

SECTION 13: AG-1, AGRICULTURAL DISTRICT

Subdivision 1. Purpose.

Cottonwood County has an agricultural economy based on fertile farmland, animal agriculture, and value-added agricultural processing. The AG-1 AGRICULTURAL DISTRICT is intended to sustain and promote these activities while at the same time trying to balance competing land use activities and protecting the health, safety, and welfare of the residents of Cottonwood County.

Subdivision 2. Boundary

The AG-1 or AGRICULTURAL DISTRICT will include all the unincorporated areas of the County, including the unincorporated area of DELFT, which are not included in the FLOODPLAIN DISTRICT, RESIDENTIAL DISTRICT, COMMERCIAL DISTRICT, INDUSTRIAL DISTRICT, and THE SHORELAND DISTRICT. The location and boundaries of these Districts are hereby set forth on the zoning maps, and said maps are hereby made a part of this Ordinance, and shall be known as the "County Zoning Maps".

In particular the SHORELAND DISTRICT shall also be defined as lands located within the following distances from public waters:

One thousand (1,000) feet from the Ordinary High Water (OHW) mark of a lake, pond, or flowage greater than twenty-five (25) acres in size in unincorporated areas, and three hundred (300) feet from a river or stream or the landward extent of a floodplain designated by this Ordinance on a river or stream, whichever is greater.

Subdivision 3. Permitted Uses.

The following are permitted uses in the Ag-1, Agricultural District in Cottonwood County. Setback Permits are required before construction begins and State Permits are needed when applicable:

1. Agriculture.
2. Farm & Non-Farm Single Family Dwellings, not to exceed six (6) dwellings per section in the Ag District.
3. Feedlots, private or corporate, and Hog Production facilities, up to 1000 animal units.
4. One maintained "Dead Animal Holding" structure, as regulated in SECTION 13, Subdivision 16.
5. Field Windbreaks and Wildlife Block Plantings.
6. Flood control and watershed structures.
7. Nurseries, tree farms, sod farms, greenhouses and floriculture operations.
8. Truck gardening and Seasonal produce stands.
9. Commercial, public or private airports, landing strips or helipads.
10. Home occupations, as allowed by definition, in rules and definitions section.
11. Local municipal administration and service buildings.
12. Manufacturing, machine shops, and welding shops owner operated with the equivalent of four (4) or less full-time employees/workers.

13. Municipal and public water supply distribution lines.
14. Parks, recreational areas, historical sites, wildlife areas, game refuges, forest preserves, fish hatcheries and rearing ponds, which are owned or operated by governmental agencies.
15. Pipelines for the transport of natural gas or petroleum-hydrocarbons, following standards in SECTION 23 and in accordance with the Minnesota Department of Public Safety Rules and Regulations.
16. Private family burial plot.
17. Private fish ponds and aqua culture.
18. Public and private storage garages or buildings.
19. School bus waiting structure.
20. Seed dealerships.
21. Signs and billboards, as regulated in SECTION 11, Subdivision 2.
22. Utilities, transmission and distribution lines.
23. Utility buildings, following standards set forth in SECTION 13, Subdivision 5, letter C.
24. Veterinary clinics.

Subdivision 4. Conditional Uses.

The following uses may be allowed in the AG-1, AGRICULTURAL DISTRICT, subject to the provisions of SECTION 18, Subdivision 4.

1. Automobile dealerships or repair shops for new or used cars and trucks.
2. Bed and Breakfast lodging establishments.
3. Churches, and other similar places of worship.
4. Cemeteries, and memorial gardens.
5. Commercial Fertilizer and Feed sales and storage.
6. Commercial campgrounds.
7. Commercial handling and processing of Agricultural products.
8. Commercial radio or television transmitting stations and towers.
9. Demolition Landfills.
10. Dog kennels, and dog boarding facilities.
11. Excavation of natural materials.
12. Exotic game farms.
13. Farm machinery dealerships or repair shops for new or used machinery.
14. Feedlots:
 - a) with 1,001 or more animal units.
 - b) with 10 or more animal units located in sensitive areas.

- c) expansion of existing feedlots located in sensitive areas.
 - d) any feedlot regardless of size, that as part of their manure management plan proposes land application of manure in sensitive areas.
- 15 Fur farms.
 16. Gas stations and convenience stores.
 17. Golf Courses and Driving Ranges.
 18. Gun clubs, archery ranges, sporting clays, commercial and private hunting preserves.
 19. Grain elevators and terminals.
 20. Hospitals, clinics, nursing homes, foster and group home care facilities.
 - 21 Hotels, Motels, or Inns.
 22. Manufacturing, machine shops, and welding shops with more than the equivalent of four full time (4) employees/workers.
 23. Municipal, Industrial, Irrigation, or Public supply wells, water treatment plants, water towers
 24. Organized Farm Colonies, as regulated in Subdivision 8.
 25. Organized group camps.
 26. Public sewage treatment facilities.
 27. Railroad right-of-ways, but not including railroad yards.
 28. Recreational Facilities/Trails.
 29. Recreational type vehicle sales and repair shops for new and used recreational vehicles.
 30. Restaurants, bars, and supper clubs.
 31. Riding academies and commercial stables.
 32. Salvage yards, scrap or junk yards.
 - 33 Sanitary landfills except for the storage or disposal of hazardous wastes.
 34. Schools
 35. Telecommunication Towers, as regulated in SECTION 24 of this Ordinance.
 36. Transfer stations for refuse.
 37. Wind Energy Towers and Facilities, as regulated in SECTION 25 of this Ordinance.
 38. A proposed use not listed as a Permitted or Conditional Use shall be deemed non-permitted. Any party seeking a non-permitted use shall file a request for a Conditional Use Permit with the Office of the Cottonwood County Zoning Administrator.

Subdivision 5. Yard, Area and Lot Width and Depth Regulations.

- A. Front Yard Regulations:
 1. There shall be a minimum front yard setback of sixty-five (65) feet from any public right-of-way except that, there shall be a minimum front yard of one hundred (100) feet from the right-of-way line of all four lane highways.

2. Where a lot is located at the intersection of two or more roads or highways, there shall be a front yard setback from each road or highway.
- B. Side Yard Regulations:
1. There shall be a side yard having a width of not less than ten (10) feet on each side of a building.
- C. Rear Yard Regulations:
1. There shall be a rear yard having a depth of not less than ten (10) feet.
- D. Lot Area Regulations:
1. Irrespective and independent of lot width and depth regulation, every lot or tract that has or will have a structure located on it shall contain an area of not less than two and a half (2.5) acres or 108,900 square feet.
- E. Lot Width and Depth Regulations:
1. Every lot or plot of land on which a one family dwelling is erected shall have a minimum width of not less than eighty (80) feet at the building setback line and minimum depth of not less than one hundred and twenty-five (125) feet.
- F. Field Windbreaks and Wildlife Block Planting Regulations:
1. There shall be a minimum setback of one hundred (100) feet from all county and township right-of-ways.

Subdivision 6. Property Transfer Requirements.

- A. The improper location, design, installation, use and maintenance of individual sewage treatment systems adversely affects the public health, safety, and general welfare of the citizens by the discharge of inadequately treated sewage to the surface of the ground, surface waters, and groundwater.
- B. Any property transfer, after the date of June 15, 2006, that has a dwelling or any other building with water using devices located on the property shall be required to have a complying individual septic treatment system determined by but not limited to one of the following:
1. Individual Sewage Treatment System Certificate of Compliance on file with the Cottonwood County Environmental Office; or
 2. Compliance Inspection for an existing ISTS done by a qualified, certified, and licensed Minnesota Pollution Control Agency Professional and the required signed forms submitted.
- C. No conveyance of land shall be made unless the seller shall have certified on a notarized form prescribed by the Office of the Zoning Administrator that one of the following situations exists:
1. No dwelling or any other building with a water using device is located on the property.
 2. There are buildings with water using devices and that a septic system exists that meets MN Chapter 7080 standards and Cottonwood County Zoning Ordinance standards.
 3. The property owner and prospective buyer have signed an agreement to install a complying system within 10 months of property transfer and a copy of the agreement shall be given to the Office of the Zoning Administrator.

Subdivision 7. Exemptions from Setback Requirements.

- A. One School bus waiting structure, not to exceed 40 square feet and located outside of the public right-of-way.
- B. One maintained "Dead Animal Holding" structure, as regulated in SECTION 16, Subdivision 16, 3.
- C. A maximum of two maintained Public Utility Buildings per quarter-quarter, not to exceed 120 square feet per building, and located outside the public right-of-way and a minimum of 300 feet from an intersection, contingent upon the signing of a document of responsibility by the applicant.

Subdivision 8. Organized Farm Colonies

- A. Defined as a group of five (5) or more families organized together, living according to their beliefs, and spending a majority of their time actively farming land and raising livestock owned by the group as a community and not individually. The group or colony lives within the boundaries of the land owned by the group or colony and qualifies as a Non-Profit Corporation organized communally under Section 501d of the United States Internal Revenue Code.
- B. Upon approval of a Conditional Use Permit, an Organized Farm Colony will be exempt from the density requirements of the County Zoning Ordinance in the Agricultural District. Conditional Use application shall include, but not be limited to the following:
 - 1. Name and signature of Property owner.
 - 2. Legal description of the property
 - 3. Emergency services plan.
 - 4. Site plan detailing the following:
 - a) Dwelling units: number, type, size, occupancy, and site location
 - b) Other structures: size, type, function, and site location.
 - c) Proposed roads and access from site to Township, County, or State roads.
 - d) Water supply source and location if applicable.
 - e) Waste water treatment plans and specifications.
- C. Any modification or change of original site plan shall require a new Conditional Use Permit

Subdivision 9. Feedlot General Provisions.

- A. The use of any land for the establishment, expansion, or management of an animal feedlot shall comply with the provisions and minimum standards of the Cottonwood County Zoning Ordinance and Minnesota Rules Chapter 7020.
- B. All feedlots with ten (10) or more animal units shall register the feedlot with Cottonwood County and shall be constructed and operated in accordance with the Minnesota Pollution Control Agency Water Quality Division Animal Feedlots Chapter 7020 which is herewith adopted by reference in its entirety and without change except as may be amended by the state.
- C. A person who applies to Cottonwood County or the Pollution Control Agency for a permit to construct or

expand a feedlot with a capacity of 500 animal units or more animal units shall not less than twenty (20) business days before permit can be issued, provide notice to each resident and each owner of real property within 5,000 feet of the perimeter of the proposed facility. The notice may be delivered by first class mail, in person, or by the publication in a newspaper of general circulation within the affected area and must include information on the type of livestock, the proposed capacity of the feedlot, and any other information as set for by 7020 rules. Notice of Conditional Use Permit Hearing will also serve as this notice.

- D. A complete copy of all feedlot applications submitted to MPCA for review and issuance shall also be submitted to the Cottonwood County Environmental Office.
- E. All handling of animal manure in Cottonwood County either generated in the county or originating outside the county and transported into the county for use as a domestic fertilizer shall conform with the standards contained herein and in any other Cottonwood County Ordinance or State of Minnesota Statutes or Rules that apply to animal feedlot and/or manure management.

Subdivision 10. Feedlots in Sensitive Areas.

Feedlots and/or manure storage structures located in Sensitive Areas (Drinking Water Supply Management Areas as approved by the Minnesota Department of Health, Calcareous Fens, and other special protection areas or zones that may be delineated by Federal or State mandates) may occur. Caution shall be used to ensure that the operation, maintenance, and management of the feedlots and/or manure storage structures do not present a serious risk to groundwater quality as determined by the Planning Commission or the County Board.

Any Conditional Use Permit Application for a feedlot or manure storage structure proposing to be located in a sensitive area will be scrutinized for any potential impact on these areas. Any permit to be issued in sensitive areas may include special provisions as set forth by the Planning Commission and/or County Board.

Special provisions include but are not limited to the following:

1. Surface water runoff shall be controlled to avoid infiltration within all vulnerable portions of a DWSMA of a public water supply well.
2. Feedlot location shown on a map of the DWSMA.
3. A copy of the vulnerability assessment of the DWSMA.
4. Description of the vulnerability of the land where the proposed feedlot and/or manure structure is to be built.
5. Distance from the closest corner of the feedlot and/or manure storage structure to the public water supply well. (Minimum 1000 feet within DWSMA or 200 feet outside DWSMA)
6. Cottonwood County shall require a copy of any impending Environmental Assessment Worksheets (EAW's) or Environmental Impact Statements (EIS's) as determined by the Responsible Government Unit (RGU). Feedlot capacity thresholds triggering the need for a EAW or EIS are lower in sensitive areas and the applicant shall check Minn. R. ch. 4410 for requirements.
7. The cost associated with the preparation of an EAW or EIS shall be borne by the applicant, and a consultant may be chosen by the applicant with approval of the County Board.
8. Detailed Manure Management Plan (Minimum requirements of MN Rules Chapter 7020).

Subdivision 11: Feedlot Setback Requirements.

- A. All new animal feedlots, 1200 Animal Units or less, shall be located no closer than one-half (1/2) mile from a Church, or a neighboring residence (other than residences owned by the operators). A notarized waiver on forms provided by the Zoning Administrator's Office signed by authorized Church representative, or owners of residences located within one-fourth (1/4) to one-half (1/2) mile of the proposed feedlot and signed by the applicant, will be accepted to allow a permitted setback no closer than one-fourth (1/4) mile from a Church, or a neighboring residence.
- B. All new animal feedlots 1201 Animal Units or greater, shall be located no closer than three-fourths (3/4) of a mile from a Church, or a neighboring residence (other than residences owned by the operators.) A notarized waiver on forms provided by the Zoning Administrator's Office, signed by authorized Church representative, or all affected owners of residences located within one-fourth (1/4) to three-fourths (3/4) mile of the proposed feedlot and signed by the applicant, will be accepted to allow a permitted setback no closer than one-fourth (1/4) mile from a Church or a neighboring residence.
- C. All new animal feedlots located in the Agricultural District may exercise the following procedure rather than Subdivision 11, A or B to determine the setback distance requirement.
 - 1. Submit Application for a Conditional Use Permit with the Office of the County Zoning Administrator on forms prescribed by the County. The application shall include, but not limited to, the Feedlot Registration/Application, building plans, site plans, manure management plan, and other materials as may be required by the County Planning Commission with authority of Cottonwood County Zoning Ordinance #37 Section 18, Conditional Use guidelines.
 - 2. New animal feedlots selecting this option shall be located no closer than one-fourth (1/4) mile and/or a 94% odor annoyance free Offset Odor Modeling distance from a Church or a neighboring residence (other than residences owned by the feedlot operator), whichever is greater.
- D. Non-conforming existing feedlots which were permitted or un-permitted prior to the May 2, 1995 effective date of Ordinance No. 23 shall be allowed to expand to 1200 animal units, without meeting setback requirements established in Subdivision 11, A and B.
- E. In situations where the owner/operator of an existing feedlot located closer than the setback requirements of the Cottonwood County Zoning Ordinance from the residence of the owner/operator sells off the feedlot by dividing the existing parcel into two or more parcels, the setback requirement shall not apply, nor shall expansion of such an existing feedlot trigger application of the setback limitations between the feedlot and the residence. It is the intention of the county in such scenarios that the seller shall cover any setback requirement and future expansion of the feedlot in the sale agreement.
- F. Earthen Basins and Open Top Concrete Pits as part of Feedlot Application.
 - 1. All new Earthen Basins and Open Top Concrete Pits for Beef, Dairy, Poultry, or Municipalities, and Slurry Store Systems for all Animal Species, shall be located no closer than One (1) mile from a church, or a neighboring residence (other than residences owned by the operators.) A notarized waiver on forms provided by the Zoning Administrator's Office, signed by authorized Church representative, or all affected owners of residences located within one-half (1/2) mile to one (1) mile of proposed Earthen Basin or Open Top Concrete Pit, and signed by the applicant, will allow a permitted setback no closer than one-half (1/2) mile from a church, or a neighboring residence. Additional requirements are specified in Subdivision 12.
 - 2. All new earthen basins and open top concrete pits for Beef, Dairy, Poultry, and Slurry Store Systems for all animal species may exercise the following procedure rather than Subdivision 11, D, 1 to determine the setback distance
 - a. Submit a Conditional Use Permit Application with the Office of the County Zoning Administrator on

a form prescribed by the County. The application shall include, but not limited to, the Feedlot Registration/Application, building plans, site plans, manure management plan, and other materials as may be required by the County Planning Commission with authority of Cottonwood County Zoning Ordinance # 37 Section 18, Conditional Use guidelines.

- b. New Earthen Basins, Open Top Concrete Pits for Beef, Dairy, Poultry, and Slurry Store Systems for all species located in the Agricultural District selecting this option shall be located no closer than one-half (1/2) mile and/or a 94% Odor Annoyance Free Offset Odor Modeling distance from a Church, or a neighboring residence (other than residences owned by the feedlot operators), whichever is greater.
3. Existing feedlots shall be permitted to put in an earthen basin and/or an open top concrete pit as part of an Ag Waste System when it is built and designed to solve an existing pollution problem. Additional requirements are specified in Section 13, Subdivision 12.
- G. Expansion of a feedlot which utilized the waiver, variance, or offset process in its initial permitting process since the effective date of Ordinance #23 (May 2, 1995), must utilize the waiver, variance, or offset process when expanding, regardless of animal unit expansion.
 - H. The waiver form shall be recorded in the County Recorder's Office, for both the feedlot property, and the property of any and all effected parties.
 - I. The applicant shall verify that no residences are within the setback. If the Setback distance is in question, the applicant shall be required to submit a signed document from a registered surveyor stating the exact setback distance. The setback distance shall be measured from the closest corner of the feedlot building or manure storage facility, to the closest corner of the neighboring residence.

Subdivision 12: Additional Earthen Basin & Open Top Pit Requirements.

- A. Earthen Basins and Open Top Concrete Pits for Beef, Dairy, Poultry, and Municipalities shall be a permitted use when designed by a Registered Professional Engineer and approved by the State.
- B. A well maintained minimum of six (6) foot high Chain-link fence from the ground level shall be required on top of the dike around an Earthen Basin, and the minimum equivalent of six (6) feet of Chain-link fence from grade level on Open Top Concrete Basins wherein any part of the Concrete Basin extending above grade may be considered a part of the fence.
- C. Slurry Storage (A. O. Smith, or similar type structures) greater than six (6) feet above grade shall be exempt from the six (6) foot fence requirements.
- D. Hog Production Feedlots utilizing an Earthen Basin or an Open Top Concrete Pit as part of their manure storage which were previously permitted with the requirement of an eight (8) foot solid fence, shall continue to be required to maintain the solid fence with a minimum height of eight (8) feet from the ground level for Earthen Basins, and a minimum height of eight (8) feet of solid fence from grade level on Open Top Concrete Pits.

Subdivision 13: Manure Management Requirements.

- A. The owner or operator of an animal feedlot is responsible for the preparation and maintenance of the manure management plan in accordance with Minnesota 7020 specifications and its revisions. Signatures of all producers and landowners and/or agents will be required on the manure management plan when submitted with the feedlot application.

- B. When easements for additional acres for manure application are required, notarized signatures of all producers and land owners and/or their agent(s) shall be required on the easement. Easement forms shall be filed with the Office of the County Zoning Administrator on forms prescribed by the County.
- C. All applications of liquid manure shall be injected weather permitting, or incorporated within 24 hours weather permitting.
- D. All non-incorporated surface applied solid manure shall be spread a minimum of 100 feet from Tile Intakes, Open Ditches, Streams, Rivers, and Lakes, and is prohibited in the 100 year Flood Plain.
- E. All non-incorporated surface applied liquid manure shall be spread a minimum of 300 feet from Tile Intakes, Open Ditches, Streams, Rivers, and Lakes, and is prohibited in the 100 year Flood Plain.

Subdivision 14: Prohibited Uses.

- A. No new feedlots shall be allowed within one (1) mile of the boundary lines of the cities of Bingham Lake, Jeffers, Mountain Lake, Storden, Westbrook, Windom, Comfrey (including Liberty Park), Dundee, Sanborn, and within one (1) mile of the outside boundary lines of the plat for the unincorporated area of Delft which plat is recorded in the Book of Plats in the office of the Cottonwood County Recorder as Plat No. 76, dated June 6, 1902 and filed June 18, 1902.
- B. No new feedlots shall be allowed within the ten-year time of travel zones as delineated by the Minnesota Department of Health of public water supply sources.
- C. No new feedlot shall be allowed within 100 feet of any private well.
- D. No new feedlots shall be allowed within the 100 year Flood Plain areas.
- E. No new feedlots shall be allowed within 1,000 feet of the ordinary high water mark of a lake or within 300 feet of the ordinary high water mark of a stream or river.
- F. No new feedlots shall be allowed within 300 feet of open ditches, or open tile intakes.
- G. No long-term manure storage stockpiles shall located in sensitive areas.
- H. Spillage or spreading of manure on roads or in ditches shall not be allowed.
- I. The use of Manure Irrigation Guns (new and existing) shall not be allowed. For the purpose of this ordinance, irrigation of water from the top of earthen basins will be allowed if the nutrient value in the water being irrigated does not exceed 5# of Nitrogen per 1,000 gallons. Tests shall be taken at any time as requested by the Environmental Office.
- J. No new Hog Production Facilities shall be allowed to construct an Earthen Basin or Open Top Concrete Pit for manure storage.
- K. No dead animals shall be disposed of or left open to public view at/or near the right of way.
- L. No dead animals shall be disposed other than according to SECTION 13, Subdivision 16.

Subdivision 15: Expansion of Existing Feedlots in Prohibited Zones.

Expansion of existing feedlots located within one (1) mile of the boundary lines of the cities of Bingham Lake, Jeffers, Mountain Lake, Storden, Westbrook, Windom, Comfrey (including Liberty Park), Dundee, Sanborn, and

within one (1) mile of the outside boundary lines of the plat for the unincorporated area of Delft which plat is recorded in the Book of Plats in the office of the Cottonwood County Recorder as Plat No. 76, dated June 6, 1902 and filed June 18, 1902, shall be allowed up to 1000 animal units.

Subdivision 16: Dead Animal Disposal Requirements.

The regulations in this subdivision cover the storage and disposal of the remains or carcasses of domestic animals (livestock) that died other than for human or animal consumption. These requirements do not apply to pets or wild animals.

In addition to the following rules and regulations incorporated herein and made part of this ordinance, all State rules and requirements set forth in Minnesota Statute 35.82 and Minnesota Rules Chapter 1719 are adopted by reference. All handling and disposal of dead livestock shall meet the minimum standards required by the Board of Animal Health, and the MPCA, such as, but not limited to:

- A County Permit shall be required for a Burial Site, Compost Facility, and an Incinerator Facility, plus the Setback Permit for Construction.
- Producer shall provide plans on composting, incinerating, refrigerating, and rendering.
- A leak-proof container shall be required for use in transporting carcasses.
- All disposal sites shall be screened from public roads and neighboring dwellings.
- Producers shall provide operation and maintenance plans for the 72 hour disposal compliance, according to State Best Management Practices.
- Violations - We will work with the violator to correct the problems, but if the producer does not cooperate, or if extreme hazard to human or animal health exists, the Board of Animal Health may levy fines up to \$10,000.

A. Storage Considerations:

1. Feedlot operators shall be required to contain dead animals within a covered container or dead animal holding structure (requirements defined in #3) to prohibit domestic or wild animals from dispersing dead animal carcasses or remains and to prevent the spread of disease.
2. No dead animals shall be disposed of or left open to public view at/or near the right of way.
3. Dead Animal Holding Structure Requirements:
 - a) Shall not exceed 64 square feet, with a minimum of 4 foot high solid side walls set on a concrete slab of at least 4 inches thick;
 - b) Shall be covered;
 - c) Shall be placed a minimum of 300 feet from any intersection; and
 - d) Shall not be placed so as to obstruct or interfere with a transportation right of way.

B. Allowed Methods of Disposal:

1. The Local Rendering Service.
2. Composting of Carcasses:
 - a) Allowed for poultry, swine, sheep, and goats; other species, methods, experiments, or emergency use need a Special Permit from the Board of Animal Health.
 - b) Facility must be built on an impervious pad with walls of rot-resistant materials and perhaps covered

with a roof, and be out of public view.

- c) Mortality must be processed by layering with litter plus bulking agent.
 - 1) Carcasses must be kept at least 6" from the edges and properly sealed with litter.
 - 2) Temperature of the compost must be taken and recorded each day.
 - 3) The finished product may not contain visible pieces of soft tissue.
 - 4) Flies, rodents, and vermin must be controlled.
 - d) The owner must have a written protocol and is responsible for employees following it.
3. Burial of Carcasses:
- a) Shall require three feet of soil over the carcass.
 - b) Shall be five feet above the seasonal high water table and/or bedrock.
 - c) No more than 100,000 pounds of carcasses per quarter section of land shall be allowed per site, and 1/2 mile distance shall be required from another burial site.
 - d) A dike shall be constructed to divert surface water from entering the burial site.
 - g) Minimum information required for Burial Permit:
 - 1) Legal Description of site, plus Aerial photograph showing township, section and site location.
 - 2) Soil boring information from a Registered Engineer or a Registered Soil Scientist or Soil Engineer, to determine the Seasonal High Water table, and the depth to bedrock.
 - 3) Soil type and percentage of slope.
 - 4) Detailed sketch of burial site (to scale) showing direction of surface water flow.
 - 5) Approximate number of animals and pounds buried per year.
 - 6) Operation and maintenance plan for daily disposal, and for burial.
 - 7) Alternative and Catastrophic dead animal disposal plan, including how burial will be accomplished during inclement weather such as winter months and excessively wet conditions. (ie - call rendering plant)
 - 8) An annual report to the Zoning Administrator shall be required, and shall consist of the pounds of carcasses buried annually from January 1 to December 31.
 - 9) All livestock burial sites shall be managed according to best management practices in a pollution free, odor free, and nuisance free manner on land owned, rented, or leased by the livestock owner/operator. Information and Guidelines are available from MPCA, the Minnesota Board of Animal Health, the University of Minnesota Extension Service - Cottonwood County, and the local Zoning Office.
4. Incinerating or Burning of Carcasses:
Pursuant to rules of MPCA, this method can only be done in a state approved incinerator.

C. Minimum Setback requirements for livestock Burial Sites, and Compost Facilities:

- 1. 150' on the down-slope side from water supply wells or abandoned wells.
- 2. 50' from property line.
- 3. 100' from all public road right of ways.
- 4. 300' from tile intakes.
- 5. 300' from streams or rivers.
- 6. 1000' from lakes, ponds, and wetlands.
- 7. Composting sites for existing feedlots shall be at least 1/4 mile from neighboring residences, churches, or public facilities, and 1 mile from Municipalities and Delft.
- 8. Composting sites for new feedlots shall be at least 1/2 mile from neighboring residences, churches, or

public facilities and 1 mile from Municipalities and Delft.

D. Prohibited sites for Livestock Burial, a Compost Facility, or Incinerator Facility:

1. The general floodplain.
2. Flood prone areas.
3. The Minnesota River Management District.
4. The Shoreland Management District.
5. Wetlands or wet areas.
6. Delineated Wellhead protection areas.
7. Within a one (1) mile radius of Municipal Wells and Public Water Supply Wells.