



New Scandia Townshioip Development Code
Chapter 2 - Zoning Regulations
Effective 6/1/99
(Revised January 25, 2007)

SECTION 3. "AP", "AG", AGRICULTURAL DISTRICTS AND USES

There are two agricultural districts in the Township: AP and AG. Maximum densities in these districts:

AP = 1 dwelling unit per 40 acres
AG = 4 dwelling units per 40 acres

Land in an agricultural district is used primarily for agriculture and single family residential.

Certain uses, other than agriculture or single family residential, may be allowed with a Certificate of Compliance.

Certain uses, other than agriculture or single family residential, may be allowed with a Conditional Use Permit.

3.1. Purpose and Scope

- (1) "AP", Agricultural Preserves District: The "AP" District are those specific parcels of land created and restricted according to Minnesota Statutes 473H. to remain in agricultural use.
- (2) "AG", Agricultural District: The "AG" district, as shown on the zoning district map, is established to preserve land for interim agricultural uses and to preserve the rural character of the Township.

3.2. Land Uses in Agricultural Districts

- (1) Primary Uses. The following are primary uses in the "AP" and "AG" districts:
 - (A) Agriculture
 - (B) Single Family Residential
- (2) Uses with a Certificate of Compliance. The following uses are permitted in the "AP" and "AG" districts after the issuance of a Certificate of Compliance:
 - (A) Accessory Apartments
 - (B) Agricultural Business - Seasonal
 - (C) Community Residence (serving 1 to 6 persons)
 - (D) Essential Services - Government Uses, Buildings and Storage
 - (E) Home Occupation
 - (F) Horse Training Facility, Commercial (10 or fewer horses)
 - (G) Horse Training Facility, Private (over 10 horses)
 - (H) Livestock and Livestock Operations (11-49 animal units)
 - (I) Plant Nursery
 - (J) Temporary Dwelling Unit - Construction
 - (K) Temporary Farm Dwelling
- (3) Uses with a Conditional Use Permit. Except as limited by M.S. 473H.17, the following uses are permitted in the "AP" and "AG" districts after the issuance of a Conditional Use Permit:
 - (A) Balloon Port - Commercial
 - (B) Bed and Breakfast Inn
 - (C) Cemeteries
 - (D) Commercial Kennel
 - (E) Community Residence (serving 7 to 16 persons)
 - (F) Essential Services - Utility Substation
 - (G) Golf Course



Open Space Development regulations are set forth in Section 12.

- (H) Golf Driving Range
- (I) Horse Training Facility, Commercial (over 10 horses)
- (J) Livestock and Livestock Operations (over 49 animal units)
- (K) Mining Operations
- (L) Multi-Family Residential Development
- (M) Open Space Conservation Subdivision
- (N) Place of Worship
- (O) Public Recreation Facility
- (P) Recreational Use, Passive
- (Q) Resorts/Conference Facilities
- (R) Schools
- (S) Wireless Communication Facility
- (T) Yard Waste Facility

3.3. Lot Requirements.

In the Agricultural Districts (AP, AG), the following lot requirements must be met.

(1) Minimum Lot Size

- (A) Agricultural Preserves (AP).....40 acres
- (B) In the Agricultural (AG) district, unless the parcel is part of an approved open space conservation subdivision, lots must be 2.00 to 4.00 acres in size, or 20.00 acres or greater, except for parcels of record between 18 and 23 acres existing before April 13, 1999 which may be developed into two residential lots, of any size, provided they meet the minimum of 2 acres in size.

(2) Minimum Frontage on a Public Road

- (A) 2.00-3.00 acres..... 160 feet
- (B) Greater than 3 acres and less than 4 acres.....240 feet
Four acres or greater 300 feet

(C) Exception: A property owner, with the consent of the Township, may subdivide one new lot of 20 acres or greater in size with no or minimum public road frontage, with the following requirements:

1. The property from which the parcel is to be subdivided shall have a minimum of 40 acres.
2. A concept subdivision plan for the entire property shall be submitted showing future public road access for all of the parcels, including the

subdivided parcel. The concept subdivision shall be determined to be feasible by the Township.

- 3. No further subdivision of any of the parcels shall be permitted without the required public road access.
- 4. A right-of-way easement for access to the newly subdivided parcel shall be conveyed to the Township.
- 5. The right-of-way may be used for driveway access to the subdivided parcel but shall be maintained by the owner of the property served by it.
- 6. Any driveway to the subdivided parcel shall be constructed to Township standards to accommodate emergency vehicles.
- 7. The Township may require that the right-of-way easement conveyed to it be upgraded to Township public road standards when the property is further subdivided.
- 8. A development agreement between the property owner and the Township must be recorded with the property covering the restrictions and obligations of this subdivision.

(3) Maximum Lot Coverage 25%

(4) Minimum Building Setbacks

- (A) Front..... 40 feet*
- (B) Side 20 feet**
- (C) Rear 50 feet

* See numbers (6) and (7) below.

** 10-foot sideyard setbacks allowed for existing parcels 1.0 acre or less in size.

(5) Maximum Building Height 35 feet

(6) The minimum setback for all structures shall be one hundred (100) feet from the centerline, or (50) feet from the right-of-way (whichever is greater), along roads designated as "County Collectors" or "Township Collectors" in the New Scandia Township Comprehensive Plan.

(7) The minimum setback for all structures shall be one hundred fifty (150) feet from the centerline, or 75 feet from the right-of-way (whichever is greater), along roads designated as "Minor Arterials" in the Comprehensive Plan.



**SECTION 4. "SR", SEMI-RURAL DISTRICT
AND USES**

Land designated in a Semi-Rural District has a maximum density of 8 dwelling units per 40 acres.

The Semi-Rural District is established to provide areas for rural low-density housing in agricultural/rural areas on lands not capable of supporting long-term agricultural activities. The purpose of this district is to retain the rural character of the Town. Land in a rural residential district is used primarily for agriculture and single family residential.

Certain uses, other than agriculture or single family residential, may be allowed with a Certificate of Compliance.

Certain uses, other than agriculture or single family residential, may be allowed with a Conditional Use Permit.

4.1. Purpose and Scope

The Semi-Rural District is established to provide areas for rural low-density housing in agricultural/rural areas on lands not capable of supporting long-term agricultural activities. The purpose of this district is to retain the rural character of the Township.

4.2. Land Uses in Semi-Rural Districts

- (1) Primary Uses. The following are primary uses in the "SR" District.
 - (A) Agriculture
 - (B) Single Family Residential

- (2) Uses with a Certificate of Compliance. The following uses are permitted in the "SR" District after the issuance of a Certificate of Compliance:
 - (A) Accessory Apartment
 - (B) Agricultural Business - Seasonal
 - (C) Community Residence (serving 1 to 6 persons)
 - (D) Essential Services - Government Uses, Building and Storage
 - (E) Home Occupation
 - (F) Plant Nursery
 - (G) Temporary Dwelling Unit - Construction
 - (H) Temporary Farm Dwelling

- (3) Uses with a Conditional Use Permit. The following uses are permitted in the "SR" district after the issuance of a Conditional Use Permit:
 - (A) Balloon Port - Commercial
 - (B) Bed and Breakfast Inn
 - (C) Cemeteries
 - (D) Commercial Kennel
 - (E) Community Residence (serving 7 to 16 persons)
 - (F) Essential Services - Utility Substation
 - (G) Golf Course
 - (H) Livestock and Livestock Operations (over 11 animal units)
 - (I) Multi-Family Residential Development
 - (J) Place of Worship
 - (K) Public Recreation Facility
 - (L) Recreational Use, Passive
 - (M) Resort/Conference Facilities

- (N) Schools
- (O) Travel Trailer/Recreational Vehicle Campground
- (P) Wireless Communication Facility
- (Q) Yard Waste Facility

4.3. Lot Requirements.

In the Semi-Rural District (SR), the following lot requirements must be met, unless the parcel is part of an approved open space conservation subdivision.

(1) Conventional Subdivision

- (A) Minimum Lot Size5 acres
- (B) Minimum Frontage on a Public Road 300 feet

(2) Lot Averaging

- (A) Minimum Lot Size.....2 acres
- (B) Minimum Frontage on a Public Road

- 1. 160 feet on parcels between 2 and 4 acres;
- 2. 250 feet on parcels greater than 4 acres but less than 5.0 acres;
- 3. 300 feet on parcels of 5.0 acres or greater.

(3) Maximum Lot Coverage25%

(4) Minimum Building Setbacks

- (A) Front..... 40 feet*
- (B) Side 20 feet*
- (C) Rear..... 50 feet

* See numbers (6) and (7) below.

(5) Maximum Building Height 35 feet

(6) The minimum setback for all structures shall be one hundred (100) feet from the centerline, or (50) feet from the right-of-way (whichever is greater), along roads designated as "County Collectors" or "Township Collectors" in the New Scandia Township Comprehensive Plan.

(7) The minimum setback for all structures shall be one hundred fifty (150) feet from the centerline, or 75 feet from the right-of-way (whichever is greater), along roads designated as "Minor Arterials" in the Comprehensive Plan.

Land designated in a Single Family Estate district has a maximum density of 16 dwelling units per 40 acres.

Certain uses, other than agriculture or single family residential, may be allowed with a Certificate of Compliance.

Certain uses, other than agriculture or single family residential, may be allowed with a Conditional Use Permit.

SECTION 5. "SFE" SINGLE FAMILY ESTATE DISTRICT AND USES

5.1. Purpose and Scope

The Single Family Estate District provides residential areas in developing rural areas. The purpose of this district is to provide lots large enough to maintain a semi-rural setting, but lots not large enough to support long-term agricultural activities.

5.2. Land Uses in Single Family Estate Districts

(1) Primary Uses. The following are primary uses in the "SFE" District:

- (A) Agriculture
- (B) Single Family Residential

(2) Uses with a Certificate of Compliance. The following uses are permitted in the "SFE" District after the issuance of a Certificate of Compliance:

- (A) Accessory Apartment
- (B) Agricultural Business - Seasonal
- (C) Community Residence (serving 1 to 6 persons)
- (D) Essential Services - Government Uses, Building and Storage
- (E) Home Occupation
- (F) Place of Worship
- (G) Plant Nursery
- (H) Temporary Dwelling Unit - Construction
- (I) Temporary Farm Dwelling

(3) Uses with a Conditional Use Permit. The following uses are permitted in the "SFE" District after the issuance of a Conditional Use Permit:

- (A) Cemeteries
- (B) Community Residence (serving 7 to 16 persons)
- (C) Essential Services - Utility Substation
- (D) Golf Course
- (E) Multi-Family Residential Development
- (F) Public Recreation Facility
- (G) Schools

5.3. Lot Requirements.

In the Single Family Estate District (SFE), the following requirements must be met unless the parcel is part of an approved open space conservation subdivision.

- (1) Conventional Subdivision
 - (A) Minimum Lot Size2.5 acres
 - (B) Minimum Frontage on a Public Road 160 feet
- (2) Lot Averaging
 - (A) Minimum Lot Size2 acres
 - (B) Minimum Frontage on a Public Road 160 feet
- (3) Maximum Lot Coverage25%
- (4) Minimum Building Setbacks
 - (A) Front..... 40 feet*
 - (B) Side 20 feet*
 - (C) Rear 50 feet
 - * See numbers (6) and (7) below.
- (5) Maximum Building Height 35 feet
- (6) The minimum setback for all structures shall be one hundred (100) feet from the centerline, or (50) feet from the right-of-way (whichever is greater), along roads designated as "County Collectors" or "Township Collectors" in the New Scandia Township Comprehensive Plan.
- (7) The minimum setback for all structures shall be one hundred fifty (150) feet from the centerline, or 75 feet from the right-of-way (whichever is greater), along roads designated as "Minor Arterials" in the Comprehensive Plan.

This district is provided for retail/commercial development where NO public sanitary sewer is available.

There are no primary uses in the Retail Business District.

Certain uses are allowed in the RB District with a Certificate of Compliance.

Certain uses are allowed in the RB District with a Conditional Use Permit.

SECTION 6. "RB", RETAIL BUSINESS DISTRICT AND USES

6.1. Purpose and Scope

The purpose of this district is to provide an area for a general mix of retail/commercial businesses that are non-threatening to the environment. Public sanitary sewer is not available in this district.

6.2. Land Uses in Retail Business Districts

- (1) Primary Uses. There are no primary uses in the Retail Business District.
- (2) Uses with a Certificate of Compliance. The following uses are permitted in the "RB" District after the issuance of a Certificate of Compliance:
 - (A) Essential Services - Government Buildings, Storage and Uses
 - (B) Funeral Homes
 - (C) Medical Clinic
 - (D) Office, Existing Building
 - (E) Plant Nursery
 - (F) Retail Sales
 - (G) Veterinary Clinic
- (3) Uses with a Conditional Use Permit. The following uses are permitted in the "RB" District after the issuance of a Conditional Use Permit:
 - (A) Bars and Taverns
 - (B) Cemeteries
 - (C) Clubs/Lodges
 - (D) Motor Vehicle Service Station
 - (E) Office, New Construction
 - (F) Place of Worship
 - (G) Restaurants
 - (H) Shopping Center

6.3. Lot Requirements.

The following lot requirements must be met in the Retail Business (RB) District.

- (1) Minimum Lot size.....2.5 acres
- (2) Minimum Frontage on all Public Roads 160 feet
- (3) Maximum Lot Coverage 65%

- (4) Minimum Building Setbacks -
 - (A) Front..... 40 feet*
 - (B) Side 20 feet*
 - (C) Rear 50 feet* See numbers (6) and (7) below.

- (5) Maximum Building Height 45 feet

- (6) The minimum setback for all structures shall be one hundred (100) feet from the centerline, or (50) feet from the right-of-way (whichever is greater), along roads designated as "County Collectors" or "Township Collectors" in the New Scandia Township Comprehensive Plan.

- (7) The minimum setback for all structures shall be one hundred fifty (150) feet from the centerline, or 75 feet from the right-of-way (whichever is greater), along roads designated as "Minor Arterials" in the Comprehensive Plan.

This district is provided for commercial/industrial development where NO public sanitary sewer is available.

There are no primary uses in the General Business District.

Certain uses are allowed in GB District with a Certificate of Compliance.

Certain uses are allowed in the GB District with a Conditional Use Permit.

SECTION 7. "GB", GENERAL BUSINESS DISTRICT AND USES

7.1. Purpose and Scope

The purpose of this district is to provide an area for a general mix of commercial and industrial businesses that are non-threatening to the environment and are generally not abutting major roadways. Public sanitary sewer is not available in this district.

7.2. Land Uses in the General Business (GB) District

- (1) Primary Uses. There are no primary uses in the General Business District.
- (2) Uses with a Certificate of Compliance. The following uses are permitted in the "GB" District after the issuance of a Certificate of Compliance:
 - (A) Essential Services - Government Buildings, Storage and Uses
 - (B) Funeral Homes
 - (C) Medical Clinic
 - (D) Office, Existing Building
 - (E) Plant Nursery
 - (F) Retail Sales
 - (G) Self-Storage Facility
 - (H) Veterinary Clinic
 - (I) Wholesale
- (3) Uses with a Conditional Use Permit. The following uses are permitted in the "GB" District after the issuance of Conditional Use Permit:
 - (A) Automotive Dealership
 - (B) Bars and Taverns
 - (C) Cemeteries
 - (D) Clubs/Lodges
 - (E) Commercial Kennel
 - (F) Essential Services – Utility Substations
 - (G) Light Manufacturing
 - (H) Mining
 - (I) Motor Vehicle Repair
 - (J) Motor Vehicle Service Station
 - (K) Multi-Family Residential Development
 - (L) Office, New Construction
 - (M) Place of Worship
 - (N) Plant Nursery, Commercial
 - (O) Public Recreation Facility

- (P) Recreation Use-Active
- (Q) Recycling Center
- (R) Restaurants
- (S) Schools
- (T) Shopping Center
- (U) Storage Facility
- (V) Transportation/Motor Freight Terminal
- (W) Warehousing and distribution
- (X) Wireless Communications Facility
- (Y) Yard Waste Facility

7.3. Lot Requirements.

The following lot requirements must be met in the General Business (GB) District.

- (1) Minimum Lot size 2.5 acres
- (2) Minimum Frontage on all Public Roads 160 feet
- (3) Maximum Lot Coverage 65%
- (4) Minimum Building Setbacks
 - (A) Front 40 feet*
 - (B) Side 20 feet*
 - (C) Rear 50 feet

* See numbers (6) and (7) below.
- (5) Maximum Building Height 45 feet
- (6) The minimum setback for all structures shall be one hundred (100) feet from the centerline, or (50) feet from the right-of-way (whichever is greater), along roads designated as "County Collectors" or "Township Collectors" in the New Scandia Township Comprehensive Plan.
- (7) The minimum setback for all structures shall be one hundred fifty (150) feet from the centerline, or 75 feet from the right-of-way (whichever is greater), along roads designated as "Minor Arterials" in the Comprehensive Plan.

