

## SECTION 11: GENERAL REGULATIONS

### **Subdivision 1. Off-Street Parking and Loading Regulations.**

All parking hereafter constructed or maintained shall conform to the provisions of this Subdivision.

1. **Minimum Size Regulations:**

Each space shall contain a minimum area of not less than two hundred fifty (250) feet including access drives, a width of not less than eight and one-half (8-1/2) feet and a depth of not less than twenty (20) feet. Each space shall be adequately served by access drives. Each loading space shall contain an area sufficient to meet the requirements of the use.

2. **Minimum Required Number of Off-Street Parking Spaces:**

Off-Street parking areas of sufficient size to provide parking for patrons, customers, suppliers, visitors and employees shall be provided on the premises of each use. The parking space requirement for a use not specifically mentioned herein shall be the same as required for a use of similar nature as determined by the Board of County Commissioners. The minimum number of required off-street parking spaces for the following uses shall be as follows:

- A. **Single Family Dwelling:** Two (2) parking spaces. No garage shall be converted into living space unless other acceptable off-street parking space is provided.
- B. **Multiple Dwelling:** Two (2) parking spaces per dwelling unit or apartment unit.
- C. **Churches:** One (1) parking space for each four (4) seats, based on the design capacity of the main sanctuary.
- D. **Professional offices and office buildings:** Four (4) parking spaces plus one (1) parking space for each five hundred (500) square feet of floor area over one thousand (1,000) square feet of floor area.
- E. **Shopping Center:** Where several business uses are grouped together according to a general development plan, off-street automobile parking shall be provided in a ratio of not less than three (3) square feet of gross parking area for each one (1) square foot of gross retail floor area; separate off-street parking space shall be provided for loading and unloading.
- F. **Hospitals:** One (1) parking space for each two (2) hospital beds plus one (1) parking space for each employee on the major shift.
- G. **Convalescent, rest or nursing homes:** One (1) parking space for each four (4) beds for which accommodations are offered.
- H. **Automobile service station:** Four (4) parking spaces plus two (2) parking spaces for each service stall; such parking spaces shall be in addition to parking space for gas pump areas.

- I. **Auto sales, trailer sales, marine and boat sales, implement sales, garden supply store, building materials sales, auto repair:** Six (6) parking spaces plus one (1) parking space for each five hundred (500) square feet of floor area over one thousand (1,000) square feet.
- J. **Bowling alley:** Five (5) parking spaces for each bowling lane.
- K. **Drive-in restaurant:** Twenty (20) parking spaces or one (1) space for each twenty (20) square feet of floor area, whichever is greater.
- L. **Motel or motor hotel:** One (1) parking space for each rental room or suite.
- M. **Restaurant, cafe, nightclub, tavern or bar:** One (1) parking space for each seventy-five (75) square feet of floor area.
- N. **Retail stores and service establishments:** One (1) off-street parking space for each one hundred (100) square feet of floor area.
- O. **Storage or warehouses establishments:** One (1) off-street parking space for each two (2) employees on the major shift or one (1) space for each two thousand (2,000) square feet of floor area, whichever is larger, plus one (1) space for each company motor vehicle when customarily kept on premises.
- P. **Manufacturing or processing plant:** One (1) off-street parking space for each employee on the major shift or one (1) off-street parking space for each three hundred fifty (350) square feet of gross floor area within the building, whichever is greater, plus one (1) space for each company motor vehicle when customarily kept on the premises.

3. Required Loading Areas:

Loading and unloading areas for goods, supplies, and services shall be sufficient to meet the requirements of each use.

4. Access:

- A. Parking and loading space shall have proper access from a public right-of-way.
- B. The number and width of access drives shall be so located as to minimize traffic congestion and abnormal traffic hazard. Frontage roads or service roads may be required when, in the opinion of the County Planning Commission, such service roads are necessary to maintain maximum traffic safety and shall be constructed at the landowners expense.

5. Fences and Planting Screens:

Off-street parking and loading areas near or adjoining residential property shall be screened by a fence of adequate design or a planting buffer screen; plans of such screen or fence shall be submitted for approval as a part of the required site or plot plan, and such fence or landscaping shall be installed as part of the initial construction.

**Subdivision 2. Signs.**

- 1. All business signs and advertising signs, including billboards, located on township or county roads or highways shall require a Setback Permit prior to erection. Before a Setback Permit for a sign may be

issued, application must be made to and approval received from the County Planning Commission. All business signs, advertising signs and billboards on state roads or highways shall be reviewed by the County Zoning Administrator but shall have final approval and permitting by the Minnesota Department of Transportation.

2. Advertising sign structures located on property for which the sign relates shall be limited to not more than one (1) for a lot of one hundred (100) feet frontage or less and to only one (1) per additional one hundred (100) feet of additional lot frontage. Such structure may not contain more than two (2) signs per facing nor exceed fifty-five (55) feet in total length. No advertising sign may be erected within one hundred (100) feet of adjoining residential property.
3. Maximum size of permitted signs is four hundred (400) square feet of surface including border area.
4. Rotating signs or flashing signs shall not be permitted. Lighted signs and other lighting shall be directed in a manner that will not disturb neighboring residential properties.
5. No sign shall be erected on a property for which the sign does not relate as follows:
  - A. Within one hundred (100) feet of a property used for church or school purposes.
  - B. Less than eight hundred (800) feet from any other advertising device on the same side of the right-of-way.
6. The following signs are exempt from this Ordinance:
  - A. Official signs erected and maintained by a public body.
  - B. One (1) sign per real estate parcel indicating the sale or lease of the property.
  - C. Signs of less than eight (8) square feet showing such things as the name, address, owner or occupant.
7. A new Permit is required prior to the reconstruction of any permitted sign and any existing permitted sign can be terminated at any time by the Board of Adjustment upon a finding that the sign is not in a reasonable state of repair or following three (3) years of continuous permit. The Board of Adjustment may cause the removal of signs that are not in conformance with this Ordinance.

### **Subdivision 3. Excavations.**

1. Excavations shall mean the removal of sod, soil, sand, gravel, stone, or other matter by digging, excavation, tunneling, breaking, or undermining the surface of the earth.
2. Application shall be made to the Cottonwood County Environmental Office on a form provided by the County, for Commercial excavation.
3. The owner of any property on which an excavation site is located, whether existing at the time of adoption of this Ordinance or begun subsequent to that date, shall:
  - A. Properly fence any pit or excavation. What constitutes proper fencing shall be determined by the Board of County Commissioners on a case by case basis.

- B. Slope the banks and otherwise properly guard and keep any pit or excavation in such condition as not to be dangerous from caving or sliding banks.
  - C. Remove excavated material from any pit or excavation, away from the premises, upon and along such highways, streets or other public ways as the Board of County Commissioners shall order and direct.
  - D. Grade site after extraction is completed or the normal use of the excavation discontinued for a period of three (3) years so as to render the site usable, seeding where required to avoid erosion and an unsightly mar on the landscape.
4. Completion or discontinued use of an excavation.
- A. Any excavation from which material has not been removed for a period of three (3) years or from which only token amounts of material have been removed for a three-(3) year period shall be considered completed and abandoned for the purposes of this Ordinance.
  - B. Upon formal complaint stating that an excavation has been abandoned as defined in THIS SECTION and that said excavation has not been graded to comply with SECTION 11, Subdivision 3, page 38, the County Planning Commission shall hold a public hearing on the complaint. Notice and publication for the hearing shall comply with the provision of SECTION 18, Subdivision 2, page 90.
  - C. The findings of the County Planning Commission shall be forwarded to the Board of County Commissioners. If the Board of Commissioners determines that the excavation is in violation, the Board of County Commissioners shall order the owner to grade the pit within a period not to exceed twelve (12) months from the date of the County Planning Commission hearing.
  - D. If, in the opinion of the Board of County Commissioners, the excavation has not been brought into compliance with this Ordinance in the prescribed period, the Board shall direct the County Highway Engineer to cause the excavation to be re-graded in compliance with this Ordinance. All costs incurred by the County in re-grading the excavation will be entered as a special assessment against the property on which the excavation was located and be payable in the year following grading.

**Subdivision 4. Performance Standards.**

**The following standards shall apply to all uses of land and buildings, except farming, in ALL DISTRICTS.**

- 1. Standards.
  - A. **Landscaping:** All required yards shall either be open landscaped and green areas or be left in a natural state. If any yards are to be landscaped, they shall be landscaped attractively with lawn, trees, shrubs, etc. Any areas left in a natural state shall be properly maintained in a slightly and well-kept condition. Properties of other zoning districts adjoining any of the RESIDENTIAL zoned property shall be landscaped with buffer planting screens. Plans for such screen shall be submitted for approval to the County Planning Commission as a part of the site plan and installed concurrently with the construction for which the permit was requested.
  - B. **Noise:** Noise shall be measured on any property line of the tract on which the operation is located.

Noise shall be muffled so as not to become objectionable due to intermittence, beat frequency, shrillness, or intensity.

- C. **Odors:** Odors from any use hereafter begun shall not be discernible at the property line to a greater degree than odors from plants for the manufacture or fabrication of books, textile weaves, electronic equipment, or other plants in which operations do not result in greater degrees of odors. Detailed plans for the prevention of odors crossing property lines may be required before the issuance of a Building Setback Permit.
  - D. **Glare:** Glare, whether direct or reflected, such as from floodlights or high temperature processes, and as differentiated from general illumination, shall not be visible beyond any property line.
  - E. **Exterior lighting:** Any lights used for exterior illumination shall direct light away from adjoining properties.
  - F. **Vibration:** Vibration shall not be discernible at any property line to the human sense of feeling for three (3) minutes or more in duration in any one (1) hour.
  - G. **Smoke:** Measurements shall be made at the point of emission. The RINGELMANN SMOKE CHART, published by the UNITED STATES BUREAU OF MINES shall be used for the measurement of smoke. Smoke not darker or more opaque than No. 1 on said chart may be emitted, except that smoke not darker or more opaque than No. 2 on said chart may be emitted for periods not longer than four (4) minutes in any thirty (30) minutes. These provisions, applicable to visible gray smoke, shall also apply to visible smoke of different color but with an equivalent opacity.
  - H. **Dust:** Solid or liquid particles shall not be emitted at any point in concentrations exceeding three-tenths (0.3) grain per cubic foot of the conveying gas or air. For measurement of the amount of particles in gases resulting from combustion, standard corrections shall be applied to a stack temperature of five hundred (500) degrees Fahrenheit and fifty (50) percent excess air.
  - I. **Fumes or Gases.** Fumes or gases shall not be emitted at any point in concentrations of amounts that are noxious, toxic or corrosive. Detailed plans for the elimination of fumes or gases may be required before the issuance of a Setback Permit.
  - J. **Hazard:** Every operation shall be carried on with reasonable precautions against fire and explosion hazards.
2. **Compliance:** In order to insure compliance with the performance standards set forth above, the Board of County Commissioners may require the owner or operator of any use to have made such investigations and tests as may be required to show adherence to the performance standards. Such investigation and tests as are required to be made shall be carried out by any independent testing organization as may be selected by the Board of County Commissioners and will be at the expense of the owner or operator.
  3. **Unsafe Buildings:** Upon formal complaint, any building suspect to being unsafe shall be inspected by the County Building Inspector and if declared unsafe, shall be removed or placed in a safe condition within a period of time specified by the County Building Inspector which in no case shall exceed one (1) year.

#### **Subdivision 5. Mobile Home Parks.**

1. Maximum Density and Minimum Area Requirements:

- A. Maximum density for mobile home units or mobile home coaches in a Mobile Home Park shall not be greater than eight (8) units per gross acre.
  - B. Minimum area requirements for a Mobile Home Park shall be five (5) acres and shall not be less than one hundred fifty (150) feet in width.
  - C. A minimum of five hundred (500) square feet per mobile home shall be provided for definable play areas and open space within the Mobile Home Park. Such areas of open space and/or play area shall not be areas included within any setback nor shall they include any areas of less than twenty (20) feet in length or width.
2. Lot Coverage and Setback Requirements:
- A. The maximum lot coverage for Mobile Home Parks shall be twenty (20) percent.
  - B. The minimum distance between units shall not be less than twenty (20) feet, or the sum of the heights of the two (2) units, whichever is greater; the point of measurement being a straight line between the closest point of the units being measured.
  - C. When a Mobile Home Park abuts a single family residential use area, there shall be a minimum setback on that side of fifty (50) feet between the street right-of-way line and any mobile home park use. This setback area shall act as a buffer zone and shall be landscaped according to a landscape design. Such design shall be submitted at the time of application, and show the type of planting, size of plants and overall planting, and planting schedule.
  - D. Street access shall not be permitted into or upon minor single family residential area streets.
3. General Internal Park Development Requirements:
- A. There shall be a minimum front yard setback from the mobile home unit to street line of fifteen (15) feet.
  - B. There shall be a concrete slab or surface patio constructed in either one (1) or more segments on the ground beside each unit parking space; this slab or patio, or slabs or patios, shall be not less than one hundred (100) square feet in area, and shall be a minimum of two (2) inches thick.
  - C. The mobile home pad shall be at such elevation, distance and angle relative to the street and driveway that the placement and removal of the mobile home with a car, tow truck or other customary moving equipment is practical. The mobile home pad shall have a longitudinal grade of less than four (4) percent and transverse crown or grade to provide adequate surface drainage. The pad shall be compacted and surfaced with a material which will prevent the growth of vegetation while supporting the maximum anticipated loads during all seasons.
  - D. The entire Mobile Home Park shall be landscaped (excluding hard surfaced areas) and there shall be planted, or otherwise located, one (1) shade tree, with a minimum diameter of two (2) inches, placed and maintained near each unit pad.
  - E. All Mobile Home Parks shall be enclosed by a fence or screen planting so as to provide privacy for the occupants of the court. Height, size and type of enclosure shall be predetermined and submitted as a part of the general development plan prior to final action by the County Planning Commission.

- F. All utilities supplied by the Mobile Home Park shall be underground. This shall include sanitary sewer, water and electricity. When piped fuel and/or gas is provided such service shall also be located underground.
- G. A safety shelter shall be provided. Plans for safety shelters shall be approved by the County Planning Commission.
- 4. Parking and Street Requirements:
  - A. Parking:
    - 1) Off-street parking areas shall be surfaced in accordance with the street surface standards below.
    - 2) All required off-street parking space shall be located not further than two hundred (200) feet from the unit or units for which they are designated.
    - 3) A minimum of two and one-half (2-1/2) spaces of parking must be provided for each mobile home unit space provided within the park. Two spaces for occupant use must be within the distance from the unit established above. The remaining spaces, equivalent to one-half (1/2) space, must be in group parking areas appropriately located within the park.
    - 4) Public access to a Mobile Home Park shall be so designed as to permit a minimum number of ingress and egress points to control traffic movement, and to keep undesirable traffic out of the park.
  - B. Streets shall be graded to their full width to provide proper grades for pavement and sidewalks, and to ensure adequate surface drainage to the storm sewer system. The improvements shall extend continuously from existing improved streets to provide access to each lot and to provide connections to existing or future streets at the boundaries of the Mobile Home Park.
  - C. Street and parking areas shall be surfaced for all weather travel with not less than four (4) inches of crushed stone, gravel or other suitable base material topped with not less than one and one-half (1-1/2) inches of bituminous concrete, or four (4) inches Portland cement concrete. The surface shall be limited at the edge of a Portland cement curb not less than four (4) inches high.
- 5. Storage: Enclosed storage lockers when provided, shall be located either adjacent to the mobile home in a Mobile Home Park or at such other place in the park as to be convenient to the unit for which it is provided.
- 6. Regulations:
  - A. It shall be the duty of the operator of the Mobile Home Park to keep a register containing a record of all mobile home owners and occupants located within the park. The register shall contain the following information:
    - 1) The name and address of each mobile home occupant.
    - 2) The name and address of the owner of each mobile home.
    - 3) The make, model, year and serial number of each mobile home.

- 4) The date of arrival and departure of each mobile home.
  - 5) The number and type of motor vehicles of residents in the park.
- B. The park shall keep the register available for inspection at all times by County Law Enforcement Officers, public health officials and other public offices whose duty necessitates acquisition of the information contained in the register. The register record for each occupant and/or mobile home registered, shall not be destroyed until after a period of three (3) years following the date of departure of the registrant from the park.
7. Maintenance: The operator of any Mobile Home Park, or a duly authorized attendant or caretaker, shall be in charge at all times to keep the Mobile Home Park, its facilities and equipment, in a clean, orderly and sanitary condition. The attendant or caretaker shall be answerable, with said operator, for the violation of any provisions of these regulations to which said operator is subject.

**Subdivision 6. Public Streets and Roads.**

Any new public road, alteration or change of any existing public road shall be required to have a minimum width of sixty-six (66) feet.

