dwelling: A temporary mobile residential dwelling providing an environment facilitating a caregiver's provision of care for a mentally or physically impaired person that meets the requirements of this Ordinance.

~~**Vacation Rental Home:** Any home, cabin, condominium, or similar building represented to the public as a place where sleeping accommodations are furnished to the public on a nightly or weekly basis and for less than thirty days for compensation and is not a bed and breakfast, resort, hotel, or motel.~~

Value Added Agriculture: Manufacturing or storage processes that increase the value of agricultural commodities or processes that transform raw agricultural product into something new through packaging, processing, cooling, drying, extracting, and other processes that change the agricultural product from its original form.

Waste Tire: Rubber or other resilient material product, which is used on a vehicle or other equipment wheel to provide tread, which is discarded or which cannot be used as originally intended because it is used, damaged or defective. A tire that is used for recreational

To direct and foster commercial uses in areas that have supporting infrastructure, particularly in areas close to towns, along trunk highways, and near I-35 interchanges.

3.1.5 Industrial

A.) Purpose

To direct and foster industrial uses in areas that have supporting infrastructure.

3.2 Zoning Map

The location and boundaries of the zoning districts established by this Ordinance shall be known and may be referred to as the “Pine County Zoning Map.” The Pine County Zoning Map is hereby adopted as a part of the Pine County Zoning Ordinance. The Map shall be kept on file for examination in the Pine County Planning and Zoning office.

3.3 District Lot Dimensions and Setbacks

3.3.1 Table 1

District	Agriculture (AG1/AG2/ AG4)	Rural Residential (RR5/RR10/ RR20/RR40)	Rural Townsite (RT0.5/RT1/ RT2.5)	Commercial	Industrial
Minimum Lot Area	2.5 acres	5 acres/ 10 acres/ 20 acres /40 acres	0.5 acres/ 1 acre/ 2.5 acres	1 acre	1 acre
Density	Lots Per 40 acres: AG1=1, AG2=2, AG4=4	-	-	-	-
Minimum Public Road Frontage	66'	300'	100'	100'	100'
Minimum Lot Width	300'	300'	100'	100'	100'
Minimum Lot Depth	300'	300'	100'	100'	100'
Maximum Height of Building	-	35'	30'	40'	40'

Structure Setback; Road	100' from road centerline	100' from road centerline	20' from Road Right- of-Way	20' from Road Right- of-Way	20' from Road Right-of-Way
Structure Setback; Side Yard	50'	50'	10'	20'	20'
Structure Setback; Rear Yard	10'	10'	10'	10'	10'

3.4 Density Zoning of the Agriculture District

This section shall describe administration of density zoning, as referenced in Section 3.2.1, Table 1.

3.4.1 Density Zoning: Four Parcels per Quarter, Quarter Section

This section shall apply to the Ag4 district.

- A.) Each Quarter, Quarter Section may be split into up to four (4) parcels with a minimum parcel size of 2.5 acres and 66 feet on public roads. Quarter, Quarter Sections without public roads adjacent to them shall not be split and do not have any splitting rights.
- B.) The splitting rights of Quarter, Quarter sections which are already split into multiple parcels but less than four (4) parcels shall have the splitting rights divided as follows:
 - i. If two (2) parcels and are identical in size, splitting rights shall be equally divided.
 - ii. If three (3) parcels and are identical in size, the additional splitting right shall reside with the lot which has been owned the longest by the current owner.
 - iii. If two (2) or three (3) parcels and are unidentical in size, splitting rights shall reside with the parcel with the most road frontage which yields new and remaining parcels of at least 2.5 acres.
- C.) Quarter, Quarter Sections which already contain four (4) or more parcels may not be split further.
- D.) For the purposes of counting parcels in a quarter, quarter, if a parcel contains acreage from more than one quarter, quarter section, parcel shall be counted as a parcel in each quarter, quarter section it is located in.

3.4.2 Density Zoning: Two Parcels per Quarter, Quarter Section

This section shall apply to the Ag2 district

- A.) Each Quarter, Quarter Section may be split into up to two (2) parcels with a minimum lot size of 2.5 acres and 66 feet on public roads. Quarter, Quarter Sections without public roads adjacent to them shall not be split and do not have any splitting rights.
- B.) The splitting rights of Quarter, Quarter sections which are already split into more than two (2) parcels shall not be split further.
- C.) For the purposes of counting parcels in a quarter, quarter, if a parcel contains acreage from more than one quarter, quarter section, parcel shall be counted as a parcel in each quarter, quarter section it is located in.

3.5 Allowed Uses

Allowed uses for each district are shown in Section 3.4.1 Table 2. Uses not specifically listed as allowed uses in a district shall be prohibited in that district, unless granted under the provisions of Section 2.5.2. All uses shall comply with all applicable state and federal regulations, and shall meet the front, side, and rear setbacks for the district in which the use is located.

3.5.1 Table 2

Use	Agriculture (AG1/AG2/AG4)	Rural Residential (RR5/RR10/RR20)	Rural Townsite (RT0.5/RT1/RT2.5)	Commercial	Industrial
Single Residential	P	P	P	N	N
Storage buildings and accessory structures	P	P	P	P	P
Single Residential as Accessory Use	P	P	P	P	P
Duplex/ Triplex Residential	CUP	P	P	N	N
Duplex/Triplex as Accessory Use	CUP	P	P	CUP	N
Second Residence	CUP	N	N	N	N
Guest Cottage	P	P	P	N	N
Temporary Family Health Care Dwelling	P	P	P	N	N
Manufactured or Mobile Home Park	N	N	CUP	N	N

Cropland, Pasture, Animal Agriculture	P	P	N	N	N
Agricultural: Feedlots	CUP	N	N	N	N
Value Added Agriculture	P	CUP	N	CUP	P
Rural Tourism	CUP	CUP	CUP	CUP	N
Short-Term Vacation Rental Home	IUP	IUP	IUP	IUP	N
Forest Management	P	P	P	P	P
Saddle Club Facility or Commercial Stable	CUP	CUP	N	CUP	N
Cemetery	P	P	P	CUP	N
Salvage Yard	CUP	CUP	N	CUP	CUP
Place of Worship	CUP	P	P	CUP	N
Group Home	P	P	CUP	P	N
Government Building	CUP	CUP	CUP	CUP	CUP
School	CUP	CUP	CUP	CUP	CUP
Funeral Home	N	N	N	CUP	N
Assisted Living	CUP	CUP	CUP	CUP	N
Daycare Facility	P	P	CUP	CUP	N
Use	Agriculture (AG1/AG2/AG4)	Rural Residential (RR5/RR10/RR20)	Rural Townsite (RT0.5/RT1/RT2.5)	Commercial	Industrial
Golf Course	CUP	CUP	CUP	CUP	N
Resort	CUP	CUP	CUP	CUP	N
Public Park	CUP	CUP	CUP	CUP	N
Shooting Range	CUP	CUP	CUP	CUP	CUP
Campground	CUP	CUP	CUP	CUP	CUP
Commercial Outdoor Recreation	CUP	CUP	N	N	N
Race Track	CUP	CUP	CUP	CUP	N
Communication Tower	CUP	CUP	CUP	CUP	CUP
Extractive Use	CUP	CUP	N	IUP	IUP
Non-commercial Solar and Wind Energy Systems	P	P	P	P	P
Commercial Solar Energy System	IUP	IUP	N	IUP	IUP
Commercial Wind Energy System	IUP	IUP	IUP	IUP	IUP

- D.) All applications for commercial WECS shall include the following:
- i. A certificate of survey showing the location of all property lines, pipelines, power lines, easements, roadways, existing structures, and proposed WECS equipment and appurtenances, topographic contours, wetlands, water bodies, and other natural features on properties within one-half (1/2) mile of the proposed WECS.
 - ii. A description of the proposed WECS equipment and appurtenances, including but not limited to tower height, blade dimensions, color, and generating capacity.
 - iii. Engineering design certification and descriptions of individual and combined electrical power generation and evidence of permitting compatibility with all applicable laws, rules, standards, codes, and ordinances.
 - iv. A description of proposed electrical distribution facilities required to service the proposed WECS, including but not limited to power lines and substations.
 - v. Evidence of site ownership or wind easements secured from property owners, necessary to the operation of the WECS.
 - vi. The interconnection application and/or agreement.
 - vii. A notification to local road authorities who may be impacted by the weight of turbine equipment during transportation. Local road authorities may require mitigation for damage.
 - viii. Identification of any agricultural tile drains or other drainage or conveyance systems that may be impacted by construction or maintenance of the site.

4.11 Short-Term Rental

4.11.1 Scope

Short-term rentals may only be operated under a valid permit issued by the County.

4.11.2 Application

An application shall be submitted on a form furnished by the County, providing adequate information for the County to ensure that all ordinance requirements are met.

4.11.3 Permit Expiration

Permits shall expire three (3) years after issuance or upon sale or transfer of the property. Permits will be eligible for renewal with a new application demonstrating compliance with all requirements.

4.11.4 General Standards

All Short-term rentals shall comply with the following standards:

- A. Guests must abide quiet hours from 9 pm to 7 am Sunday to Thursday and 11 pm to 7 am Friday, Saturday, and holidays.
- B. The applicant shall demonstrate compliance with Minnesota Department of Health licensing requirements prior to project commencement.
- C. The property must maintain a valid certificate of septic compliance performed by a licensed septic inspector throughout its time of operation.
- D. Rental units on chassis (tiny houses, RVs, etc.), must provide direct connection to a septic system with a valid compliance certificate.
- E. Camping outside of the permitted dwelling unit in a tent, camper, or similar device shall not be permitted by guests.
- F. Occupancy will be limited to septic system capacity and the number of overnight guests cannot exceed two persons per bedroom.
- G. The applicant shall not advertise the property as available to more guests than the occupancy limit identified on the permit.
- H. On-street parking is prohibited.
- I. Guests shall be limited to one motorized boat per rental party on the premises.
- J. Launching of motorized boats from the premises shall be prohibited where the public waterbody provides a public launch.
- K. Aquatic invasive species prevention guidelines must be posted in the rental unit for watercraft use.
- L. Properties are limited to one dwelling unit, except that additional units may be provided consistent with duplex, triplex, and quad standards as described in Section 5.1 of this ordinance. Non-primary dwelling units may not exceed 700 square feet. Properties proposing five (5) or more short-term rental units shall be considered a resort, and subject to all applicable standards and permits.
- M. The owner of a short-term rental operation shall designate and provide information to the County and each renter for a point of contact that will be available 24-hours a day, seven days a week to respond to issues that may arise regarding the short-term rental.
- N. All guest pets shall be leashed or otherwise contained.

Proposed changes to 2022 SSTS ordinance:

Section 5.02.04

5.02.04 Holding Tanks

- A. Holding tanks may be allowed in any of the following applications:
 - i. For legal lots of record where it can be shown conclusively that a Type I SSTS permitted under this Ordinance cannot be feasibly installed;
 - ii. Where there is limited water use such as seasonal properties, sensitive sites, parks, playgrounds, etc;
 - iii. As temporary disposal method to alleviate an imminent threat to public health or during construction, repair, or replacement of new and existing systems.
 - iv. For a second dwelling on a property which is mobile and temporary in nature for the occupancy of a spouse, parent, grandparent, child, grandchild, sibling, uncle, aunt, nephew, or niece of the property owner whom is elderly or mentally or physically impaired as defined in Minnesota Statute 462.3593 Subdivision 1 (d).
- B. Holding tanks must be used under the following conditions:
 - i. The owner shall install a holding tank in accordance with Minnesota Rules Section 7080.2290;

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- ~~ii. The owner shall install a water meter to continuously record indoor water use;~~
 - ii. ~~iii.~~ The owner shall maintain a valid contract with a licensed maintainer to pump and dispose of septage according to the applicable standards in Code of Federal Regulations, title 40, part 503; and
 - iii. ~~iv.~~ The owner of a holding tank installed after April 1, 2014 must maintain current and historical records of maintainer pumping; volume of liquid removed; and the water meter reading at the time of pumping; all for Department review upon request. Volumes removed shall coincide with metered water use readings.
 - iv. ~~v.~~ The owner of a holding tank installed prior to April 1, 2014 must maintain current and historical records of maintainer pumping; and volume of liquid removed; all for Department review upon request.