

## **Chapter 508      Zoning Districts, Zoning Map and Uses**

### **508.01      Division into Districts**

The unincorporated areas of Rice County are hereby divided into the following zoning districts:

A	Agricultural District
UR	Urban Reserve District
RR	Rural Residential District
VMU	Village Mixed-Use District
HC	Highway Commercial District
RI	Rural Industrial District
URI	Urban Reserve Industrial District
GDS	General Development Shoreland Districts
RDS	Recreational Development Shoreland Districts
NES	Natural Environment Shoreland Districts
WS	Wild and Scenic River District

### **508.02      Consistency with Comprehensive Plan**

The zoning districts and uses in this Chapter and the delineation of zoning district boundaries on the zoning map are consistent with the goals, policies and objectives of the Rice County Comprehensive Plan.

### **508.03      Zoning Map**

The location and boundaries of the districts established by this Ordinance are set forth on the Zoning Map, which is hereby incorporated as part of this Ordinance.

- A. Corrections and updates shall be recorded on such maps by the Planning Director within thirty (30) days after the official adoption of the zoning amendment by the Rice County Board.
- B. Deleted
- C. The Wild and Scenic River Districts are taken from the Cannon River Management Maps dated January 11, 1980 and produced as part of the Cannon River Management Study and final rule (Minn. Rules, Part 6105.1680) and these maps are hereby incorporated by reference.
- D. The official Zoning Map shall be signed by the Chair of the Board and a certified copy filed by the Auditor with the County Recorder.
- E. Any unauthorized change of a zoning boundary or designation by any person or persons shall be considered a violation of this Ordinance.

### **508.04      District Boundaries**

Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning Map, the following rules shall apply:

- A. Boundaries indicated as approximately following the centerlines of streets, rivers, highways or alleys, shall be construed to follow such center lines.
- B. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
- C. Boundaries indicated as approximately following established municipal limits and County borders shall be construed as following such lines.
- D. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.
- E. Boundaries indicated as approximately following sections, half sections, quarter sections, eighth sections and government lots shall be construed to follow such lines.
- F. Where physical features, are at variance with those shown on the Official Zoning Map, or in other circumstances not covered by Subdivisions A through E above, the Zoning Administrator shall interpret the district boundary.

**508.05 Permitted, Conditional and Interim Uses**

The following table establishes the uses in the zoning districts within Rice County. For the purposes of the table:

- A. **Permitted uses.** Uses specified with a “P” are permitted as of right in the district or districts where designated, provided that the use complies with all other applicable provisions of this Ordinance.
- B. **Conditional and Interim uses.** Uses specified with a “C” are allowed as a conditional use in the district or districts where designated. Uses specified with an “I” are allowed as an interim use in the district or districts where designated.
- C. **Prohibited uses.** Any use not listed as either “P” (permitted), “C” (conditional), or “I” (interim) in a particular district shall be prohibited in that district.
- D. **Specific development standards.** Any use where an “X” is indicated in the column headed by “Stds” must conform to specific development standards that are contained in Chapter 507. Specific development standards apply in addition to the general criteria for conditional and interim uses in §503.05, and all other applicable regulations.

**Table 508-1 Permitted, Conditional and Interim Uses**

<b>A. Residential and Related Uses</b>	<b>GDS</b>	<b>RDS</b>	<b>NES</b>	<b>WS</b>	<b>A</b>	<b>UR</b>	<b>RR</b>	<b>VMU</b>	<b>HC</b>	<b>RI</b>	<b>URI</b>	<b>Stds</b>
Single-family detached dwelling	P	P	P	P	P	P	P	P	P*	P*	P*	X
Single-family attached dwelling	P	P	P		P			P			P*	X
Shoreland Residential Cooperative	P*	P*	P*									
Multifamily dwelling	P	P	P		P			C				X
Mixed-use building (commercial, residential, office)								C				X
Facility for supervised residential program (up to 6 residents; 6 or more is a conditional use)	P	P	P	P	P	P	P	P		P*		X
<b>B. Agricultural and Related Uses</b>	<b>GDS</b>	<b>RDS</b>	<b>NES</b>	<b>WS</b>	<b>A</b>	<b>UR</b>	<b>RR</b>	<b>VMU</b>	<b>HC</b>	<b>RI</b>	<b>URI</b>	<b>Stds</b>
Farm buildings	P	P	P	P	P	P			P*	P	P*	
Agricultural Tourism Business, Conditional	C	C	C		C	C				C		X
Agricultural Tourism Business, Permitted					P	P				P		X
Agricultural Use –excluding feedlots	P	P	P	P	P	P	P	P	P	P	P	X
Agriculturally-oriented business					C	C		C		C	C	X
Feedlot, animal manure composting site, aquaculture												If compliant with the Rice County Feedlot Ordinance
Food Sales/Service located on a CSA Farm					C	C						

Notes:

P = Permitted use

C = Conditional use

I=Interim use

X = Standards apply, see specific use in Chapter 507 Specific Development Standards

Y = Standards apply; see Chapter 514 Highway Commercial District and Chapter 522 PUD Standards

\* = Use only allowed for those sites where the use legally existed on the date of adoption of this Ordinance

\*\* = only with existing permitted commercial use

\*\*\*= only locations that have had an existing permitted commercial use

<b>C. Commercial Recreation</b>	<b>GDS</b>	<b>RDS</b>	<b>NES</b>	<b>WS</b>	<b>A</b>	<b>UR</b>	<b>RR</b>	<b>VMU</b>	<b>HC</b>	<b>RI</b>	<b>URI</b>	<b>Std</b>
Campground, private	C	C			C	C						X
Flying field for radio-controlled aircraft					C							X
Go-cart track, miniature golf						C		C				X
Golf course, country club, driving range					C	C						X
Archery range, outdoor					C	C				C		X
Gun range, outdoor					C							X
Gun or archery range, indoor					C					C		X
Hunting club, private					C							X
Organized motor sports: ATVs, trucks, tractors or motorcycle tracks or trails (not including auto or other vehicle racing, tracks or events)					C	C						X
Paint ball course					C	C						X
Riding and boarding stable					C	C				C		X
Ski slope, snowboarding, tubing or sledding hills; private					C	C						X
Soccer Club Area, Private					C							X
Water-oriented commercial recreation	C	C										X
<b>D. Civic, Educational, &amp; Institutional</b>	<b>GDS</b>	<b>RDS</b>	<b>NES</b>	<b>WS</b>	<b>A</b>	<b>UR</b>	<b>RR</b>	<b>VMU</b>	<b>HC</b>	<b>RI</b>	<b>URI</b>	<b>Std</b>
Day care center								P	C			X
Religious institution					C	C	C	C				X
Campground, public	C	C			C	C						X
Cemetery					C	C	C	C				X
School, public or private						C		C				X
Public Recreational Areas	P	P	P	P	P	P	P	P	P	P	P	X
<b>E. Commercial &amp; Industrial</b>	<b>GDS</b>	<b>RDS</b>	<b>NES</b>	<b>WS</b>	<b>A</b>	<b>UR</b>	<b>RR</b>	<b>VMU</b>	<b>HC</b>	<b>RI</b>	<b>URI</b>	<b>Std</b>
Adult entertainment										P		X
Agricultural based therapeutic service uses					C							X
Art, photography, crafts galleries, studios								P				
Auto & recreational equipment & vehicles; sales & repair								C		C		X
Auto service station								C	C	C		X
Auto parts sales, indoor only								C		C		
Auto repair, auto body repair						C*		C		C		X
Bakery								P				
Barber or beauty shop								P				
Cabinet, carpentry shops					C	C	C**	C		C	C	
Cannabis or hemp production									I	I	I	X
Cannabis or hemp retail								I	I			X
Car wash, freestanding or accessory								C				X
Compost facility, private					I	I						X

Notes:

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C = Conditional use

I=Interim use

X = Standards apply, see specific use in Chapter 507 Specific Development Standards

Y = Standards apply; see Chapter 514 Highway Commercial District and Chapter 522 PUD Standards

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<b>E. Commercial &amp; Industrial, cont.</b>	<b>GDS</b>	<b>RDS</b>	<b>NES</b>	<b>WS</b>	<b>A</b>	<b>UR</b>	<b>RR</b>	<b>VMU</b>	<b>HC</b>	<b>RI</b>	<b>URI</b>	<b>Stds</b>
Construction material sales primarily within a building								C	C	C	C	
Contractor's office					C	C		P	C	C	C	
Contractor's yard with outdoor storage					C	C		C		C	C	X
Convenience fuel and goods						C**		C	C			X
Corporate office headquarters									P		P	
Demolition Landfill					I	I						
Extraction or excavation of materials & minerals	I	I	I	I	I	I			I			X
Flea market or auction site, permanent					C	C		C				X
Indoor school bus storage					C					C		
Kennel, commercial		C			C	C						X
Laundries, laundromat, dry cleaning								C				
Limited Industrial, permitted										P	P	X
Limited Industrial, conditional										C	C	X
Limited manufacturing, including light assembly and packing								C	C	C		X
Liquefied Petroleum (Propane) Gas Distribution Services					C							
Lumber yards								C	P		P	
Medical, dental or other health care offices, clinics								P	C			
Motels, hotels								C	C			X
Offices, professional								P	P	P		
Printing & publishing								C	C	P		X
Railroad switching yards and repair spurs					P	P				P	P	
Recycling or composting facilities, landfills, soil reclamation, County, municipal or institutional				I*	I	I						X
Restaurants, cafes						C**		P	C			X
Retail sales, general								P	C			X
Salvage yard					C*							X
Septage Storage up to 50,000 gallons					C							X
Small appliance repair					C	C		P				
Temporary asphalt plant or highway construction yard and equipment placement					I	I	I	I	I	I		X
Truck (1-ton and heavier) and Heavy Equipment Sales and Repair						C***						
Truck Repair									C			
Truck stop									C*			X
Truck terminal & cartage facility									C	C	C	
Upholstering, furniture repair or restoration					C	C		P				

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Veterinary clinic						C	C			C				X
Warehousing & Distribution, permitted										P	P	P		X
Warehousing, conditional										C	C	C		X
<b>F. Public Service &amp; Utility Uses</b>	<b>GDS</b>	<b>RDS</b>	<b>NES</b>	<b>WS</b>	<b>A</b>	<b>UR</b>	<b>RR</b>	<b>VMU</b>	<b>HC</b>	<b>RI</b>	<b>URI</b>	<b>Stds</b>		
Essential public services without towers and transmission lines	P	P	P	C	P	P	P	P	P	P	P			
Essential public service towers and transmission lines	C	C	C	C	C	C	C	C	C	C	C	C		X
Government buildings	C	C	C		P	P	P	P	P	P	P			
Communications tower					C	C				C	C	C		X
Solar Energy Production					I	I					I			
Wind energy generation facilities and towers, rated for over 40 KW					C	C				C	C			X
Wind energy generation facilities and towers, rated for 40 KW or less	C	C	C		P	P	C	C	P	P				X
Temporary Meteorological test towers and equipment.	P	P	P		P	P	P	P	P	P				X
<b>G. Uses Accessory &amp; Temporary to Permitted Uses</b>	<b>GDS</b>	<b>RDS</b>	<b>NES</b>	<b>WS</b>	<b>A</b>	<b>UR</b>	<b>RR</b>	<b>VMU</b>	<b>HC</b>	<b>RI</b>	<b>URI</b>	<b>Stds</b>		
Domestic pets up to 6 animals	P	P	P	P	P	P	P	P		P				
Home day care for up to 14 persons	P	P	P	P	P	P	P	P	C	P				X
Home occupation, permitted	P	P	P	P	P	P	P	P		P				X
Home occupation, interim	I	I	I		I	I	I	I		I				X
Outdoor storage					C				C		P	P/C		X
Short-Term Rental, permitted	P	P	P		P	P	P	P						X
Short-Term Rental, interim	I	I	I		I	I	I	I						X
Other temporary uses – yard sales, sale of one personal vehicle	P	P	P	P	P	P	P	P	P	P	P			
Grant in-aid parking area and/or trailhead	C	C	C	C	C	C	C	C	C	C	C			
<b>H Structures Accessory to Permitted Uses</b>	<b>GDS</b>	<b>RDS</b>	<b>NES</b>	<b>WS</b>	<b>A</b>	<b>UR</b>	<b>RR</b>	<b>VMU</b>	<b>HC</b>	<b>RI</b>	<b>URI</b>	<b>Stds</b>		
Antennas, including satellite dishes	P	P	P	P	P	P	P	P	P	P	P	P		X
Detached garages, storage sheds, outbuildings	P	P	P	P	P	P	P	P	P	P		P		X
Farm drainage systems, flood control and watershed structures, erosion control structures	P	P	P	P	P	P	P	P	P	P	P			
Fuel storage, containerized or bulk for use on site and under 1000 gal.	P	P	P	P	P	P	P	P	P	P	P			
Outdoor recreation accessory to lodging (including water park, golf)										C	C			

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Private airstrip						C			C				
Private swimming pool, tennis court, recreational facilities accessory to a dwelling	P	P	P	P	P	P	P	P	P		P		
Signs meeting standards in Chapter 505.	P	P	P	P	P	P	P	P	P	P	P	P	

<b>H Structures Accessory to Permitted Uses cont.</b>	<b>GDS</b>	<b>RDS</b>	<b>NES</b>	<b>WS</b>	<b>A</b>	<b>UR</b>	<b>RR</b>	<b>VMU</b>	<b>HC</b>	<b>RI</b>	<b>URI</b>	<b>Stds</b>
Seasonal roadside stands for sales of farm products primarily produced upon the premises					P	C				P		X
Solar equipment	P	P	P	P	P	P	P	P	P	P	P	
Accessory Dwelling Unit (ADU)	P	P	P		P	P	P	P				X
Water-oriented accessory structure	P	P										X
Other structures typically incidental and clearly subordinate to permitted use	P	P	P	P	P	P	P	P	P	P	P	X
<b>I Mixed Uses</b>	<b>GDS</b>	<b>RDS</b>	<b>NES</b>	<b>WS</b>	<b>A</b>	<b>UR</b>	<b>RR</b>	<b>VMU</b>	<b>HC</b>	<b>RI</b>	<b>URI</b>	<b>Stds</b>
Mixed Use Planned Unit Development(PUD) Overlay									C			Y

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## Chapter 509 “A” Agricultural District

### 509.01 Purpose

The purpose of the Agricultural District is preservation of agricultural and natural land to minimize conflicts between agricultural, residential and other non-agricultural uses. This district provides and maintains a diverse economic mix for Rice County by promoting agriculture, agricultural-associated businesses and complementary uses as guided by the Rice County Comprehensive Plan.

### 509.02 Permitted, Conditional, Interim and Accessory Uses, Agricultural District

- A. Permitted, conditional, interim and accessory uses of land are as specified in Table 508-1. All other uses shall be prohibited.
- B. Permitted, conditional and interim uses may be combined on a single parcel, provided that each use meets the dimensional standards of this Chapter and any specific standards in Chapter 507.
- C. Additional requirements, including standards for signs, parking, water supply, waste disposal and sewage treatment, are set forth in Chapters 505 and 506 of this Ordinance, as well as other applicable provisions of this Ordinance and other County ordinances.

### 509.03 Density Standards

- A. The base density permitted in the Agriculture District is one (1) dwelling unit per quarter-quarter section of land. All existing dwellings, including those on parcels of record, are counted towards calculation of the overall base density per quarter-quarter section. Rights that have been transferred from a quarter-quarter section shall be counted against the base density in the quarter-quarter section they have been transferred from.
- B. A second dwelling unit per quarter-quarter section may be permitted on lands that meet one of the requirements of Subsections 1 through 3:
  1. The quarter-quarter section must have a weighted average Crop Productivity Index (CPI) of seventy-two (72) or less as established by the National Cooperative Soil Survey as published by the Natural Resources Conservation Service of the US Department of Agriculture
    - a. A quarter-quarter section qualifying previously with a CER of 65 or less on December 31, 2023 and which currently has a CPI of greater than 72 shall be allowed to qualify under this provision until January 1, 2029, or
  2. The parcel to be developed must include at least 1.25 acres of forest land, as defined in this Ordinance. The dwelling need not be located in the forest land to qualify for this provision, or
  3. An abandoned farm homestead may be used as a building site for an additional dwelling, provided that there is physical evidence that there was once a dwelling on the site.
  4. An additional dwelling shall not be permitted in the following areas:
    - a. Areas classified as wetlands and peat areas or other areas of poor drainage.
    - b. Slopes of twelve percent (12%) or greater, unless accompanied by an engineer’s report showing adequate footing, drainage and grading plans.
    - c. Locations that would require a new public dedicated street.
  5. All lots permitted under this subsection shall meet the dimensional standards of §509.05 and the standards of the Rice County Sewage and Wastewater Treatment Ordinance.
  6. Dwellings shall be sited to minimize intrusions into agricultural land and potential interference with agricultural operations.
- C. Once a given quarter-quarter section has been developed with a single dwelling unit and, where permitted, a second dwelling unit, no further residential development is permitted within that

quarter-quarter section, with the exception of accessory dwelling units, undeveloped parcels of record, or utilizing transferable development rights from another quarter-quarter section.

**509.04 Density Transfers**

Within the Agriculture District, density units may be transferred across quarter-quarter section boundaries and between parcels as specified in Chapter 520, Transfer of Development Rights and Chapter 521, Cluster Development Standards.

**509.05 Dimensional Standards**

- A. **Minimum lot area, residential lot:** 35 acres, or a minimum of 1 acre if the site qualifies under §509.03 B.
- B. **Minimum lot area, dwelling of record:** A parcel containing a dwelling of record may be reduced in size to 1.0 acres. The remainder of the parcel may only be used or developed in accordance with the density standards of §509.03.
- C. **Minimum lot area, all other uses:** 2.5 acres, or as specified by conditional or interim use permit.
- D. **Minimum lot width:** 100 feet
- E. **Minimum front yard setback:**
  - County road, State Highway      100 feet
  - Township, other road              70 feet
  - Front property line                70 feet
- F. **Minimum side yard setback:** 20 feet, with the exception of buildings containing livestock, which shall have a minimum setback of 100 feet.
- G. **Minimum rear yard setback:**
  - 1. Principal buildings:              70 feet
  - 2. Accessory buildings:            20 feet
  - 3. Livestock buildings:            100 feet
- H. **Maximum height:** 35 feet. Agricultural structures are exempt from height limitations.
- I. **Feedlot setback:** The minimum setback for new residences from existing feedlots shall be the same as the requirements established in the Rice County Feedlot Ordinance for setbacks of feedlots from existing residences.



## Chapter 510 “UR” Urban Reserve District

### 510.01 Purpose

The purpose of the Urban Reserve District is to implement urban growth zones where municipal infrastructure is likely to expand by reserving large tracts for future development. This district, based on the urban growth areas identified by the municipalities, supports and encourages orderly growth and development as guided by the Rice County Comprehensive Plan.

### 510.02 Permitted, Conditional, Interim and Accessory Uses, Urban Reserve District

- A. Permitted, conditional, interim and accessory uses of land are as specified in Table 508-1. All other uses shall be prohibited.
- B. Permitted, conditional and interim uses may be combined on a single parcel, provided that each use meets the dimensional standards of this Chapter and any specific standards in Chapter 507.
- C. Additional requirements, including standards for signs, parking, water supply, waste disposal and sewage treatment, are set forth in Chapters 505 and 506 of this Ordinance, as well as other applicable provisions of this Ordinance and other County ordinances.

### 510.03 Dimensional Standards

- A. **Minimum lot area, residential lot:** 35 acres
  1. A parcel with a dwelling existing as of the date of adoption of this Ordinance may be reduced in size to a lot of no less than 1.0 acres, provided that a conservation easement is recorded on the residual parcel prohibiting further development or subdivision. The terms of the conservation easement shall be those stated in §520.07 C., except that the easement may be terminated by Rice County at such time as the property is annexed by the adjacent municipality.
- B. **Minimum lot area, all other land uses:** 2.5 acres or as specified by conditional or interim use permit
- C. **Minimum lot width:** 100 feet
- D. **Minimum front yard setback:**

County road, State Highway	100 feet
Township or other road	70 feet
Front property line	70 feet
- E. **Minimum side yard setback:** 20 feet, with the exception of buildings containing livestock, which shall have a minimum setback of 100 feet.
- F. **Minimum rear yard setback:**
  1. Principal buildings: 70 feet
  2. Accessory buildings: 20 feet
  3. Livestock buildings: 100 feet
- G. **Maximum height:** 35 feet

## **Chapter 523      Subdivision Regulations**

### **523.01      Purpose**

The purpose of this Chapter is to regulate the subdividing of land in Rice County lying outside the incorporated limits of a city, so that new subdivisions will be integrated with the development and protection objectives of Rice County as expressed in the Rice County Comprehensive Land Use Plan and contribute to an attractive, stable and wholesome environment, adequate public services and an integrated and safe street and highway system.

### **523.02      Land Suitability Requirement**

No land shall be subdivided which is held unsuitable by the County for the proposed use because of any of the following conditions:

- A. Flooding
- B. Inadequate drainage
- C. Soil and rock formations with severe limitations for development
- D. Severe erosion potential
- E. Unfavorable topography
- F. Inadequate water supply or sewage disposal capabilities
- G. Any other feature likely to be harmful to the health, safety, or welfare of the future residents and or development of the proposed subdivision or of the community

### **523.03      Geographic Scope**

The rules and regulations governing plats and subdivision of land contained in this Chapter shall apply to all lands lying outside the incorporated limits of a city in Rice County and other land as permitted by State Statutes.

### **523.04      Rice County Plat Review Committee**

Some plats and subdivisions may occur outside of the geographic scope of this Chapter as stated in §523.03. Plats and subdivisions that lie outside the geographic scope of this Chapter shall be reviewed by the Rice County Plat Review Committee of which the County shall be a member. The township or incorporated city with primary review authority shall deliver a copy of the proposed plat or subdivision to the Plat Review Committee within five (5) days of receipt from the applicant. The Plat Review Committee shall review the plat or subdivision and deliver comments to the primary review authority within ten (10) days of receipt of the proposed plat or subdivision.

### **523.05      Exceptions to Scope**

Except in the case of resubdivision, this Ordinance shall not apply to any lot or lots forming a part of a subdivision recorded in the office of the County Recorder prior to July 8, 1975, nor is it intended by this Ordinance to repeal, annul or in any way impair or interfere with existing provisions of other laws or ordinances except those specifically repealed by, or in conflict with this Ordinance, or with restrictive covenants running with the land. Where this Ordinance imposes a greater restriction upon the land than is imposed or required by such existing provisions of law, ordinance, contract or deed, the provisions of this Ordinance shall control.

**523.06 Subdivisions Processed as Plats**

All subdivisions that create two (2) or more lots or parcels that are two and one-half (2-1/2) acres or less in size shall be processed as a plat in accordance with Minnesota Statutes, Chapter 505. The County Board may waive any or all of the provisions of this Section and may grant a "Waiver of Platting," however, conditions may be imposed upon the "Waiver of Platting".

**523.07 Subdivision Approval Required for Permits**

No permit for construction of buildings or sewage treatment systems shall be issued for lots created after enactment of this Ordinance unless the lots were approved as part of a formal subdivision.

**523.08 Subdivision Review Process**

The following process shall be followed in reviewing plats and subdivisions in Rice County:

- A. **Preliminary and final plat review required.** No real property within the jurisdiction of this Ordinance shall be subdivided and offered for sale or a plat recorded until a preliminary plat and a final plat of the proposed subdivision have been reviewed by the Planning Commission and the final plat has been approved by the County Board as set forth in the procedures provided herein. Plans of group developments for housing, commercial, industrial or other uses or for any combination of uses designed for rental purposes shall be presented in the same manner as other plats for the review of the Planning Commission and the approval of the County Board.
- B. **Pre-application meeting.** Prior to the preparation of a preliminary plat, the applicant shall meet with the Zoning Administrator, and other appropriate officials in order to be made fully aware of all applicable ordinances, regulations and plans in the area to be subdivided. The applicant is urged to avail himself of the advice and assistance of the Planning Commission and County staff at this point in order to save time and effort, and to facilitate the approval of the preliminary plat.
  1. **Sketch plan.** At the pre-application meeting or at subsequent informal meetings, the applicant shall submit a general sketch plan of the proposed subdivision and preliminary proposals for the provision of water supply and waste disposal. The sketch plan shall include:
    - a. A line drawing to accurate scale with the scale indicated on the plan;
    - b. Topography of the site;
    - c. General location and number of buildings;
    - d. General location of roads and access; and
    - e. The relationship of the proposed subdivision to existing community facilities that would serve it, and to neighboring subdivisions and developments.
- C. **Preliminary plat.** After the pre-application meeting, the applicant shall apply for a platting permit with the Zoning Administrator and shall file twelve (12) copies of a preliminary plat with the Zoning Administrator.
  1. **Data required.** The data required for preliminary plats is detailed in §523.09.
  2. **Reviewing bodies.** The Zoning Administrator shall refer an appropriate number of copies to the Planning Commission for their review and report. The plat shall be submitted to the Planning Commission at least fifteen (15) days prior to the meeting of the Planning Commission at which consideration of the plat is requested. Any proposed plat located within two (2) miles of a city shall also be submitted to the City and Town Board in which the proposed plat is located, the County Soil and Water Conservation District and the County Highway Engineer for review. Any comments regarding said plat shall be returned to the Zoning Administrator for review at the public hearing.
  3. **Public hearing.** Within forty-five (45) days after the plat has been submitted and after reports and certifications have been received as requested, the Planning Commission shall hold a public hearing on the preliminary plat after notice of the time and place thereof has been published once in the official newspaper at least ten (10) days before the day of the

- hearing. Notice of the public hearing shall also be sent to the property owners within five hundred (500) feet of the property to be subdivided in incorporated areas and property owners within one-half (1/2) mile of the property to be subdivided in unincorporated areas. This shall constitute the public hearing on the plat as required by state law.
4. **Planning Commission review and report.** Within fifteen (15) days of the date of the close of the public hearing, the Planning Commission shall make its report to the County Board. The Planning Commission and the Zoning Administrator shall forward to the County Board a favorable, conditional or unfavorable report and said reports shall contain a statement of findings and recommendations.
  5. **County Board review and report.** The Rice County Board shall act to approve or disapprove the preliminary plat within sixty (60) days after receiving the recommendations of the Planning Commission, unless a written extension is granted by the applicant. If the County Board disapproves the preliminary plat, the grounds for any such disapproval shall be set forth in the Minutes of the Board meeting and reported to the applicant within thirty (30) days after the meeting of the County Board.
  6. **Planning Commission and County Board review standards.** In the case of all subdivisions, the Planning Commission and the County Board shall make the following findings:
    - a. That the proposed subdivision is not in conflict with adopted applicable general and specific plans of Rice County;
    - b. That the physical characteristics of the site, including but not limited to topography, vegetation, susceptibility to erosion and siltation, susceptibility to flooding, water storage, drainage and retention, are such that the site is physically suitable for the proposed density of development;
    - c. That the site is physically suitable for the proposed density of development;
    - d. That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage;
    - e. That the design of the subdivision or the type of improvements is not likely to cause serious public health problems;
    - f. That the design of the subdivision or the type of improvements will not conflict with easements of record or with easement established by judgment of a court.
    - g. That the physical characteristics of the site will insure that each lot or parcel contains sufficient area outside of the floodway for fill placement for elevating structures, sewage systems and related activities.
    - h. In the Flood Plain District the proposal shall be evaluated in accordance with the standards established in Chapter 518 of this Ordinance.
- D. **Final plat approval required before rights vested.** The approval of a preliminary plat is an acceptance of the general layout as submitted, and indicates to the applicant that he may proceed toward a final plat in accordance with the terms of approval and provisions of the Ordinance. The applicant shall file the final plat with the County Recorder within six (6) months after approval of the final plat or the approval of the preliminary and final plat shall be null and void. During the intervening time between approval of the preliminary plat and the signing of the final plat, the applicant shall submit acceptable engineering plans for all required improvements.
- E. **Final plat.** The applicant shall file two (2) copies of the final plat with the Zoning Administrator prior to the Planning Commission meeting at which it will be considered. If this is not done within six (6) months, the preliminary plat will be considered void unless for good cause an extension is requested in writing by the applicant and granted by the Board.
1. **Final plat requirements.** The following are requirements for final plat applications:
    - a. Data required in §523.09.

- b. All changes required in the report approving the preliminary plat.
  - c. The applicant may be required to submit at this time an up-to-date certified abstract of title or registered property report.
  - d. The final plat shall have incorporated all changes recommended by the County Engineer regarding roads, and the County Board as to conditions of approval of the preliminary plat, but in all other respects it shall conform to the preliminary plat as approved. It may constitute only that portion of the approved preliminary plat that the applicant proposed to record and develop at that time, provided that such a portion conforms to all requirements of this Ordinance.
2. **Review.** The Zoning Administrator shall refer an appropriate number of copies of the final plat to the County staff for its review and report. The report of these agencies and persons shall be submitted to the County Board within thirty (30) days of the date of submission of the plat and the County Board shall act on the final plat within sixty (60) days of submission of the final plat.
  3. **Recordation of final plat required.** Upon approval of the final plat by the Rice County Board, the applicant shall record such final plat with the County Recorder, as provided for that office, within ninety (90) days after the approval. Otherwise the approval of the final plat shall be considered void. The applicant shall, within thirty (30) days of recording, furnish the Zoning Administrator with one copy of the recorded plat. In addition to providing the printed copy, the applicant shall also furnish the Zoning Administrator with one micro-fiche slide of the final plat.

#### **523.09 Data for Preliminary and Final Plats**

Required data for preliminary and final plat applications are listed below:

- A. **Data for Preliminary Plat.** The applicant shall engage a qualified land planner, registered land surveyor or engineer to prepare a preliminary plat of the area to be subdivided. The preliminary plat shall contain:
  1. **Identification and Description**
    - a. Proposed name of subdivision, which shall not duplicate or be similar in pronunciation or spelling to the name of any plat heretofore recorded in the County and the name must have approval of the County Zoning Administrator.
    - b. Location by section, township, range, and by legal description.
    - c. Names and addresses of the record owner, any agent having control of the land, applicant, land surveyor, engineer, or designer of the plan.
    - d. Graphic scale not less than one (1) inch to one hundred (100) feet.
    - e. North arrow.
    - f. Key map of the surrounding area.
    - g. Date of preparation.
  2. **Existing Conditions**
    - a. Boundary line of proposed subdivision, clearly indicated to a reasonable degree of accuracy.
    - b. Existing zoning classifications for land within and abutting the subdivision.
    - c. A listing of the approximate acreage and dimensions of the lots.
    - d. Location, right-of-way width, names of existing or platted streets, or other public ways, parks, other public lands, permanent buildings and structures, easements, section and corporate lines within the plan and to a distance one hundred (100) feet beyond shall also be indicated.

- e. Boundary lines of adjoining unsubdivided or subdivided land, within one hundred (100) feet, identified by name and ownership, including all contiguous land owned or controlled by the applicant.
- f. Topographic data, including contour intervals of two (2) feet unless the grade is more than 15 percent, waterways, marshes, rock outcrops, power transmission poles and lines, and other significant features shall also be shown.
- g. A soils analysis and soil percolation tests of the subdivision using S.C.S. data and information may be required by the County Board if conditions warrant it.
- h. For all subdivisions in the Flood Plain, Flood Way and Flood Fringe boundaries, the regulatory flood plain elevation and the required elevation of all access roads shall be clearly labeled on all required subdivision drawings and platting documents.
- i. If a proposed subdivision requires the removal of the special Flood Hazard Area designation, full compliance with FEMA shall be established.

**3. Subdivision Design Features**

- a. Layout of proposed streets showing the right-of-way widths, centerline gradients, and typical cross sections if requested by the Zoning Administrator.
- b. Location and widths of proposed pedestrian ways.
- c. Layout, numbers and preliminary dimensions of lots and blocks.

**4. Other Information**

- a. Statement of the proposed use of lots stating type of residential buildings with the number of proposed dwelling units and type of business or industry, so as to reveal the effect of the development on traffic, fire hazards, and congestion of population.
- b. Provision for surface water and sanitary sewage disposal, drainage, and flood control.
- c. If any zoning changes are contemplated, the proposed zoning for the areas.
- d. Where the applicant owns property adjacent to that which is being proposed for the subdivision, the Planning Commission may require that the applicant submit a sketch plan of the remainder of the property so as to show the possible relationships between the proposed subdivision and the future subdivision. In any event, all subdivisions shall be shown to relate well with existing or potential adjacent subdivisions.
- e. A plan for soil erosion and sediment control both during construction and after development has been completed may be required by the County Board.
- f. For subdivisions in a VMU Extension area as regulated by Chapter 513, the applicant shall show the location of dedicated easements necessary for future connections to public utilities.
- g. Such other information as may be requested by the Zoning Administrator or Planning Commission.

**B. Data for Final Plat.** The plat shall be prepared by a land surveyor who is registered in the State of Minnesota and shall comply with the provisions of Minnesota Statutes Chapter 505 and these regulations.

- 1. Surveying requirements of the final plat shall be under the regulation of the County Surveyor or a Registered Land Surveyor appointed by the County Board.
- 2. Execution by all owners of any interest in the land and any holders of a mortgage therein of the certificate required by Minnesota Statutes and which certificate shall include an accurate legal description of any area to be dedicated for public cause and shall include a dedication to the County of sufficient easements to accommodate utility services.

- 3. Special conditions and or restrictions pertaining to the approval of the final plat by the County Board shall be recorded as covenants. Recording of the special conditions or restrictions shall be the obligation of the developer.

C. **Certifications.** The following certifications shall be obtained by the applicant as part of final approval of the final plat:

- 1. For approval by signature of County officials concerned with the recording of the plat.

(1) No delinquent taxes and transfer entered this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
(Name)

Rice County Auditor

(2) Checked and approved as in compliance with the Rice County Zoning Ordinance and Subdivision Regulations.

\_\_\_\_\_  
Chairman

Rice County Planning Commission

Approved by Rice County Board of Commissioners this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Chairman of Rice County Board

Attest:

Rice County Auditor \_\_\_\_\_

**523.10 Subdivision Design Standards**

All subdivisions shall meet the design standards in Chapters 505, 506 and 507 of this Ordinance, and shall meet the following additional design standards:

- A. **General.** The layout of the subdivision shall harmonize with site conditions and surrounding conditions and land uses, and shall be in conformity with the development objectives of the County as expressed in the Rice County Comprehensive Land Use Plan.
- B. **Streets.** The design of streets shall meet the provisions of Chapter 505 and the Access Guidelines of Rice County, and the following additional provisions:

1. Half streets shall be prohibited.
  2. Private streets shall be prohibited.
  3. The street arrangements shall not be such as to cause hardship to owners of adjoining property in platting their own land and providing convenient access to it.
- C. **Lot design.** Lot dimensions shall be such as to comply with the minimum lot areas specified for the type of use in the applicable zoning district. The following additional design standards shall be met:
1. **Side lot lines.** Side lines of lots shall be substantially at right angles to straight street lines or radial to curved street lines. Each lot shall abut a public street or highway.
  2. **Drainage.** Lots shall be designed so as to provide drainage away from building locations.
  3. **Lot Remnants.** All remnants of lots below minimum size left over after subdividing of a larger tract must be added to adjacent lots rather than allowed to remain as unusable parcels unless the owner can show plans for the future use of such remnants wherein they shall be platted as outlots (reserve lots).
  4. **Land locked parcels.** As a general rule, the County shall not permit land locked parcels or parcels that are only served by private easements. However, the County may permit the following:
    - a. Land locked parcels in a multiple dwelling or commercial complex provided said parcel(s) have access to a public street by an easement over another parcel within the same multiple dwelling or commercial complex. Said land locked parcel is permitted in this instance only for the purpose of establishing separate taxable parcels within a complex.
    - b. Land locked parcels which are unbuildable (outlots) and reserved as permanent public open spaces such as ponding areas may be permitted. A scenic easement may be required by the County to insure that the property is preserved as open space.
- D. **Natural features.** In the subdividing of any land, due regard shall be shown for all natural features, such as tree growth, wetlands, steep slopes, water courses, historic spots, or similar conditions, and plans adjusted to preserve those which will add attractiveness, safety and stability to the proposed development.
- E. **Easements**
1. All easements shall be dedicated by appropriate language on the plat as required by Minnesota Statutes §505.02, Subdivision 2.
  2. Utilities easements shall be provided for utilities where necessary.
  3. Where a subdivision is traversed by a waterway, drainage way, channel or stream, there shall be provided a storm water easement or drainage right-of-way substantially within the lines of such water course, together with such further width or construction or both, as will be adequate for storm water runoff. The easement shall include not only the stream channel, but also adjoining areas that have been subject to flooding in years of heavy runoff.
- F. **Parks, trailways and recreation areas**
1. **Designation on Preliminary Plat.** Where a proposed park, trailway, ponding or open space area, shown on or referenced to the Rice County Comprehensive Land Use Plan, or Official Map, is located in the whole or in part in a subdivision, such area or areas shall be shown on the preliminary plat. Such area or areas shall also be dedicated to the County by the applicant if the County requests such dedication under the provisions of paragraphs below.
  2. **Parkland dedication required.** Said dedicated land shall be in an amount determined to be reasonable by the County. Said land must be suitable and acceptable for said uses(s), as determined by the County.



- a. In lieu of the conveyance of dedicated land as provided above, the applicant may, at the option of the County, pay to the County, for use in acquisition and development of parks or ponding areas, a cash payment to the County. Such payment shall be based upon a formula established by resolution of the County Board.
3. **Land in excess of dedication requirement.** Where land proposed for public use exceeds the percentage normally required by the County and the applicant will not dedicate the additional amount, the County shall have six (6) months from the date of initial consideration to proceed and purchase said additional amount. Where a purchase is not initiated within said six (6) months, the plat shall be revised to permit another use and the processing of the plat shall continue.
4. **Condition of areas to be dedicated.** Areas to be dedicated for public park, trail or ponding shall be brought to a suitable condition by the applicant prior to acceptance by the County. All dead trees, trash, junk, unwanted structures or similar undesirable elements shall be removed by the owner at this expense.
5. **Title and survey requirements.** Lands so dedicated shall be accompanied by a certificate of survey or shall be designated as a lot or outlot on the plat as determined by the County. Such lands shall be free and clear of all liens and encumbrances including special assessments as evidenced by an up-to-date Abstract of Title or Registered Property Abstract to be submitted at developer's cost to the County for its examination. Such dedication shall be in the form and manner as prescribed by the County Attorney.

**523.11 Improvements Required**

Prior to the approval of a final plat, the applicant shall have agreed in the manner set forth below to install in conformity with construction plans approved by the County Engineer and in conformity with all applicable standards and ordinances, the following improvements on the site:

- A. **Monuments.** Monuments of a permanent character, as required by Minnesota Statutes §505.02, shall be placed at each corner or angle on the outside boundary of the subdivision; and pipes or steel rods shall be placed at corners, angle points and curve points on each lot.
- B. **Streets.** All streets shall be improved in accordance with the engineering specifications established by the County Engineer.
- C. **Water Supply.** Where a connection with a community water system is possible, the public water shall be used. In other instances, safe and palatable water shall be provided by a central distribution system serving the subdivision or by individual wells. In all cases, water shall be supplied in accordance with Environmental Health Services Division specifications.
- D. **Sanitary Sewer.** In all cases where trunk line sanitary sewer facilities are available, the applicant shall be required to install sanitary sewers and connect the same to such trunk line sewers. In other instances, sanitary sewage disposal shall be by a central system serving the subdivision or by individual systems. Provisions shall be made for future connections to any planned municipal utilities. In all cases, sewage disposal systems shall be provided in accordance with Environmental Health Services Division specifications.
- E. **Drainage.** A system that will adequately take care of the surface water runoff within the subdivision shall be provided. Storm sewers and culverts shall be installed where necessary in conjunction with the grading of streets. Cross drains shall be provided to accommodate all natural water flow and shall be of sufficient length to permit full-width roadways and required side slopes. Drainage ditches shall be sodded to prevent erosion. A proposed grading program may also be required.
- F. **Street Signs.** Street signs of standard design approved by the County Board shall be installed at each street intersection.

**523.12 Payment for Installation of Improvements**

Before a Final Plat is approved by the County Board, the Board may require the applicant to submit a performance bond or cash escrow agreement to assure the following:

**A. General.**

1. The applicant shall pay for the cost of all improvements required in the subdivision and the subdivision's share of the costs of any trunk facilities to be extended to the subdivision with the exception of individual wells and individual sewage disposal systems.
2. Guarantee completion of the required improvements within a two (2) year period.
3. Payment by the applicant for all costs incurred by the County for review and inspection. This would include preparation and review of plans and specifications by technical assistants and costs incurred by the County Attorney, as well as other costs of a similar nature. This payment would be in addition to the subdivision fee paid with the submission of the preliminary plat.
4. The County may elect to install any of the required improvements under the terms of a cash escrow agreement.
5. The performance bond or cash escrow agreement shall be equal to one and one-quarter (1 and 1/4) times the estimated cost of the requirement improvements.
6. If the required improvements are not complete within the two (2) year period, all amounts held under the escrow agreement or performance bond shall be turned over and delivered to the County and applied to the cost of the required improvements. Any balance remaining after such improvements have been made shall be returned to the applicant.
7. The applicant shall satisfy park dedication requirements by dedication of land or cash in lieu thereof.

- B. Construction plans.** Construction plans for the required improvements, conforming in all respects to the standards of Rice County and applicable ordinances, may be required to be prepared at the applicants expense by a licensed architect or professional engineer licensed to design the type of construction proposed and registered in the State of Minnesota and said plans shall contain his/her seal. Such plans together with the quantity of construction items, shall be submitted to the County Engineer for approval and for an estimate of total cost of the required improvements; upon approval they shall become a part of the approval. Two reproducible prints of the plan approved shall be provided to Rice County and filed by the County.

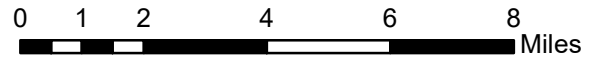
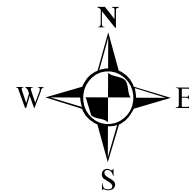
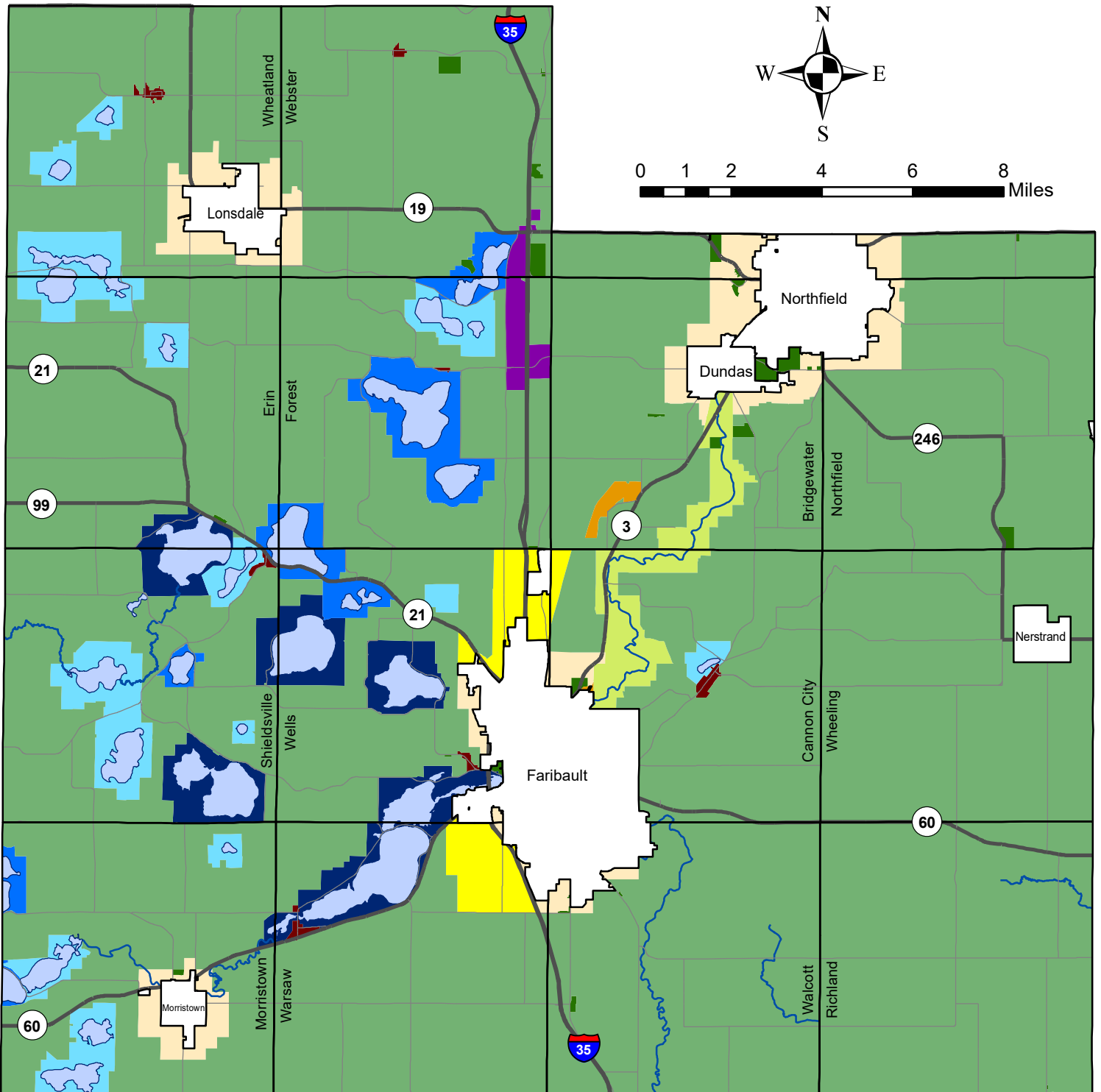
**523.13 Exceptions**

The County Board may, but is not required to, grant an exception to the provisions of this Chapter upon resolution only for the following reasons:

- A. Minor Subdivisions.** For small subdivisions of a minor nature in size or complexity, certain requirements of these regulations may be waived if the County Board, following recommendation by the Planning Commission, so determines, and following compliance with procedures as follows:
1. Simple Lot Split - When one parcel or lot of record is divided to result in two lots or parcels, the submission of topographic maps, soil tests and other data may be waived. Transfer of title or the process of subdividing shall be by filing of a final plat.
  2. Waiver of Plat - Where no more than two lots are created and where both lots exceed five (5) acres in area, the County Board may waive the requirement for platting but may attach any conditions to the waiver to otherwise satisfy the requirements of this Ordinance.
  3. Said five (5) acres may include adjacent public road right-of-way.



# Rice County Zoning Map



- |                                    |                          |                    |   |
|------------------------------------|--------------------------|--------------------|---|
| General Development Shoreland      | Urban Reserve            | Village Mixed-Use  | Amended November 26, 2024<br>GIS by Rice County<br>Map features are representations of original data sources and do not replace or modify land surveys, deeds, or other legal instruments defining land ownership or use. |
| Recreational Development Shoreland | Urban Reserve Industrial | Highway Commercial |   |
| Natural Environment Shoreland      | Agricultural             | Rural Industrial   |   |
| Wild and Scenic River              | Rural Residential        | City               |   |

\*Detailed zoning map including overlay districts can be found online at [RiceCountyMN.gov/beacon](http://RiceCountyMN.gov/beacon)