

**MANTRAP TOWNSHIP
LAND USE ORDINANCE**

ARTICLE II - GENERAL LAND USE DISTRICTS AND REGULATIONS

SECTION 300-010

Land Use Districts

The Township is hereby divided into the following land use districts as shown below. These districts are created in order to promote the orderly development of land, including the shoreland of its public waters, within the Township. Land Use permits are required for structures and additions to existing structures. See Section 1400-050.

<u>Symbol</u>	<u>District Name</u>
SH	Shoreland District
CON	Conservation District
TR	Conservation Transition District
R	Residential District
RR	Rural Residential District
AG	Agricultural District

Section 300-020

Official Land Use District Map

The official land use map of the Mantrap Township is located at the office of the Township Clerk, Nevis, Minnesota and at the Mantrap Town Hall, 23953 Co. 86, Nevis, MN. This map is hereby adopted by resolution.

Section 300-030

Interpretation of Land Use District Map

Regardless of the existence of purported copies of the official Land Use District Map which may from time to time be made or published, the official Land Use District Map, which shall be located in the office of the Township Clerk, shall be the final authority on the current land use/status of land and water areas, buildings and other structures in the Township.

- 1) District Locations: The location and boundaries of the districts established by this Ordinance are set forth on the official land use map. District boundary lines as indicated on the map follow lot lines, property lines, right-of-way or center lines of streets or alleys, right-of-way or center lines of streets or alleys projected, shorelines, all as they exist upon the effective date of this Ordinance. If said boundary lines do not follow any of the above, the district boundary lines are established as drawn on the official Land Use District Map.
- 2) Vacated Rights-of-Way and Roadways: Whenever any street, alley or other public way is vacated in the manner authorized by law, the land use district adjoining each side of such street, alley or public way shall be automatically extended to the center of such vacation and all included in the vacation shall then and henceforth be subject to all regulations of the extended districts.
- 3) Appeals: Appeals concerning the exact location of a land use district boundary line shall be heard by the Board of Adjustment and Appeals.

Section 300-040**Developer's Agreement**

All plats and commercial developments within the township shall be required to comply with a developer's agreement. The developer's agreement application is available at the Township Clerk's office and shall be handled in the same manner as a conditional use permit. As a part of the application process it is understood that the applicant grants the township reasonable access to his/her property to engage in a review and inspection.

Official Land Use District Map
(Left intentionally blank)

SECTION 400 SHORELAND DISTRICT (SH) REGULATIONS

Section 400-010 Shoreland

The Shoreland District, as defined, is administered by Hubbard County Environmental Services through its Shoreland Management Ordinance, which may require property owners within Mantrap Township to obtain permits from Hubbard County.

SECTION 500 CONSERVATION DISTRICT (CON) REGULATIONS

Section 500-010 Conservation

The Conservation District, as defined, is administered by the Minnesota Department of Natural Resources (MN DNR) and Hubbard County Land Office.

SECTION 600 CONSERVATION TRANSITION (TR) DISTRICT REGULATIONS

Section 600-010 Purpose and Intent

The Conservation Transition District is established for those lots-of-record currently under corporate or private ownership within the DNR or CAL administered lands. The township recognizes that such ownership may not exist in perpetuity, as is the general practice for DNR or CAL administered lands (see Conservation District). Therefore the Town Board has established this district as a "transition" to surrounding or adjacent land use districts should the land use change after the effective date of this ordinance.

While there are no township-prescribed minimum lot sizes or setbacks within the TR district, any private land use must conform to the abutting land use district regulations. If the lot-of-record abuts more than one land use district, the more restrictive land use district regulations apply.

Section 600-020 Permitted Uses

Permitted uses are the uses of the surrounding or abutting district such as Agricultural, Rural Residential, or Residential, whichever is more restrictive, apply to the TR district.

Section 600-030 Conditional Uses

Conditional uses are the conditional uses of the applicable district.

SECTION 700 RESIDENTIAL DISTRICT (R) REGULATIONS

Section 700-010 Purpose and Intent

The Residential District is established to encourage the preservation of residential neighborhoods characterized primarily by single-family dwellings and to preserve undeveloped lands for similar types of residential development.

Section 700-020 Permitted Uses

The following are permitted uses in the Residential (R) District:

1. One and two-family detached dwellings;
2. Public, parochial, private and nursery schools, churches, and community buildings;
3. Public utility buildings, such as substations, transformer stations, and regulator stations without service or storage yards;
4. Home occupations as regulated in Section 1100-040;
5. State licensed residential facility registered under Chapter 144D serving 6 or fewer persons (amend. 2-14-05, Res. #2005-2);
6. Licensed daycare facilities serving 12 or fewer persons (amend. 2-14-05, Res. #2005-2);
7. Group family daycare facilities licensed under MN Rules, Parts 9502.0315 to 9502.0445 to serve 14 or fewer children (amend. 2-14-05, Res. #2005-2);
8. Accessory buildings or structures and uses customarily incidental to any of the uses listed in this section when located on same lot;
9. Town hall (amend. 9-12-05, Res. #2005-09);
10. Fire stations (amend. 9-12-05, Res. #2005-09).

Section 700-030 Conditional Uses

The Town Board following the procedures outlined in Section 1400-060 of this Ordinance may permit the following uses with the approval of a Conditional Use Permit.

1. Multi-family dwellings;
2. Boarding and rooming houses;
3. Bed and breakfasts;
4. Public or private hospitals, clinics, nursing homes, and health-care related facilities;
5. Funeral homes;
6. Parking lots;
7. Cemeteries;
8. Residential Planned Unit Developments;
9. Accessory uses and structures to above principal uses.

Section 700-040 Minimum Lot Sizes and Setbacks

The following requirements shall apply to all structures in the Residential District. Requirements in Section 1100 Performance Standards, shall also apply.

- | | | |
|----|-----------------------|------------------------------------|
| A. | <i>Lot Size</i> | |
| | 1. One and two-family | 2.25 Acres |
| | 2. Multi-family | 2.25 Acres plus 1,500 sq. ft./unit |
| B. | <i>Lot Width:</i> | |
| | 1. One and two-family | 220 feet |
| | 2. Multi-family | 220 feet |
| C. | <i>Lot Coverage:</i> | |
| | 1. One and two family | not more than 30% |
| | 2. Multi-family | not more than 40% |

- D. *Setbacks:*
- | | |
|---------------------------|------------------------|
| 1. Front yard: | 65 feet |
| 2. Side yard: | 20 feet |
| 3. Side yard, corner lot: | 20 feet on street side |
| 4. Rear yard - | |
| Principal building: | 20 feet |
| 5. Rear yard - | |
| Accessory structures | 10 feet |
- F. *Maximum Building Height:*
- | | |
|------------------------|---------|
| 1. Dwelling Units | 35 feet |
| 2. Accessory buildings | 16 feet |

SECTION 800 RURAL RESIDENTIAL DISTRICT (RR) REGULATIONS

Section 800-010 Purpose and Intent

The Rural Residential District is established to provide a buffer area for the preservation of agricultural activities, and to provide a low-density residential area where neighborhoods are characterized primarily by single-family dwellings.

Section 800-020 Permitted Uses

The following are permitted uses in the Rural Residential (RR) District:

1. One and two-family detached dwellings;
2. Public, parochial, private and nursery schools, churches, and community buildings;
3. Public utility buildings, such as substations, transformer stations, and regulator stations without service or storage yards;
4. Home occupations as regulated in Section 1100-040;
5. State licensed residential facility registered under Chapter 144D serving 6 or fewer persons (amend. 2-14-05, Res. #2005-2);
6. Licensed daycare facilities serving 12 or fewer persons (amend. 2-14-05, Res. #2005-2);
7. Group family daycare facilities licensed under MN Rules, Parts 9502.0315 to 9502.0445 to serve 14 or fewer children (amend. 2-14-05, Res. #2005-2);
8. Accessory buildings or structures and uses customarily incidental to any of the uses listed in this section when located on same lot.
9. Town hall (amend. 9-12-05, Res. #2005-09);
10. Fire stations (amend. 9-12-05, Res. #2005-09).

Section 800-030 Conditional Uses

The Town Board following the procedures outlined in Section 1400-060 of this Ordinance may permit the following uses with the approval of a Conditional Use Permit:

1. Multi-family dwellings;
2. Boarding and rooming houses;
3. Bed and breakfasts;
4. Public or private hospitals, clinics, nursing homes, and health-care related facilities;
5. Funeral homes;

- farm forestry, and similar agricultural enterprises, such as truck gardens and nurseries;
2. One and two family detached residential dwellings;
 3. Public conservation areas, outdoor recreational areas, including boat accesses, beaches, playfields, and similar areas that do not fall under the provisions of the Hubbard County Shoreland Management Ordinance;
 4. Public utility buildings, such as substations, transformer stations, and regulator stations without service or storage yards;
 5. One temporary building for the sale of the produce of any of the above uses, located not less than twenty feet from the street or highway right-of-way;
 6. Cemeteries, including pet cemeteries;
 7. Home occupations related to uses above;
 8. Public, parochial, private and nursery schools, churches, and community buildings;
 9. Accessory uses and structures customary to the above agricultural enterprises;
 10. Playfields for baseball, basketball, soccer, volleyball, softball, football and similar sports activities;
 11. Picnic areas, hiking trails, cross-country skiing trails, non-motorized biking trails, and similar activities;
 12. State licensed residential facility registered under Chapter 144D serving 6 or fewer persons (amend. 2-14-05, Res. #2005-2);
 13. Licensed daycare facilities serving 12 or fewer persons (amend. 2-14-05, Res. #2005-2);
 14. Group family daycare facilities licensed under MN Rules, Parts 9502.0315 to 9502.0445 to serve 14 or fewer children (amend. 2-14-05, Res. #2005-2).
 15. Town hall (amend. 9-12-05, Res. #2005-09);
 16. Fire stations (amend. 9-12-05, Res. #2005-09).

Section 900-030 Conditional Uses

The Town Board following the procedures outlined in Section 1400-060 of this Ordinance may permit the following uses with the approval of a Conditional Use Permit.

1. Multi-family dwellings;
2. Golf courses, swimming pools, ice arenas, as well as other privately- owned outdoor recreational areas;
3. Campgrounds, recreational vehicle parks;
4. Storage units;
5. Bed and breakfasts;
6. Animal clinics and dog kennels provided no structure or pen housing any animals shall be located within three hundred (300) feet of any residential land use;
7. Riding stables provided no structure housing horses shall be located within three hundred (300) feet of any residential land use;
8. Raising of fur bearing animals;
9. Airstrips;
10. Sawmills;
11. Communication towers;
12. Wind chargers;
13. Temporary farm housing;
14. Accessory uses and structures to the above principal uses;
15. Uses involving motorized vehicles, ATVs, snowmobiles, other machine-operated activities;
16. Landscaping and gardening stores (amended 9-12-05, Res. #2005-09).

Section 900-035 Interim Uses

The Town Board, following the procedures outlined in Section 1400-060 of this Ordinance, may permit the following uses with the approval of an Interim Use Permit.

1. Extractive Uses – see Section 1300.

Section 900-040 Minimum Lot Sizes and Setbacks

The following requirements shall apply to all structures in the Agricultural District. Requirements in Section 1100 Performance Standards shall also apply.

- | | | |
|----|--|---|
| A. | <i>Lot Size:</i> | 10 acres |
| B. | <i>Lot Width:</i> | 300 feet |
| C. | <i>Lot Depth:</i> | 200 feet |
| D. | <i>Lot Coverage:</i> | not more than 10% |
| E. | <i>Setbacks:</i> | |
| | 1. Front yard: | 65 feet |
| | 2. Side Yard - residential dwellings and accessory structures to residential uses | 20 feet |
| | 3. Side Yard - all other permitted and conditional uses unless otherwise specified | 25 feet |
| | 4. Rear yard - residential uses | 10 feet |
| | 5. Rear yard - agricultural uses | 25 feet |
| F. | <i>Maximum Building Height:</i> | 35 feet, except for agricultural uses such as silos |

ARTICLE III - REGULATIONS APPLYING TO ALL DISTRICTS

SECTION 1100 PERFORMANCE STANDARDS

Section 1100-010 Purpose

The performance standards established in this section are designed to encourage a high standard of development by providing assurance that neighboring land uses will be compatible. These standards are also designed to prevent and eliminate conditions that cause blight. Before any permit is approved, the Zoning Administrator shall determine whether the proposed use will conform to the performance standards. An applicant shall supply data necessary to demonstrate such conformance.

The performance standards shall apply to future development and to existing development within compliance periods as noted in individual sections. Compliance may be waived by the Township if a building condition created under prior ordinances physically precludes the reasonable application of the standards.