

# McLeod County

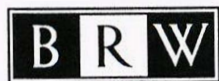
COMPREHENSIVE LAND USE PLAN

1995

# McLeod County

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## COMPREHENSIVE LAND USE PLAN



1995

# ACKNOWLEDGEMENTS

Extensive amounts of personal time were expended by the citizens of McLeod County in the preparation and development of this document. A special thank you is extended to the following individuals for their efforts:

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Biscay  
Brownton  
Glencoe  
Hutchinson  
Lester Prairie  
Plato  
Silver Lake  
Stewart  
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## **SUMMARY**

The McLeod County Land Use Plan was prepared over a two-year period ending in mid-1992 by the County Planning Commission with assistance from a committee of representatives of each of the County fourteen townships and nine cities. Technical assistance was provided by the County staff and a consultant. The plan addresses the planning and regulation of land outside the cities.

## **ISSUES**

Land use and development issues were identified by interviewing township and county residents, landowners and officials, by hearing comments from the Planning Commission and members of the Comprehensive Planning Committee. These issues were grouped into four topics: (1) municipal fringe development, (2) preservation of agricultural resources, (3) environmental concerns and (4) land development ordinance provisions and administration. The issues are summarized beginning on page 23.

## **LAND USE GOALS AND OBJECTIVES**

Goals and objectives were written to help create a land use plan map and to help in amending and administering the County Zoning Ordinance. These statements, organized into the categories of Growth Management, Environmental Protection and Economic Development, also guided the preparation of policy statements, which are more explicit indications of how the County wishes to respond to the issues.

## **Growth Management**

### **Goal 1: Urban and Rural Areas.**

**Promote cost-efficient and attractive urban development in the cities and agricultural, agriculturally-related or very low-density housing development in the townships.**

#### **Objectives:**

- A. Encourage residential, commercial, and industrial development within municipalities, where services are available.
- B. Encourage residential, commercial or industrial development on the fringes of the cities in a manner which:
  - 1. Is consistent with city plans for street and drainage rights-of-way.
  - 2. Is consistent with city land use planning.
  - 3. Does not economically preclude eventual extension of city sewer and water lines.
- C. Preserve rural character.
- D. Protect the fiscal health of the county, townships, cities and school districts.
- E. Help the cities become or remain economically vibrant, physically attractive and safe places to live.

**Goal 2: Fiscal Responsibility.**

**Make the most efficient and economical use of public funds and investments.**

**Objectives:**

- A. Avoid the duplication of facilities or services at all levels of government -- state, county, city, township and school district.
- B. Avoid the premature or unwarranted replacement or enlargement of public facilities.

**Goal 3: Agricultural Preservation.**

**Preserve the long-term agricultural use of the more productive soils in the county.**

Agriculture is an important component of the regional economy and farm operators will be protected, to the extent possible, from development which may contribute to land use conflicts and/or nuisance complaints.

**Objectives:**

- A. Protect agriculture and farm operators from development which may contribute to the loss of farmland and land use conflicts and/or nuisance complaints.
- B. Discourage subdivision of the county's best farmland for housing and other non-farm uses.
- C. Allow limited non-farm development provided that the impacts on agricultural land and activities are minimized.

**Goal 4: Land Development Regulation.**

**Administer the Land Use Plan, Zoning Ordinance and Subdivision Ordinance in a clear, consistent and equitable manner.**

**Objectives:**

- A. Clearly define the relationships between, and the responsibilities of, the townships and the County in the administration of the subdivision and zoning regulations.
- B. Modify existing policies and regulations, and develop new programs as necessary, to address land use and development concerns, improve administrative efficiency, and protect the health and welfare of the County's residents.

**Goal 5: Resource Stewardship.**

**Promote the wise use of land, water, and other natural resources along with significant historic and archaeological resources for the long-term benefit and enjoyment of County residents.**

**Objectives:**

- A. Promote the proper management of natural resources of McLeod County (surface water, ground water, woodlands, farmland, wildlife, and varied topography) for future generations.
- B. Protect the natural scenic qualities of McLeod County while accommodating low-density rural development.
- C. Provide adequate solid waste collection and recycling programs for County residents.
- D. Reduce the negative impacts of landfill and gravel pit operations on County residents.
- E. Achieve orderly development of mineral resources through sound mining management practices, mitigation of adverse environmental impacts, and planning for the re-use of the sites.

- F. Preserve evidence of the cultural and social history of McLeod County.
- G. Minimize air and water pollution.
- H. Promote the goals and objectives of the McLeod County Comprehensive Water Management Plan. Specifically, protect the county's water resources through programs and policies that address agricultural runoff, surface water management, and shoreland and floodplain protection.

### **Economic Development**

#### **Goal 6: Growth Promotion.**

**Promote economic development in McLeod County through sound land use planning.**

#### **Objectives:**

- A. Increase the tax-base of the county in order to reduce the burden on individual tax-payers.
- B. Help provide more and better job opportunities for county residents.
- C. Reduce the need to commute outside the county for employment.
- D. Diversify the local economy.

### **URBAN EXPANSION AREA**

The concept of the Urban Expansion Area, already included in the County Zoning Ordinance, was continued. Its purpose is to coordinate land planning and zoning between the townships and cities so that the cities can expand economically and efficiently, attracting jobs, housing and tax base. Aiding city growth should also relieve the agricultural areas of some development pressure, thus preserving farmland.

The minimum lot size in the Urban Expansion Area will be 1-1/4 acres. Each lot must have a shape and width that allows easy resubdivision if or when city utilities become available to it. Also, before

any division of land is allowed, the city and the township must conduct a joint review of the original parcel to ensure that the possible future extension of city streets and utilities is not being precluded or hampered. Any Lot of Record at the time the County Zoning Ordinance is amended to implement this policy can be used for at least one house. All lots must meet the County's on-site sewage treatment requirements.

## **AGRICULTURAL PROTECTION AREA**

The minimum lot size in the Agricultural Protection Area is 1-1/4 acres and the maximum allowable housing density is 1 house per Quarter-Quarter Section (40 acres). Parcels that are judged to be "difficult to farm" may have up to 8 houses per 40 acres (or proportionately less depending on the size of the parcel. Parcels "difficult to farm" should be small and physically isolated from other farm fields by roads, steep hills, ditches or similar features and/or wooded.

## **ON-SITE SEWAGE SYSTEMS**

McLeod County will work to protect groundwater through proper siting, design and maintenance of all septic systems. Development in rural areas will only be allowed where tests indicate that the soils are suitable for on-site treatment systems over the long-term.

## **SHORELANDS AND FLOODPLAINS**

To protect surface water quality, life, property and appearances, McLeod County will continue to enforce its zoning regulations pertaining to shorelands and floodplains.

## **COUNTY DEVELOPMENT PATTERNS**

McLeod County is comprised of fourteen townships and nine cities, as shown in Figure 1, encompassing some 473 square miles. The County is immediately west of the seven-county Twin Cities Metropolitan Area, which exerts an increasing influence on settlement and commuting patterns, particularly along the eastern portions of the County.

The following section describes the extent to which development has occurred, and is expected to occur, in each of the townships and cities in McLeod County.

### **RURAL TOWNSHIPS**

Three of the townships in McLeod County are completely rural in character: Rich Valley in the central portion of the county; and Penn and Round Grove Townships in the southwest corner of McLeod County. These townships have experienced little growth in recent years and the outlook for additional development is extremely limited. Construction in these areas is generally limited to farmsteads and farm buildings. All three townships have a strong agricultural base.

### **URBAN FRINGE TOWNSHIPS**

The remaining townships are adjacent to one or more cities. The development potential of these townships is closely linked to the development potential of the adjoining community, and agriculture remains a strong component in each.

### **Acoma and Hutchinson Townships**

Of the four townships bordering the City of Hutchinson, the two northern townships, Acoma and Hutchinson, are experiencing the greatest levels of growth. The lakes and varied landscape in these townships enhance the opportunities for residential development. A distinguishing feature in both townships is the number of small (80 acres or less) farmsteads. While this size farm is not normally economically feasible, many of those who farm these areas are also employed in the City of Hutchinson.

### **Lynn and Hassan Valley Townships**

Poor road access and the presence of the airport hinder development in Lynn Township, southwest of Hutchinson; and development in Hassan Valley Township, southeast of Hutchinson has been slow. Both Lynn and Hassan Valley, which is also adjacent to the City of Biscay, are expected to grow slowly.

### **Hale Township**

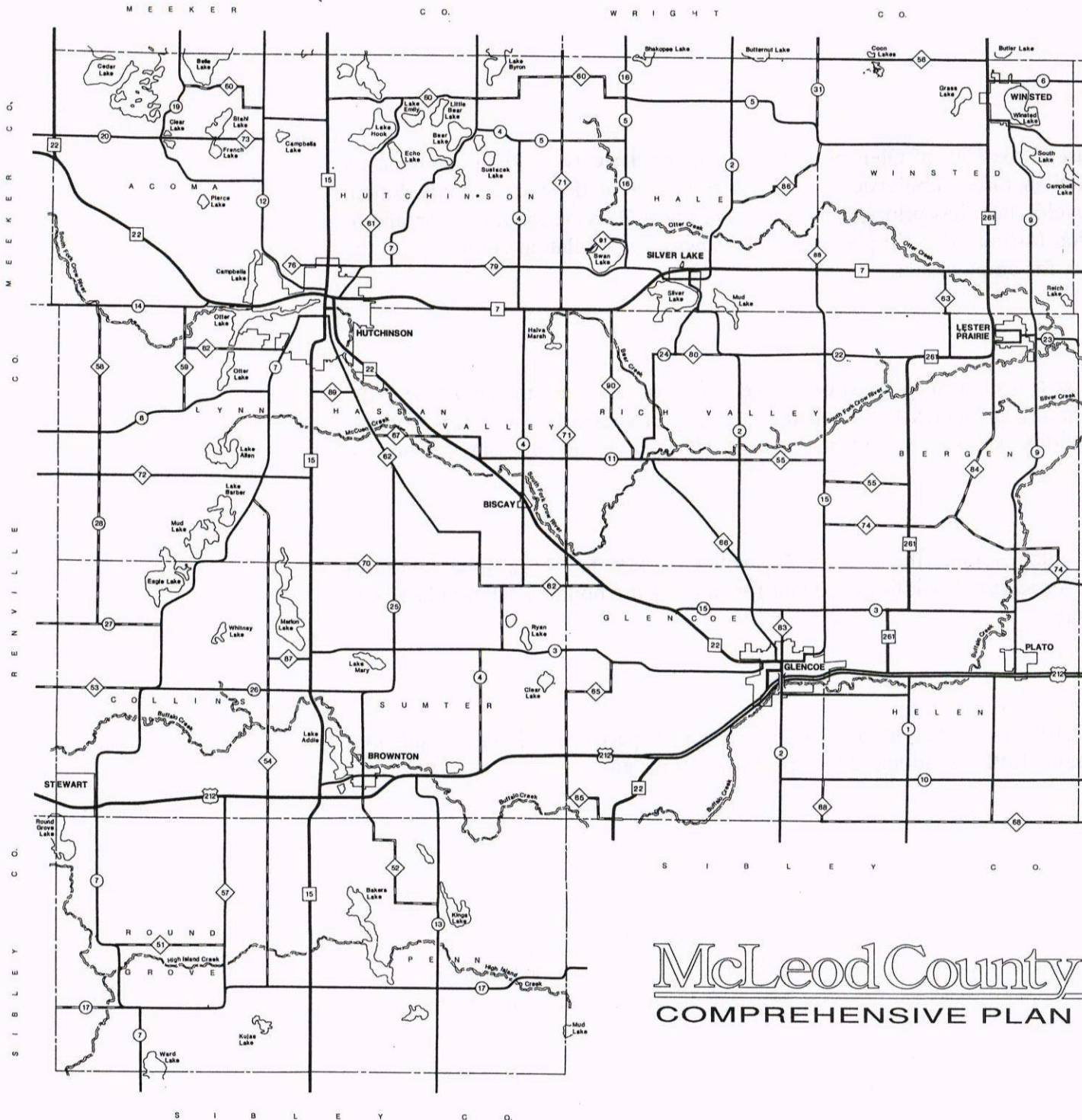
Hale Township, in the north-central portion of the County, includes the City of Silver Lake. What little development has taken place has been concentrated in the vicinity of Swan Lake.

### **Winsted Township**


In Winsted Township, there has been some commercial and industrial development in recent years along Highway 261 south of the City of Winsted. Residential development has been scattered throughout the township and is putting increasing pressure on agricultural resources. These trends are expected to continue into the near future, with additional commercial development westward along 230th Street in the vicinity of the airport.

### **Bergen Township**

Bergen Township, in the east-central portion of the county, experienced a small decline in population during the 1980s. Little change is expected in the township, which adjoins the City of Lester Prairie.



# McLeod County

-  U.S. HIGHWAY
-  STATE HIGHWAY
-  COUNTY ROAD
-  COUNTY STATE AID HIGHWAY
-  PAVED ROAD
-  UNPAVED ROAD

# McLeod County

## COMPREHENSIVE PLAN

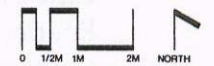


Figure 1

## **Helen Township**

Helen Township, which is east of the City of Glencoe and also adjoins the City of Plato, has seen its residential growth concentrated in three subdivisions east and southeast of the Glencoe city limits. Commercial and industrial development has primarily been annexed into Glencoe to take advantage of public utilities. A large portion (estimated at 50 percent) of the township population commutes to the Twin Cities Metropolitan Area for employment.

## **Glencoe Township**

Glencoe Township experienced a decline in population in the 1980s because of smaller households, changes in the agricultural economy and annexation of land by the City of Glencoe. Township officials, concerned over the cost of providing services to residential areas, prefer that the area remain agricultural.

## **Sumter Township**

In the township of Sumter, which adjoins the City of Browntown, there has been little non-farm development in recent years. Agricultural buildings account for most of the building taking place, and that trend is expected to continue.

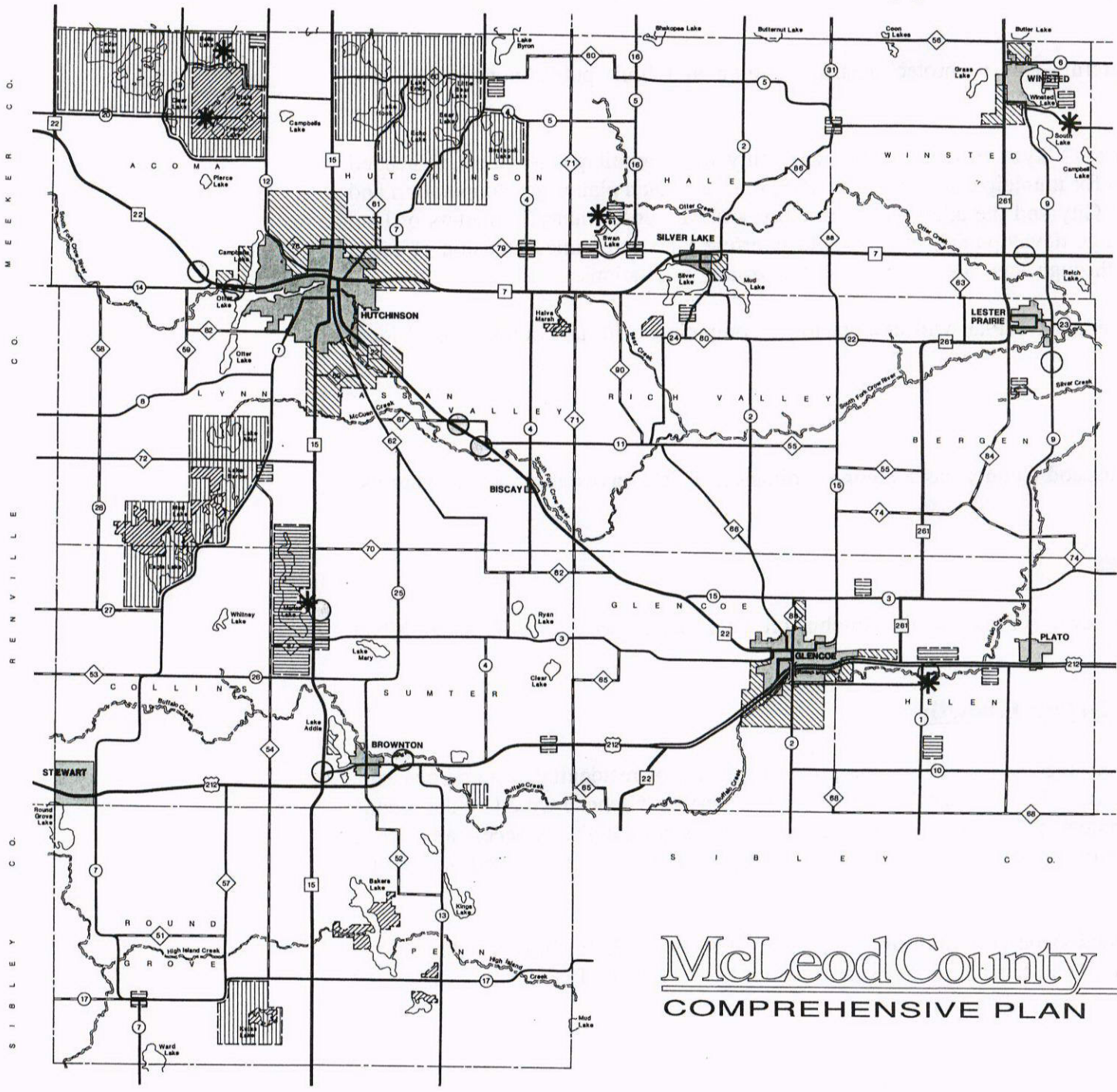
## **Collins Township**

Collins Township, with the City of Stewart to the southwest, has experienced limited residential development along Lake Marion. Little additional development is projected.

## **CITIES**

### **Local Plans**

Cities having local comprehensive land use plans include Hutchinson, Glencoe, Winsted and Lester Prairie. Each of these plans promotes development and growth, indicates locations for future residential, commercial and industrial development serviced by public sewer and water systems, and allows fringe



### Existing Land Use, 1990

- U.S. HIGHWAY
  - STATE HIGHWAY
  - COUNTY ROAD
  - COUNTY STATE AID HIGHWAY
  - PAVED ROAD
  - UNPAVED ROAD
  - CITY
  - CITY FRINGE
  - RURAL HOUSING CONCENTRATION
  - COMMERCIAL OR INDUSTRIAL CONCENTRATION
  - PARK
  - CONSERVATION AREA
  - WILDLIFE MANAGEMENT AREA
- ALL AREAS NOT HIGHLIGHTED ARE AGRICULTURAL, OPEN SPACE OR OTHER RURAL USES

# McLeod County

## COMPREHENSIVE PLAN



Figure 2

growth in a controlled pattern so as to protect nearby farming and limit public construction and maintenance costs.

Importantly, the policy of each City is to annex fringe land only when municipal services are needed or when landowners petition for municipal services and incorporation. Each plan urges cooperation and communication between the City and the adjoining Townships and McLeod County in matters of land development. However, fringe development which would interfere with economic extension of roads and utilities is discouraged through land use planning and/or zoning regulations.

The McLeod County Comprehensive Plan will attempt to be compatible with and supportive of local plans and intentions.

### **Zoning Ordinances**

Each of the nine cities in McLeod County has a zoning ordinance, which serves as a form of land use plan.

### **Sanitary Sewer Services**

Cities having public sanitary sewer service include Hutchinson, Glencoe, Lester Prairie, Winsted, Silver Lake, Brownton and Stewart.

### **Locations of Expected Urban Growth**

The City of Hutchinson is expected to experience the greatest amount of residential, commercial and, particularly, industrial/office growth during the 1990 to 2010 time period. Glencoe would be the second strongest location of development in the county, taking advantage of its good highway access and strong base of non-residential activity. Lesser amounts of growth may be expected in Winsted and Lester Prairie.

The City of Biscay experienced some growth during the period 1980 to 1988, but little development is expected in the coming years. The remaining cities (Brownton, Lester Prairie, Plato, Silver Lake, and

Stewart) lost population in the first eight years of the 1980s and little change in their development potential is anticipated.

## **POPULATION FORECASTS**

Population growth in McLeod County has been very modest in recent years, increasing from 29,659 in 1980 to an estimated 31,368 in 1990, an increase of nearly 6 percent. While this is below the projected statewide growth rate of seven percent during that same time period, the county has avoided the population losses experienced by Sibley and Renville Counties to the south and west. The population is expected to continue to increase.

Household size in McLeod County, as in many other communities, has been declining over the past decades. Therefore, the number of housing units is thus expected to increase at a higher rate than the overall population. It has been estimated that there were 11,837 housing units throughout the county in 1990, and that this number would increase to 12,603 by 2000 and to 13,498 by 2010. This represents a 14 percent growth rate over the twenty-year period.

## **VEGETATION AND MAJOR WOODED AREAS**

The predominant original vegetation of McLeod County was the rich and resilient family of prairie grasses. Although most of the native prairie grasses have been lost to agriculture, a few remnants remain.

Wooded areas are not a major land use planning factor on a County-wide scale. Approximately 1.5 percent (4,580 acres) of the County is now forested. A review of aerial photography and USGS quadrangle maps reveals that the remaining wooded areas of McLeod County are small and widely dispersed, many thousand acres of the original woodlands having been removed over the years for farming and urban development. The typical woodlot in McLeod County is now about five acres in size, although there are larger tracts of woods in a few locations: along the Crow River and in the northern parts of Acoma and Hutchinson Townships. These major wooded locations correspond with areas of soils that are not prime for agriculture.

**TABLE 1**  
**McLEOD COUNTY POPULATION AND HOUSEHOLDS, 1980-1990**

Townships and Cities	Population			Households		
	1980	1990	% Change 80-90	1980	1990	% Change 1980-1990
Acoma Township	881	1,040	18	280	330	18
Bergen Township	840	841	-4	254	275	8
Biscay City	114	113	0	39	40	3
Brownton City	697	781	12	277	304	10
Collins Township	518	486	-6	116	173	49
Glencoe City	4,396	4,640	6	1,671	1,808	8
Glencoe Township	661	610	-8	205	206	0
Hale Township	1,004	984	-2	303	322	6
Hassan Valley Township	926	786	-15	272	260	-4
Helen Township	868	884	18	255	279	9
Hutchinson City	9,244	11,441	24	3,496	4,483	28
Hutchinson Township	1,090	1,063	-3	354	356	1
Lester Prairie City	1,229	1,179	-4	422	446	6
Lynn Township	693	740	7	219	248	13
Penn Township	393	389	-1	118	126	7
Plato City	390	NA		128	132	3
Rich Valley Township	817	699	-14	261	247	-5
Round Grove Township	374	348	-7	117	115	-2
Silver Lake City	698	756	8	287	322	12
Stewart City	616	564	-8	242	230	-5
Sumter Township	510	513	6	172	166	-3
Winsted City	1,522	1,563	3	495	585	18
Winsted Township	1,176	1,103	-6	343	362	6
<b>COUNTY TOTALS</b>	<b>29,657</b>	<b>31,876</b>	<b>7</b>	<b>10,376</b>	<b>11,815</b>	<b>14</b>

Source: US Census of Population, 1980, 1990.

**TABLE 2**  
**McLEOD COUNTY POPULATION AND HOUSEHOLDS, 1940-2010**

<b>Year</b>	<b>Population</b>	<b>% Change from 1980</b>	<b>Households</b>	<b>% Change from 1980</b>	<b>Average Number of Persons per Household</b>
1940	21,380				
1950	22,198				
1960	24,401		7,150		3.41
1970	27,662		8,530		3.24
1980	29,657		10,376		2.86
1988	30,914	4	11,486	11	2.69
1990	31,369	6	11,837	14	2.65
2000	32,768	10	12,603	21	2.6
2010	33,745	14	13,498	30	2.5

Source: US Census of Population, 1980, 1990.

## WETLANDS

McLeod County was approximately 50 percent wetland prior to the arrival of the pioneers, according to the Soil Conservation Service. Since then, approximately half of those wetlands have been drained. Most of the remaining wetlands are located in the northern and western parts of the county, Acoma, Hutchinson, Lynn and Collins Townships.

McLeod County regulates the filling or drainage of wetlands by administering the Wetland Conservation Act of 1991. In addition, the Minnesota Department of Natural Resources and the U.S. Army Corps of Engineers also perform similar functions.

## SHORELAND REGULATIONS

McLeod County regulates development along its shorelines through Section 19 of its zoning ordinance which follows the Department of Natural Resources model ordinance. The County Shoreland Standards prescribe building setbacks from the normal high water mark, minimum lot area and width, sideyard setbacks, sewage disposal and water supply regulations, erosion control measures, shoreland alteration, grading and filling controls, and subdivision regulations.

Dimensional regulations are based upon the type of lake or river: General Development, Recreational Development, or Natural Environment. Natural Environment Lakes have the most protective dimensional regulations while General Development have the least protective. Most of the lakes are located in Acoma, Hutchinson, Lynn or Collins Townships and are classified as follows:

Natural Environment Lakes	Protected Waters Inventory I.D.#
Grass	43-13
South	43-14
Coon	43-20
Mud	43-33
Rice	43-42*
Unnamed	43-47*

Bakers	43-48
King	43-50
Unnamed (Penn Marsh)	43-53
Mary	43-56
Unnamed	43-57
Ryan	43-58
Unnamed	43-59
Clear	43-60
Little Bear	43-67
Omera	43-68
Longanans	43-70
Todd	43-71
Emily	43-74
Tomlinson	43-75
Bear	43-76
Sustacek	43-77*
Unnamed	43-78
Harrington	43-79
Unnamed	43-80*
Echo	43-81
Ward	43-88
Kujas	43-93
Whitney	43-97
Eagle	43-98
Ellen	43-99
Barber	43-100
Mud	43-101
Dettman's	43-102
Clear	43-103
Unnamed (Popp Slough)	43-105
Unnamed	43-106*
Unnamed	43-107*
Campbells	43-108
French	43-109

Ferrell	43-110
Pierce	43-112
Fernold	43-113
Cedar	43-115
Round Grove	43-116
Unnamed	43-117
Halva Marsh	43-129
Campbell	10-27
Byron	47-04
Unnamed	47-43
Mud	72-57*
Butternut	86-253
Shakopee	86-255

\* Classified as a wetland on the 1984 DNR Protected Waters Inventory.

Recreational Development Lakes	Protected Waters Inventory I.D. #
Swan	43-40
Addie	43-61
Hook	43-73
Marion	43-84
Stahls	43-104
Belle	47-49

General Development Lakes	Protected Waters Inventory I.D. #
Winsted	43-12
Silver	43-34
Otter/Campbell	43-85

## Agricultural Rivers

## Legal Description

South Fork Crow River

From Section 19, Township 117 Range 30 to  
Section 12, Township 116, Range 27

McLeod County revised Section 19 of the McLeod County Zoning Ordinance to bring it into conformance with the recently updated Department of Natural Resources shoreland regulations.

## **FLOODPLAIN REGULATIONS**

McLeod County regulates development within floodplains for the protection of property and life through Section 6 of its zoning ordinance which follows the Federal Emergency Management Agency model ordinance. Section 6 establishes three subdistricts for the floodplains: Floodway, Flood Fringe, and General Floodplain. Permitted and conditional uses are prescribed for each of these subdistricts along with standards and regulations for development. Other controls are also included for subdivisions, public utilities, railroads, roads and bridges. There is a provision for variances from the ordinance. As of early 1993, the County Zoning Map did not yet illustrate the locations of the Floodplain District as the Flood Insurance Rate Maps were completed in August 1992.

Flooding is not currently a widespread serious problem in McLeod County despite the filling of many wetlands which serve to control water runoff. This may be a result of the very low density development and certain flood control improvements that have been made along the rivers and creeks, especially in the cities.

## **COUNTY PARKS**

There are six parks owned and managed by McLeod County, the location of each being shown by Figure 4, Environmental Considerations.

1. Buffalo Creek Park (located east of Glencoe near Highway 212)
2. Swan Lake Park (located northwest of the City of Silver Lake)

3. William May Park (located southeast of the City of Winsted)
4. Stahls Lake Park (located in Acoma Township near County Road 73)
5. Lake Marion Park (located in Collins Township near Highway 15)
6. Piepenburg Park (located in Acoma Township adjacent to Belle Lake)

## **WILDLIFE MANAGEMENT AREAS**

There are ten wildlife management areas in the County administered by either the State of Minnesota or private groups. These are located in Acoma, Lynn, Collins, Round Grove, Hassan Valley and Rich Valley and Sumter Townships, as illustrated by Figure 4, Environmental Considerations. In addition, the Wildlife Habitat Conservation Society of McLeod County (Pheasants Forever) has land in Hutchinson, Hassan Valley, Collins and Penn Townships.

## **AGRICULTURAL REAL ESTATE MARKET VALUES**

The market value of farmland and buildings is one indicator of the importance of agriculture to a county and the importance of farming in one township relative to another. Table 2 indicates that the highest total market values by Township tend to be among the eastern townships of the County, Helen, Winsted, Bergen, Rich Valley and Hale.

## **POPULATION DENSITY**

An indicator of a community's character is its population density, which is defined as the number of people per unit of area (in this case, the square mile is used). Table 4, which presents population and households density for each township, indicates that population density is low across the County as should be expected of an area with a strong agricultural economy. It also shows that the lowest density townships tend to be in the southwestern part of McLeod County, although the higher density townships are split between the northwestern "lakes area" of Acoma or Hutchinson Townships versus the eastern townships having good highway access from the Twin Cities such as Winsted, Hale or Helen. Glencoe Township, surprisingly, had a relatively low density of population and households.

**TABLE 3**  
**MARKET VALUES OF FARMLAND AND BUILDINGS, 1989**

<b>Township</b>	<b>Market Value of Land (000s)</b>	<b>Market Value of Buildings (000s)</b>	<b>Total per Square Mile (000s)</b>
Helen	\$15,108	\$5,798	\$580
Winsted	14,378	6,422	577
Round Grove	17,404	3,179	571
Bergen	14,516	5,863	566
Rich Valley	14,798	5,333	559
Hale	13,639	6,485	599
Hutchinson	13,257	5,999	555
Hassan Valley	14,351	4,740	555
Lynn	13,866	5,292	548
Penn	15,418	3,390	522
Sumter	14,667	3,632	508
Collins	14,571	3,628	505
Acoma	12,315	5,215	500
Glencoe	14,306	4,177	498

Source: McLeod County Assessor, 1990.

**TABLE 4  
POPULATION DENSITY BY TOWNSHIP**

<b>Township</b>	<b>People Per Square Mile</b>	<b>Households Per Square Mile</b>
Hutchinson	38.10	13.75
Winsted	29.27	9.02
Acoma	28.88	9.45
Hale	28.36	8.83
Hassan Valley	26.95	8.15
Helen	23.86	7.16
Rich Valley	23.16	7.66
Bergen	22.55	6.97
Lynn	21.85	6.87
Sumter	17.27	5.69
Collins	16.36	4.5
Glencoe	15.67	4.97
Penn	11.19	3.41
Round Grove	9.91	3.56

Source: BRW, Inc., 1990.

## **SUMMARY OF LAND USE**

The Soil Conservation Service of the U.S. Department of Agriculture will soon be able to report the total number of acres of land in agricultural use by township along with figures for acreage devoted to cultivated crops, pasture, forest, wetland and other categories. When these data are made available, they will be appended to this plan to give a further indication of the pattern of land use in the County.



## **LAND USE AND DEVELOPMENT ISSUES**

Issues and concerns have been identified with respect to the growth and development of the townships and cities in McLeod County. These have been grouped as follows:

- Municipal Fringe Development
- Preservation of Agricultural Resources
- Environmental Concerns
- Land Development Ordinance Provisions and Administration

### **MUNICIPAL FRINGE DEVELOPMENT**

Much of the development taking place in McLeod County is within or adjacent to the municipalities. Concerns have been expressed that:

- There be better coordination between County and City land use plans and development ordinances on the fringes of municipalities
- The present system of a single County-wide land use plan and zoning and subdivision regulations be maintained. Separate township plans and ordinances would create additional administrative and enforcement problems

## **Annexation**

Annexation issues are of primary concern in the Townships bordering Glencoe, Hutchinson, and Winsted. The City of Silver Lake recently upgraded its sewage treatment facility and will be investigating annexation as a way to help amortize its investment.

In general, relationships between the town boards and city officials are strained, making negotiations over annexation and other development issues difficult. The loss of revenue resulting from annexation has been reported to be of great concern to many townships. However, other Township officials report that the cost for providing services to subdivisions exceeds the revenues generated. Municipalities currently consider annexation only when petitioned by the land owner.

A few Townships have expressed a willingness to work with adjacent cities, but are opposed to large-scale annexation. These town officials prefer a process of incremental annexation. Other Township officials complain that cities wait too long to annex land, postponing action until after the town has financed necessary road improvements.

Concerns have been expressed by County officials over practices which have allowed the interspersing of residential, commercial and industrial uses on the fringes of some municipalities. It was felt that increased efforts are needed to buffer or control these conflicting land uses and to provide for greater coordination with cities to facilitate the eventual extension of services.

## **Service Demand**

County officials, as well as some Township officials, have expressed concerns over the increased level of service, particularly for road maintenance and paving, demanded by residents of rural subdivisions. Some Townships report that the costs for providing these services exceed the tax revenues generated by these developments.

## **AGRICULTURAL PRESERVATION**

The level of concern about the preservation of prime farmlands in McLeod County varies among the residents; some feel that it is very important and that the creeping influx of non-farm housing and other

activities in the rural areas should be slowed; others feel that the problem is not acute and no action by the County government is needed. However, there does seem to be fairly broad agreement on the benefit of preserving the rural appearance of the County and of protecting the right and ability of farmers to continue their livelihood without undue interference from non-agricultural land development. The need for agricultural preservation also varies by location, as some parts of the County, such as the eastern fringe and around Hutchinson, Glencoe and Winsted, have experienced the problem more than other areas.

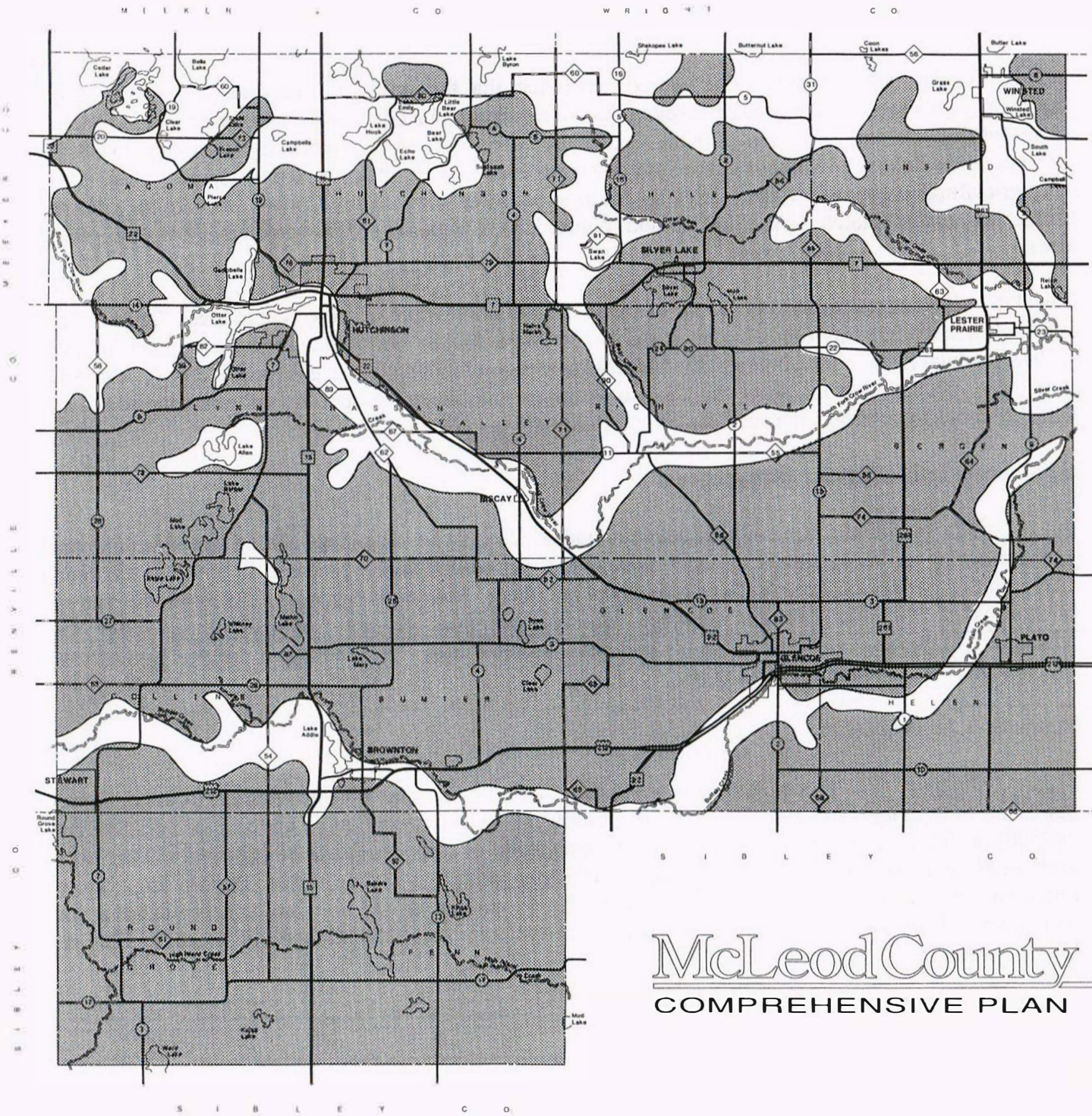
Local decision-makers need to be aware of the long-term implication of various land uses. Actions that put high quality farmland out of production and into irreversible, non-agricultural use compel the use of less productive land, which generally requires more energy input and has greater soil erosion hazards. Township officials and residents should also be aware that the increased cost of servicing non-farm housing more than offsets the increase in local property tax revenues.

#### **Soil Conservation Service Mapping:**

An important source of information about farmland which may be used in regulating land development and preserving prime farmland in the County-wide soil survey being prepared in 1990 by the Soil Conservation Service of the U.S. Department of Agriculture. This study has mapped in detail the pattern of dozens of different soils and described the characteristics of each soil and its suitability for agriculture, buildings, roads, septic tanks and other possible uses. The pattern of "prime" agricultural soil associations is illustrated by Figure 3.

#### **Prime Soil Associations:**

Figure 3 illustrates that "prime" agricultural soil associations cover over 80 percent of the County. Seven out of ten of the major soil associations (soil type clusters) in McLeod County are considered prime for agriculture. That means that they are composed principally of soils which can be expected to have high crop yields in most years and have a "crop equivalency rating" of 110 or higher. Within these seven prime soil associations, an average of approximately 85 percent of the soils are considered prime for agriculture. Therefore, approximately 70 percent of the soils across the County are considered prime for agriculture.



### Location of Soil Associations Rated Prime For Agriculture

- U.S. HIGHWAY
- STATE HIGHWAY
- COUNTY ROAD
- COUNTY STATE AID HIGHWAY
- PAVED ROAD
- UNPAVED ROAD
- PRIME AGRICULTURAL SOIL ASSOCIATIONS

SOURCE:  
SOIL CONSERVATION SERVICE,  
U.S. DEPARTMENT OF AGRICULTURE

# McLeod County

## COMPREHENSIVE PLAN



Figure 3

The only locations where it would be difficult to find a majority of the soils in the prime category would be along the Crow River and Buffalo, Otter and Bear Creeks and in portions of the northern fringe of the county (Acoma and Hutchinson Townships). In the rest of the County, most soils are considered prime for agriculture.

Lands with prime soil associations abut the edges of the growing Cities of Hutchinson, Glencoe and Silver Lake. Lester Prairie and Winsted are not located in generally prime farmland.

### **Retrieval and Analysis of Soils Information:**

The Soil Conservation Service, in addition to publishing a detailed book of maps and explanatory material about the County soils, is expected to digitize all the information so that any part of the County soils map can be instantly modeled on a personal computer. This will allow easy determination of the number of acres of each soil type in any given area along with percentage of area by Capability Class and percentage of the area prime for agriculture. Subsequently, Crop Equivalency Ratings could also be computed for any given parcel of land.

### **Nuisance Concerns**

Agriculture is an important aspect of the McLeod County economy, and officials have expressed concerns over the potential for infringement on the rights of landowners to farm their land. There is a recognition that non-farm residents adjacent to agricultural lands may voice nuisance complaints which could curtail farming activities or add to the costs of farming.

In addition to concerns that residents may complain about agricultural practices, farmers have their own complaints about non-farm development. Residents on large-lot sites often fail to control weeds, have too many animals on their property and allow junk to accumulate on their property. Problems with roaming dogs already plague some farmers with operations adjacent to rural residential subdivisions, and there is concern that scattered commercial development will ultimately lead to traffic and land use conflicts.

## **Zoning Considerations**

In some Townships, residential development is increasing the pressures to convert agricultural lands for residential development. Officials have expressed a need for more detailed guidance in the zoning text on which lands should remain in agriculture and which areas might be converted to other uses. While residential subdivisions were cited by township officials as a concern, single lot splits were not a local concern. Concern has also been expressed that land re-zoned from Agriculture should revert to the agricultural classification if not developed as stated within one year.

## **Utility Easements**

Over the years, landowners have granted utility easements for above-ground lines which permitted some farming activity below the lines. As utility companies, particularly the telephone companies, upgrade and expand service to the area, they are turning to below-grade service, which hinders agricultural development of the same land.

## **ENVIRONMENTAL CONCERNS**

### **Solid Waste and Landfill**

Concerns have been expressed over the adequacy of the existing solid waste disposal practices within the County. There is also a recognition that farms can generate a great deal of waste, some of it hazardous. Some of these wastes could potentially be recycled and others should not be entering the normal waste stream because of the problems they could cause.

The present County landfill is a privately operated facility, designed for regional service, which is located along the Crow River in the southwest corner of Rich Valley Township, as shown in Figure 4. Although complaints about blowing debris and unsightliness have declined in recent years as a result of steps taken by the landfill operators, there are still concerns over:

- The impact on groundwater resources (the landfill is located over two aquifers)
- Filling of the floodplain

- The acceptance of garbage from the Twin Cities and other areas outside the County
- The impacts that haulers have on County roads

The County has prepared a comprehensive solid waste management plan.

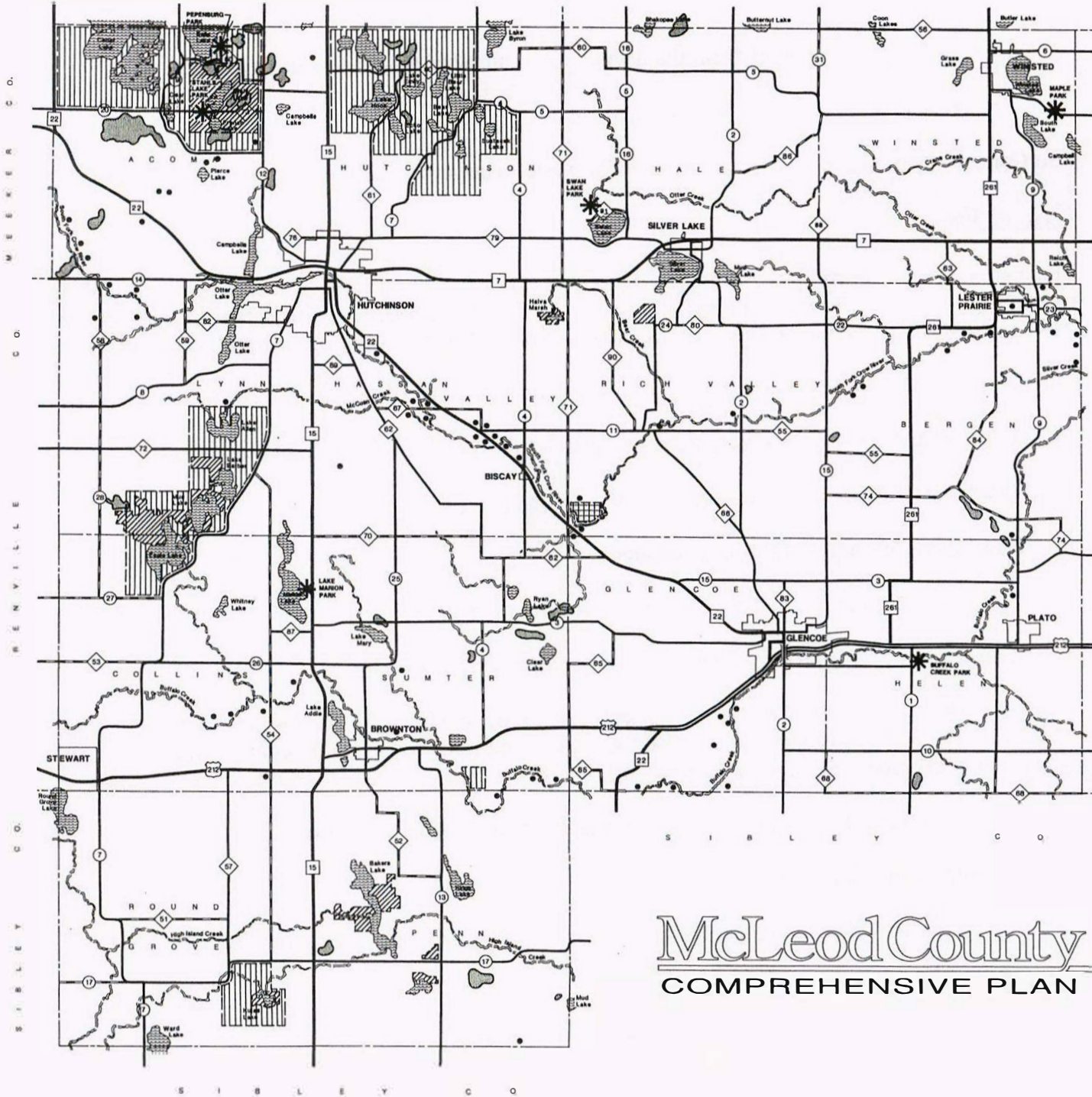
### **Gravel Pits**

There are numerous gravel pits currently permitted in McLeod County, most of which are located along stream or river banks. These facilities create a number of environmental and nuisance-related problems and are the source of numerous complaints from township officials. Local officials are concerned that:

- The current zoning ordinance provisions regulating this type of use are not adequately enforced
- There should be additional requirements related to setbacks and time limits on permits
- Townships are not consulted regarding the designation of haul routes
- Haul routes are not adequately maintained
- Gravel pits are not cleaned up after they have been closed.
- Runoff from gravel pit operations may affect adjacent water bodies

McLeod County has received numerous requests to spread and stockpile petroleum-contaminated soil on agricultural land. Although the MPCA has established rules for handling contaminated soil, local officials are concerned regarding the following issues:

- The acceptance of contaminated soil from other areas outside the County
- The impact of groundwater resources
- Townships are split and undecided as to the benefits of spreading contaminated soil



## Environmental Considerations/ Constraints

-  U.S. HIGHWAY
-  STATE HIGHWAY
-  COUNTY ROAD
-  COUNTY STATE AID HIGHWAY
-  PAVED ROAD
-  UNPAVED ROAD
-  LAKES AND STREAMS
-  COUNTY PARK
-  CONSERVATION DISTRICT
-  WILDLIFE MANAGEMENT AREA
-  COUNTY LANDFILL
-  MAJOR WETLAND
-  GRAVEL PIT

McLeod County  
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Figure 4

- MPCA acceptance of the policy set by the Board of Commissioners, and established by each township by resolution, to approve or disapprove requests
- The members of the local Town Boards and area residents need to be better educated through seminars presented by the MPCA.

### **Septic Systems**

The permitting and regulation of individual on-site sewage treatment systems is of concern to both County and Township officials. There are concerns that the systems are not being properly designed or installed. The County staff has taken to assisting with the design of systems.

The McLeod County Comprehensive Water Plan states that the Minnesota Pollution Control Agency's Individual Sewage Treatment Systems Standards Chapter 7080 be adopted and enforced County-wide. The County has established its own ISTS committee to review Chapter 7080 and pending legislative changes to amend the McLeod County Sewer Standards. There are also concerns that the proliferation of rural residential subdivisions with attendant concentration of individual well and on-site systems, will lead to increasing water quality problems.

### **Water Quality**

In addition to concerns over the impacts on the region's surface water and groundwater resources attributable to the County landfill, the area's gravel pits, and septic systems, there are also concerns over degradation of water resources as a result of:

- Agricultural runoff
- Runoff associated with residential, commercial, and industrial development
- Shoreland and floodplain development
- The filling of wetlands

The County's past efforts to protect shoreland, floodplain, and wetland resources is to be commended. Its Conservation District, in particular, provides additional protection for wetlands and sensitive resources by placing restrictions on the types of land uses and activities which can take place on these lands.

The County has prepared a comprehensive water management plan.

## **DEVELOPMENT ORDINANCE PROVISIONS AND ADMINISTRATION**

### **Zoning Ordinance**

The McLeod County Zoning Ordinance regulates land use and site planning in unincorporated portions of the County. (Each City administers its own zoning regulations.) The County ordinance contains these districts:

- Agriculture District

Allows any farm-related activity; allows non-farm houses on parcels at least one acre in size.

- Rural Residential District

Allows any farm-related use except confined feedlots; allows single-family houses and single-family residential subdivisions; minimum lot size for single-family houses is one acre.

- Urban Expansion District

Intended to provide an area adjacent to cities for the purpose of containing and managing urban development within planned urban areas where basic services such as sewer and water lines and police and fire protection can be provided efficiently and economically. Allows any agricultural use except confined feedlots. Allows single-family housing. Minimum lot size is one acre.

- Highway Business District

Allows agriculture and a limited variety of commercial activities.

- Industrial District

Allows a wide variety of light and heavy manufacturing, warehousing, service business, and office activities.

- Conservation District

Intended to preserve in an open state, certain areas such as wetlands, woodlands and other areas of aesthetic and scenic value which, because of their physical features, are desirable as water retention areas, natural habitat for plant and animal life, green space, or other uses beneficial to the County. There are four large areas zoned Conservation, one each in Acoma, Hutchinson, Round Grove and Lynn/Collins Township.

- Floodplain District

Intended to regulate and limit development in locations along streams which are expected to occasionally flood.

Other features of the zoning ordinance include regulations on signs, shorelands, confined feedlots, essential services, mobile homes, gravel mining, non-conforming uses and other matters.

### **Administrative Procedures**

Control of land subdivision and development in the unincorporated areas of McLeod County is achieved through the Subdivision Regulations and the Zoning Ordinance adopted by the County Board of Commissioners.

Responsibility for the administration and enforcement of the Subdivision Regulations rests with the County Planning and Zoning Administrator. The regulations contain provisions for review and comment by affected townships and municipalities. Under the present regulations, landowners are allowed one minor subdivision per deed. This creates problems when a large parcel has only a single deed.

Land Use Permits are issued by township zoning administrators in each of the fourteen townships. The relationship between these individuals and the County Zoning Office is not well defined in the Ordinance

and contributes to misunderstandings with respect to the administration and enforcement of the regulations.

### **Fees**

The fees for a land use permit, rezoning, variance, amendment or conditional use permit shall be established by the County Board. The Board may review and revise the fee schedule periodically.

Many township zoning officials have expressed the need to raise the fees for permits. The present fees have not been raised in many years and a recent survey of Minnesota counties, undertaken by the Planning and Zoning Administrator, indicates that the current fee structure is lower than in many other counties. At the same time, township officials are concerned that fees not be excessive.

### **Concerns with Administrative Procedures**

In general, the Townships and their zoning administrators are content with the present arrangement of having each township issue Land Use Permits. Township officials point out that they know the area and the people and are therefore in a position to catch projects that have begun without permits and to resolve problems in a non-adversarial fashion. On the other hand, County officials have expressed frustrations over problems with record-keeping, accountability, liability and consistency in administration of the ordinances.

There is some frustration on the part of Township administrators that residents and developers undertake work without permits. They have expressed the need to not only get the word out to local residents, but to shift more responsibility to builders and contractors who proceed without the necessary permits.

### **Enforcement**

Enforcement of local ordinances appears to be a major point of frustration and contention. County officials feel the Townships are inconsistent in their administration of the ordinances, while Township officials, when they see instances of inconsistent enforcement, blame County officials. The responsibility for enforcement is not clear in the minds of many officials, and some Townships have expressed the view that they are unwilling to initiate enforcement because they are uncertain their efforts will be

vigorously supported by the County. They believe the County should be responsible for all enforcement. As of the date this plan was adopted, a joint powers agreement between the County and the Townships was being reviewed that should, hopefully, resolve this issue.

County officials are concerned that in some instances permits are being issued but follow-up inspections are not being undertaken.

### **Township Ordinances**

Pursuant to MS 394.33, townships may prepare land use plans and zone property but after the county has adopted official controls the townships' controls must not be inconsistent with or less restrictive than the county controls. This sometimes creates problems for County officials who may be unaware of the local ordinance. It also creates problems when officials in other Townships incorrectly perceive that the County is arbitrarily enforcing a different standard.

### **Ordinance Language and Format**

A great many concerns have been raised over the need for more clearly defined language in the zoning and subdivision regulations, including the need to reorganize the text so that it is easier to follow.

### **Second Homes on Farmsteads**

With respect to agricultural land, concerns were raised over abuses of the current practice of allowing mobile homes on farmsteads when used by a member of the immediate family, who is engaged in farming. A related issue deals with second homes for farm family members that are built too close to the farmstead. When circumstances change, and the second home is sold to a non-family member, problems arise with respect to privacy and/or nuisance complaints.

### **Conversion of Agriculture Lands**

Officials also expressed concerns over the need for more specific guidance on which lands should remain in agriculture and which areas might be converted to residential, commercial or industrial use.

## **Setbacks**

There is a need to examine the setback requirements in the Zoning Ordinance. County officials have cited a need to increase setbacks, while some Township officials have suggested that the current standards are excessive.

## **Zoning Ordinance Concerns**

Specific concerns relating to the provisions of the Zoning Ordinance include:

- Defining where the floodplain line is, and what can be built within it
- The need for uniform salvage yard regulations which are retroactive and enforced County-wide
- The need to license and bond those who install on-site sewage treatment systems
- The need to examine the requirements pertaining to mobile homes
- The need to better define the cases under which a rezoning is necessary

## **Subdivision Regulations**

Concerns have been expressed over the present subdivision regulations and the approval process. Almost all preliminary plats, except those residential subdivision plats greater than two miles from a municipality, are approved without regard to impacts on roads or other services. The need for objective review criteria has been cited by both County and Township officials. The need for improved road design and driveway standards has also been cited, as well as the need for consistency in platting requirements.

## LAND USE PLAN

This section of the Plan describes the proposed objectives, recommendations and policies which have been developed for McLeod County in response to the issues, concerns, and goals identified during the review and analysis stages of the planning process. The following pages are intended to serve as a guide for the future development of land in the County and as a reference for the amendments to the zoning and subdivision regulations which will be necessary. The goals, objectives and policies have two purposes: (1) to link the issues to the solutions of the plan and (2) to guide the County officials in future land use planning decisions that are not explicitly stated in this plan document.

Figure 5 illustrates a pattern of the land use planning areas described in the following goals, objectives and policies. The map includes the following elements, which are to be regulated according to the policies set forth below and the County zoning and subdivision regulations.

- Cities
- Urban Expansion Areas
- Agricultural Protection Area
- Conservation Areas
- Wildlife Management Areas
- County Parks
- Rural Housing Concentrations
- Commercial and Industrial Concentrations

Not illustrated on Figure 5 because of the scale of that map are three areas:

- **Floodplains:** Boundaries are defined by the Federal Emergency Management Agency and development regulations have been written by McLeod County in a manner consistent with model ordinance of the Minnesota Department of Natural Resources.
- **Lake and River Shorelands:** Land within 1,000 feet of any lake or 300 feet of defined streams. The County has written land development regulations consistent with the model ordinance of the Minnesota Department of Natural Resources.
- **Wetlands:** Wetlands are defined and regulated by the US Army Corps of Engineers and the Minnesota Department of Natural Resources and McLeod County through the Wetland Conservation Act of 1991.

The Plan contains policies that address these areas.

The goals, objectives and policies have been organized into three categories to coincide with the identified planning issues as follows:

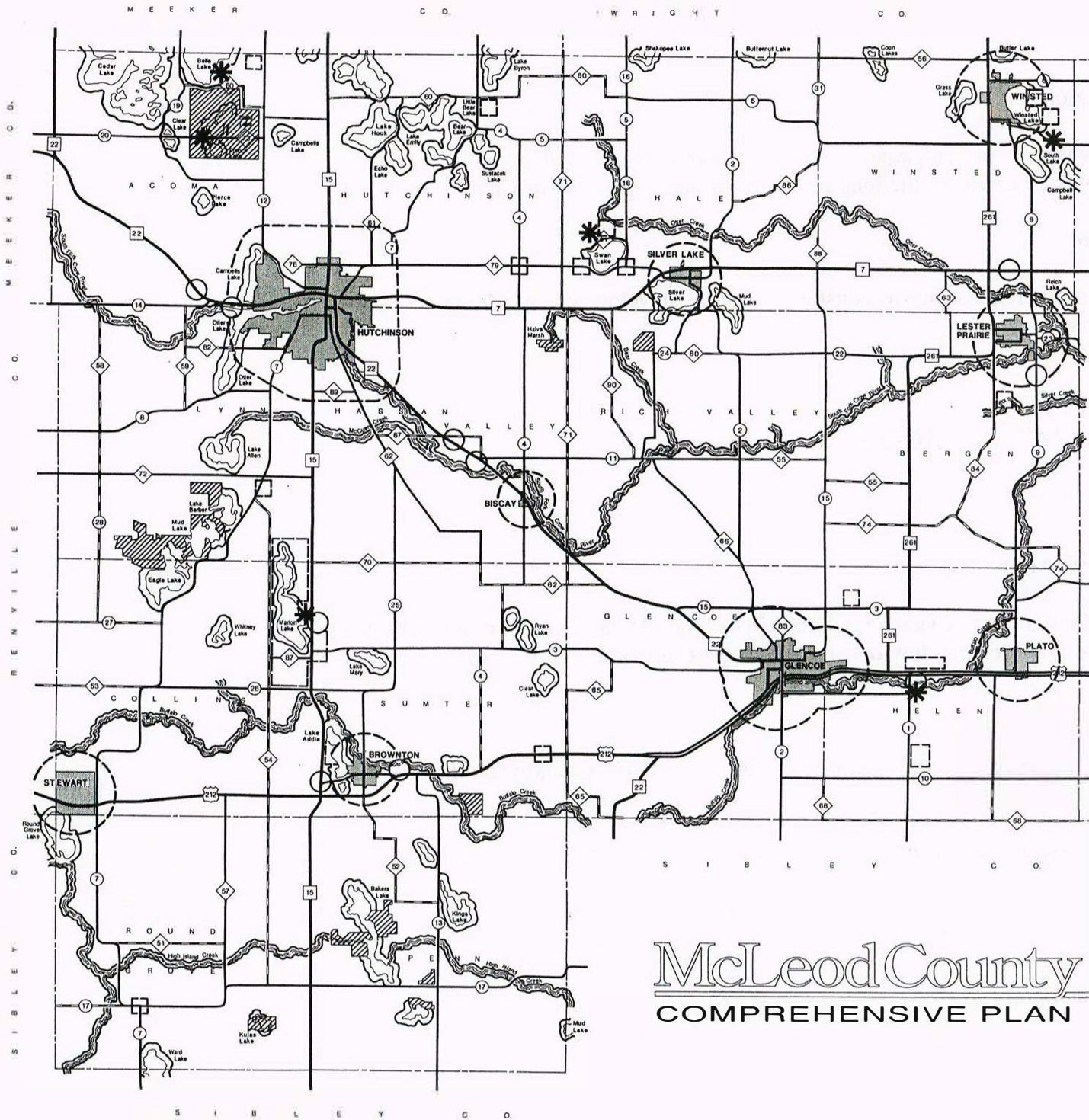
## 1. Growth Management

**Goal 1:** Promote cost-efficient and attractive urban development in the cities and agricultural, agriculturally-related or very low-density housing development in the townships.


**Goal 2:** Make the most efficient and economical use of public funds and investments.

**Goal 3:** Preserve the long-term agricultural use of the more productive soils in the county.

**Goal 4:** Administer the Land Use Plan, Zoning Ordinance and Subdivision Ordinance in a clear, consistent and equitable manner.



# Land Use Plan

-  CITY
-  URBAN FRINGE - APPROXIMATE BOUNDARY ONLY
-  SHORELAND AND/OR FLOODPLAIN PROTECTION AREA
-  WILDLIFE MANAGEMENT AREA
-  PARK
-  RURAL HOUSING CONCENTRATION
-  COMMERCIAL OR INDUSTRIAL CONCENTRATION
-  U.S. HIGHWAY
-  STATE HIGHWAY
-  COUNTY ROAD
-  COUNTY STATE AID HIGHWAY
-  PAVED ROAD
-  UNPAVED ROAD

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Figure 5

## 2. Environmental Protection

**Goal 5:** Promote the wise use of land, water, and other natural resources along with significant historic and archaeological resources for the long-term benefit and enjoyment of County residents.

## 3. Economic Development

**Goal 6:** Promote good-quality, fiscally-responsible economic development in McLeod County through land use planning.

# GOALS, OBJECTIVES AND POLICIES

## Growth Management

### Goal 1: Urban and Rural Areas.

**Promote cost-efficient and attractive urban development in the cities and agricultural, agriculturally-related or very low-density housing development in the townships.**

#### Objectives:

- A. *Encourage residential, commercial, and industrial development within municipalities, where services are available.*
- B. *Encourage residential, commercial or industrial development on the fringes of the cities in a manner which:*
  - 1. *Is consistent with city plans for street and drainage rights-of-way.*
  - 2. *Is consistent with city land use planning.*

3. *Does not economically preclude eventual extension of city sewer and water lines.*
- C. *Preserve rural character.*
- D. *Protect the fiscal health of the county, townships, cities and school districts.*
- E. *Help the cities become or remain economically vibrant, physically attractive and safe places to live.*

**Goal 2: Fiscal Responsibility.**

**Make the most efficient and economical use of public funds and investments.**

**Objectives:**

- A. *Avoid the duplication of facilities or services at all levels of government -- state, county, city, township and school district.*
- B. *Avoid the premature or unwarranted replacement or enlargement of public facilities.*

Goals 1 and 2, along with their supportive objectives, are the heart of the McLeod County Land Use Plan. While non-farm housing development is only a small concern in McLeod County at this time, it has the potential for becoming more serious. Proper planning and regulation at this time could help avoid many problems down the road.

It is important to recognize that there are aesthetic, social, fiscal and economic benefits to be realized by keeping a clear distinction between the purpose of the cities and the purpose of the townships.

**Aesthetic and Social Benefits.** If the townships remain truly rural and do not try to compete with the cities as low density suburbs, it will be apparent that the cities are independently located in a rural area rather than being part of the western sprawl of the Twin Cities metropolitan area.

Both township and city residents would benefit from this, as the city residents would feel that their towns have a greater sense of place and that the country is only a short distance away; township residents

would benefit by retaining more of the open, quiet, natural beauty of the country that they have long enjoyed. In addition, a smaller township population size would help maintain the rural social structure and form of government.

**Economic Benefits.** There are economic benefits to both city and township of not blurring their roles. The experience of similar townships has shown that an extended pattern of very low density housing (1 to 5 acre lots) can be very damaging to the budgets of the township, county and school district since the tax revenues are not sufficient to cover the increasing demands for services and facilities. Rarely can areas without sewer and water services, adequate fire and police protection or other services capture enough commercial or industrial development to make up the shortfall from the very low density housing. A better fiscal strategy is to keep costs low by not creating demands for services and facilities so that a small tax base is sufficient.

It is essential that the cities not be precluded from growing efficiently and economically on their fringes, which occasionally happens when poorly planned large lot housing is allowed to be built there. Cities, with their better roads, utilities, compact size, police and fire, etc., are better positioned to attract and maintain high quality commercial and industrial development.

It is critical that the cities are successful economically as they are the engines that will drive the entire county economy, provide jobs for many of the people who reside in the townships, and pay the great majority of the taxes for the county and school districts.

Everyone gains if the various units of government can be efficient and wise in their planning and construction of facilities and provision of services.

For instance, the provision of urban-type services in rural areas is very expensive and unnecessary for the primary land use in the rural areas -- agriculture. Residents who move to rural areas should expect to adapt themselves to the rural lifestyle and not expect the community to change to suit their needs.

Another example could involve roads -- probably the most expensive single type of facility provided by state, county and local governments. Care must be taken that the function of a given roadway, whether a "local" two-lane road or a four-lane highway, not be ruined by improper land use planning that leads to unwise design changes (e.g., new intersections) or too much traffic. In a similar vein, it also makes

sense to not create more urbanized areas than necessary as numerous small cities would be less economical than a lesser number of somewhat larger cities.

### **Policies**

1. **Coordination between Cities and Townships.** To ensure the highest quality future development, there will be close communication and coordination between the cities and the townships in the development of the areas adjacent to existing city limits.

The County will continue to invite City review of subdivision requests within the Urban Expansion Area to encourage coordination.

Municipalities will initiate contact with the adjacent Township boards to discuss growth and development issues of mutual concern. Meetings between these governmental bodies will be held at least annually.

2. **Urban Expansion Area.** The existing Urban Expansion Area of the McLeod County Zoning Ordinance will be revised to better facilitate its intended purpose of coordinating the transition between urban and rural areas of the County.

The zone would generally encompass all areas within one mile of the city limits of Hutchinson and all areas within 1/2 mile of the city limits of the other cities in the County. The boundaries will be set through agreements between each City and the appropriate Township. If the City and the Township cannot agree, the County Board will establish the Urban Expansion Area boundary.

Cities and Townships will be encouraged to jointly develop plans for land use, zoning and the extension of collector and arterial streets, drainage ditches, and utilities within 1/2 mile. Township development will respect and not encroach on these identified future rights-of-way.

3. **Permitted Uses in the Urban Expansion Area.** Permitted land uses in the Urban Expansion Area would include farms and non-farm residential uses.

4. **Minimum Lot Sizes in the Urban Expansion Area.** The minimum lot size in the Urban Expansion Area would be 1-1/4 acres. Any new lot must prove through a percolation test that there are suitable locations for a primary and a replacement septic tank drainfield.

Before any land can be subdivided in the Urban Expansion Area (whether through platting or a metes and bounds description) the City and Township must conduct a review of the seller's entire contiguous property to ensure that the land division will not interfere with nor render economically burdensome the possible future extension of public streets or utilities. Each new lot must have a shape and width that allows easy resubdivision if or when city utilities become available in front to it.

5. **City-Township Planning Committees.** Committees will be formed to advise the County Planning Commission and County Board of Commissioners on matters of land use planning, zoning and public improvements in each Urban Expansion Area. These committees will be composed of representatives of the affected city and township(s). The Committees should attempt to formulate agreements on land use plans, zoning district boundaries and the alignment and priority of future roads, ditches and utility extensions. The committees will be advisory to the County Planning Commission in matters of planning and development application review.
6. **Annexation.** Municipalities will continue their present practices of considering annexations only when petitioned, although plans will be in place for the delivery of municipal services to areas adjacent to the city.

**Goal 3: Agricultural Preservation.**

**Preserve the long-term agricultural use of the more productive soils in the county.**

Agriculture is an important component of the regional economy and farm operators will be protected, to the extent possible, from development which may contribute to land use conflicts and/or nuisance complaints.

## **Objectives:**

- A. *Protect agriculture and farm operators from development which may contribute to the loss of farmland and land use conflicts and/or nuisance complaints.*
- B. *Discourage subdivision of the county's best farmland for housing and other non-farm uses.*
- C. *Allow limited non-farm development provided that the impacts on agricultural land and activities are minimized.*

A significant portion of the McLeod County economy and lifestyle is based upon farming. This county is among the top in the state in terms of crop production and has a high percentage of its soils rated as prime for agriculture.

It is essential to remember that once farmland is converted to some other use, such as housing, it will never again be devoted to crops. Housing, or other urban land uses, can occur in many locations, however. American farmland is an important resource to be guarded for future generations.

It is beneficial to acknowledge that agriculture is an important industry in McLeod County (and elsewhere) and that farming and very low-density rural land uses are legitimate and permanent activities in their own right and not just holding zones for urban development. With a proper agricultural preservation effort, there will still be plenty of land devoted to residential growth for the county to capture its share of regional expansion.

## **Policies**

The County's Zoning Ordinance and Subdivision Regulations will be amended to reflect a commitment to the preservation of its prime agricultural resources, while also allowing for limited non-farm development.

1. **Agricultural Protection Area.** An Agricultural Protection Area will be created for the all areas outside the Urban Expansion Area except locations regulated by the County Shoreland or Floodplain zoning districts.

The McLeod County Planning Commission believes that an Agricultural Protection Zoning District should be created for the area outside the Urban Expansion Area, however, they wish to retain zoning districts currently established except the Conservation Zoning District.

The principal land uses in the Agricultural Protection Area would include farms and farm housing. Agriculturally-related development such as feedlots or grain elevators may be allowed under conditional permits.

2. **Housing Density in the Agricultural Protection Area.** The basic allowable housing density in the Agricultural Protection Area would be 1 house per Quarter-Quarter Section (40 acres). A higher housing density would be allowed on sites that are "difficult to farm." (See Policy 5, below.) See also policy 4 regarding existing land parcels.
3. **Minimum Lot Size in the Agricultural Protection Area.** The minimum lot size for each home site would be 1-1/4 acre. However, before a building permit is issued for any parcel, it must be demonstrated that the soils are suitable for a septic tank and drainfield and a back-up drainfield site. (Refer to Policy 11, page 60.)
4. **Existing Land Parcels.** Any recorded parcel of land existing at the date of the adoption of a revised zoning ordinance will be allowed at least one housing unit if access and sewage requirements are met.
5. **Parcels Difficult to Farm.** McLeod County wishes to attract housing to those areas that are not good for agriculture so as to reduce the pressure for non-farm development on prime agricultural land. Therefore, the County will consider allowing smaller lot sizes than would otherwise be allowed if a parcel has any of these characteristics:
  - Small and physically isolated from other farm fields by roads, steep hills, ditches or similar features
  - Wooded (this word will be defined during the amendment of the County Zoning Ordinance)
6. **Siting of Houses.** During the subdivision review process, the Zoning Administrator will encourage the siting of the buildable lots and/or building envelopes in locations which will provide for minimal loss of prime agricultural land.

7. **Clustering.** When more than one lot is created, either simultaneously or at a later date, every effort will be made to provide for contiguous (clustered) residential lots where appropriate. McLeod County will encourage clustering of dwelling units, preferably on sites with woodland or less-productive soils, to preserve as much land as possible for agriculture, to minimize visual intrusions on the rural environment, to aid school bus pickups, and to respond sensitively to the diverse characteristics of the landscape. Minimum lot sizes and septic tank siting and performance requirements must still be respected, however.
8. **Farm Residences.** The McLeod County Zoning Ordinance should, of course, continue to allow for one primary farm residence on each farm. This residence would count as one of the allowed housing units on the Quarter-Quarter Section upon which it is located. A second home for family members would continue to be allowed on farm parcels, although the owner will be encouraged to site it in such a way as to facilitate its later sale as a separate non-farm residence.
9. **Commercial and Industrial Development in the Agricultural Protection Area**

McLeod County will allow commercial or industrial development adjacent to existing commercial or industrial development and along a county or local road, or in locations consistent with a City land use plan. Agri-businesses are often appropriate in the Agricultural Protection Area. Appropriate commercial developments are those that serve only the local, not county-wide, market (e.g., convenience grocery store). Such developments may be allowed by rezoning.

All rural commercial or industrial development must have proper landscaping, access, parking, visual screening for outdoor storage, and building facades. Rural industrial development should be a type that does not generate high amounts of traffic. Commercial and industrial development must submit a site plan for review and approval by the County Planning Commission.

Commercial and industrial development in the Agricultural Protection Area should have these characteristics:

- Access must be from a paved road
- Should not require city sewer or water service
- Should not compel widening or paving of County Roads

- Needs a spacious and isolated location
- Would not adversely affect nearby housing or farming.

The location of a commercial or industrial access driveway must receive approval by the County Engineer or appropriate Minnesota Department of Transportation engineer.

If access is provided by a County Road or County State-Aid Highway, the suitability and width of the road surface for the types of vehicles anticipated must be approved by the County Engineer.

10. **Commercial and Industrial Concentrations.** Several locations are noted on the Land Use Plan Map, Figure 5, in which there are concentrations of businesses in the Agricultural Protection Area. These are appropriate locations for additional commercial or industrial development if the other criteria listed in Policy 9, above, are met and the development conforms with the County's regulations for the siting, design and maintenance of on-site sewage systems.
11. **Rural Housing Concentrations.** The locations noted as Rural Housing Concentrations on the Land Use Plan Map, Figure 5, would be appropriate locations for additional housing if the minimum lot size of 1-1/4 acres is met and all County regulations for on-site sewage systems are satisfied. These locations may be useful for keeping the housing density in other parts of the Agricultural Protection Area low by clustering the development activity. Other such existing concentrations of housing may be identified by the County Planning Commission.
12. **Urban-Generated Land Uses.** McLeod County will allow certain urban-generated land uses in the rural area provided they are served by adequate public services and, to the extent possible, do not interfere with agricultural activities.

The County acknowledges that certain facilities exist in the rural areas that require isolated and spacious locations but are intended to serve the urban or entire county public. These facilities may include campgrounds and recreational vehicle parks, trails, waste disposal installations, gun clubs, mining sites, landfills and similar facilities that are often public or semi-public in nature.

13. **Utility Easement Conflicts.** The County will examine the extent to which agricultural resources are impacted by the conversion of above-ground utilities to underground utilities along easements which traverse agricultural lands. If necessary, strategies will be developed to address the issue.

14. **Home Occupations.** McLeod County will allow home occupations in the rural residential zoning district if the work is done totally inside the house or garage, there is no outside storage of goods or materials, no buildings are erected or enlarged that would not normally be allowed for, no more than one outside employee is engaged, and there are no nuisances for the neighbors. Home occupations in the agricultural protection district will also be allowed in a similar manner to include accessory building. Home occupations in accessory buildings exceeding 2,000-square-foot or more than one non-resident may be allowed by conditional use permit.

**Goal 4: Land Development Regulation.**

**Administer the Land Use Plan, Zoning Ordinance and Subdivision Ordinance in a clear, consistent and equitable manner.**

**Objectives:**

- A. *Clearly define the relationships between, and the responsibilities of, the townships and the County in the administration of the subdivision and zoning regulations.*
- B. *Modify existing policies and regulations, and develop new programs as necessary, to address land use and development concerns, improve administrative efficiency, and protect the health and welfare of the County's residents.*

**Policies**

1. **Use of Plan and Zoning Ordinance.** McLeod County will utilize the County Land Use and Zoning Maps to maintain separation of incompatible land uses.
2. **Landsplits.** McLeod County will review any landsplit to determine any possible conflict with the County Land Use Plan.
3. **Zoning Ordinance Update.** McLeod County will update its zoning ordinance to implement this new comprehensive land use plan.

4. **Administration of Ordinances.** Administration of the Zoning and Subdivision regulations will be divided among the County and the Townships based upon the following Administrative Responsibilities, Table 5.
5. **Development Fees.** The County and Townships will develop a fee structure that reflects: the administrative responsibilities outlined above; the level of staff effort required for each task; the type of project/land use; and the value of the project.
6. **Application Forms.** County officials will review the various application forms and submission requirements with the Planning Commission and town board members to determine what improvements might be made in the forms themselves.
7. **Training Programs.** The County will develop training programs for Township Zoning Administrators, Planning Commission members, members of the Board of Adjustments, and Town and County Board members to familiarize them with:
  - The zoning text
  - Its relationship to the Comprehensive Plan
  - The project review and approval process
  - The procedures for conditional use permits, variances, and rezoning applications.

The County Zoning Administrator will hold meetings at least annually with Township Zoning Administrators to review problems and to provide refresher courses on administration of the ordinance.

**TABLE 5  
ADMINISTRATIVE RESPONSIBILITIES**

Subject Area	Responsibility	
	Townships	County
Subdivision Approvals	<ul style="list-style-type: none"> <li>• Review Plan</li> <li>• Town Board makes recommendation to County</li> </ul>	<ul style="list-style-type: none"> <li>• Assist applicants</li> <li>• Collect fees</li> <li>• Planning Commission reviews</li> <li>• County Board approves</li> <li>• Inspect work</li> </ul>
Zoning/Land Use Approvals	<ul style="list-style-type: none"> <li>• Provide assistance to applicants</li> <li>• Issue permits</li> <li>• Collect administrative fees</li> <li>• Inspect work</li> </ul>	<ul style="list-style-type: none"> <li>• Provide assistance to applicants</li> <li>• Assist township zoning administration when requested</li> <li>• Review plan for code compliance</li> <li>• Assign address</li> <li>• Collect plan review fee</li> </ul>
Conditional Use Permits	<ul style="list-style-type: none"> <li>• Town Board makes recommendations to County</li> </ul>	<ul style="list-style-type: none"> <li>• Planning Commission reviews plan</li> <li>• Assist applicants</li> <li>• Collect fees</li> <li>• Review plan</li> <li>• County Board approves</li> </ul>
Rezoning Request	<ul style="list-style-type: none"> <li>• Town Board makes recommendation to County</li> </ul>	<ul style="list-style-type: none"> <li>• Planning Commission reviews plan</li> <li>• Assist applicants</li> <li>• Collect fees</li> <li>• Review plan</li> <li>• County Board approves</li> </ul>
Zoning Enforcement	<ul style="list-style-type: none"> <li>• Investigate complaints</li> <li>• Refer complaint, findings, and recommendation to the county zoning administrator</li> <li>• Inspect construction</li> </ul>	<ul style="list-style-type: none"> <li>• County takes appropriate action</li> </ul>

**TABLE 5 (Continued)**

Subject Area	Responsibility	
	Townships	County
Shoreland and Floodplain Regulations		<ul style="list-style-type: none"> <li>• Assist applicants</li> <li>• Collect fees</li> <li>• Review plan</li> <li>• Issue permits</li> <li>• Inspect construction</li> </ul>
Individual Sewage Treatment Systems	<ul style="list-style-type: none"> <li>• Issue permits</li> <li>• Inspect construction</li> </ul>	<ul style="list-style-type: none"> <li>• Provide assistance to applicants</li> <li>• Review plan</li> <li>• Collect fees</li> <li>• Assist township administrators as requested</li> </ul>
Zoning Variance	<ul style="list-style-type: none"> <li>• Review plans</li> <li>• Town Board makes recommendations to County</li> </ul>	<ul style="list-style-type: none"> <li>• Assist applicants</li> <li>• Collect fees</li> <li>• Review plan</li> <li>• Board of Adjustment Approval</li> </ul>

8. **Individual Sewage Treatment System Permitting.** Responsibility for individual sewage treatment system permits and inspections will rest with the townships. The County will provide assistance to applicants in designing systems and will review the plans. The County will implement an ISTS permitting system and continue to review legislative changes that may be required.
9. **Shoreland and Floodplain Development.** The County will be responsible for the review, approval and monitoring of all development proposed within the shoreland protection or floodplain areas to assure compliance with state and federal laws.
10. **Mobile Homes Parks.** Mobile home parks (courts) must be served by municipal sewage facilities.

11. **Salvage Yards.** Salvage yards will continue to be allowed as a conditional use in the Agricultural Protection and Industrial Zones. Salvage yards will be required to include a landscaped buffer along the front lot line and along side yards adjacent to residential and/or agricultural zones or uses. The operations will be required to be conducted behind an opaque fence of at least eight and not more than ten feet in height.
12. **Zoning Ordinance Format.** The organizational structure of the Zoning Ordinance will be revised to provide for better readability and coherence.

Other concerns expressed over the provisions of the zoning code will be addressed through training and education programs/materials developed by the County and made available to local officials and the general public.

13. **Setbacks.** The County zoning ordinance should be amended to establish these setbacks for buildings:

Type of Road	Setback from Centerline of Road
State Highway	130
County Road	130
Township Road	100*

\* Decreases to 60 feet in the Urban Expansion Areas.  
 Building shall comply with municipal setbacks in the Urban Expansion Area.

The County will use the official mapping process to protect future rights-of-way in areas where major road improvements are planned or proposed.

14. **Site Plan Review.** To encourage protection of agricultural and environmental resources and to preserve the aesthetic quality of the rural landscape, site plan review criteria will be developed for gravel pits and for commercial, industrial, and non-farm residential developments to include:

- Topography
- Soils
- Woodlands
- Major wetlands
- Proximity to the floodplain
- Surface water runoff
- Sewage treatment system location
- Setbacks
- Relationship to adjacent lots
- Landscaping

The standards will be incorporated into the existing subdivision review process and be administered by the County Zoning Administrator.

15. **Subdivision Regulations.** The County's Subdivision Regulations will be completely revised and updated to include: improved illustration and explanation of the street design criteria; mandatory dedication of all new public rights-of-way; improved parkland dedication provisions within the urban expansion area; and a revised organizational structure for improved readability and ease of use.

16. **Zoning Definitions.** In order to implement the recommendations contained in this Plan, and to assure that the uses permitted under each zoning classification are compatible, revisions to the existing definitions of agriculture and farming are needed. The definition of agriculture will exclude agriculturally-related industrial development.

**Agriculture:** The cultivation of land for crops with the intention of making a cash profit. May also include animal husbandry, tree nurseries and orchards.

**Farm:** A farm is a forty-acre or larger parcel of land used primarily for commercial agricultural production, except that it does not include non-farm agricultural activities. A farm will include

related structures required for the agricultural operations and the secondary processing, selling, storing, or transport of the farm produce.

## **Environmental Protection**

### **Goal 5: Resource Stewardship.**

**Promote the wise use of land, water, and other natural resources along with significant historic and archaeologic resources for the long-term benefit and enjoyment of County residents.**

#### **Objectives:**

- A. *Promote the proper management of natural resources of McLeod County (surface water, ground water, woodlands, farmland, wildlife, and varied topography) for future generations.*
- B. *Protect the natural scenic qualities of McLeod County while accommodating low-density rural development.*
- C. *Provide adequate solid waste collection and recycling programs for County residents.*
- D. *Reduce the negative impacts of landfill and gravel pit operations on County residents.*
- E. *Achieve orderly development of mineral resources through sound mining management practices, mitigation of adverse environmental impacts, and planning for the re-use of the sites.*
- F. *Preserve evidence of the cultural and social history of McLeod County.*
- G. *Minimize air and water pollution.*
- F. *Promote the goals and objectives of the McLeod County Comprehensive Water Management Plan. Specifically, protect the county's water resources through programs and policies that address agricultural runoff, surface water management, and wetland, shoreland, and floodplain protection.*

McLeod County is endowed with numerous lakes, streams, and wetlands areas, mineral deposits, prime agricultural lands, and varied topography which enhance the quality of life and provide opportunities for the economic development of the region and its municipalities. Proper management of these resources, to include adequately addressing solid and hazardous waste issues, will assure that future generations will find McLeod County an attractive place to settle.

One of the reasons many people moved to McLeod County or continue to live and work here is the high quality of the natural environment. The relevance of this subject can be expected to increase, not decrease, as time goes by and the population becomes even more aware of its importance.

### **Policies**

To address the above concerns, the following policies have been developed.

1. **County Landfill.** Local officials will continue to work with the landfill operators to assure that the facility is properly maintained and that the most sophisticated environmental protection methods are employed in any areas of future expansion.

County officials will work with officials from adjacent counties and the State to determine the extent to which the landfill will continue to serve as a regional facility.

2. **Gravel Pits.** Mining operations will be required to submit and adhere to plans for the environmentally sensitive operation and restoration of the pits. The zoning provisions pertaining to gravel pits will be revised to provide for:
  - Setbacks from adjacent property
  - Protection of groundwater or surface water resources.
  - A description of proposed haul routes
  - Identification of who is responsible for maintenance of the site and impacted roads
  - Expiration of permits, with provisions for renewal.
3. **Demolition Landfills.** A Conditional Use Permit will be required to deposit demolition solid waste in a gravel pit.

4. **Rural Density.** The density of development in rural areas will be kept very low so as to help protect groundwater from septic tank pollution, maintain open, natural views, and protect woodlands, wetlands, steep slopes and other natural features.
5. **Conservation Areas.** The County will revise its zoning ordinance to protect these locations of high water table, extensive wetlands and lakes. A minimum residential lot size of approximately 5 acres will be considered. Sewage system siting, design and maintenance requirements will, of course, be enforced in the Conservation Area as they will be throughout the county.
6. **Wildlife Management Areas.** The County will cooperate with the public agencies or private groups that own and administer the nine natural open space areas.
7. **Shorelands.** McLeod County has incorporated into its Zoning Ordinance management standards for land development within 1,000 feet of all lakes and within 300 feet of rivers. These standards meet or exceed the requirements of the Minnesota Department of Natural Resources. The minimum riparian lot sizes are:
  - Natural Environment Lakes: 2 acres
  - Recreational Development Lakes: 1 acre
  - General Development Lakes: 1 acre

The minimum riparian lot size along a river is 1 acre.

The ordinance also contains standards for setbacks, shoreland alterations, storm water management, agriculture, mining, sewage treatment and land subdivision.

8. **Floodplains.** The provisions of the County floodplain regulations will continue to be enforced. These regulations and the geographic area of protection will be updated as warranted.
9. **Other Features.** Steep slopes, unstable soils, woodlands and other sensitive environmental features will be protected as far as practical in the natural, stable state. Development in or near such areas may be required to provide larger lot sizes, enhanced setbacks or other conditions to protect the sensitive features.

10. **Site Disturbance.** The County Planning Commission, when reviewing residential plats and commercial or industrial site plans, will aim to ensure that the designs are adapted to the natural setting and disturbance is minimized. While some disturbance is always involved in land development, it should be kept to a reasonable minimum.
  
11. **Septic Systems.** McLeod County will work to protect groundwater through proper siting, design and maintenance of all septic systems. Development in rural areas will only be allowed where tests indicate that the soils are suitable for on-site treatment systems over the long-term. The County's on-site system ordinance should contain application and review procedures and requirements for the issuance of on-site system permits. All applications should include subsurface testing. Subdivision preliminary plats should be approved only upon a determination that the soils in the platted area generally are suitable for the installation of on-site systems consistent with the ordinance requirements. The ordinance should contain installation, inspection and acceptance procedures. The County ordinance should include inspection and maintenance requirements. The program should also provide for recordkeeping, remedial action, enforcement, public education, and the bonding and licensing of installers.

The McLeod County Individual Sewage Treatment System (ISTS) Committee will continue to review the county's compliance with the 1994 Minnesota ISTS Act.

12. **Surface Water Drainage.** McLeod County will coordinate the provision of proper surface water drainage through the *McLeod County Comprehensive Water Plan*. Site planning and land use patterns will be regulated to protect the quality of runoff consistent with the guidelines of the County Water Quality Plan. Natural watercourses will be utilized to the extent feasible while minimizing alteration of their course or character. Detention ponds shall be used to reduce peak runoff to streams and ditches as well as to improve the quality of runoff water. Existing county ditches will be mapped and maintained.
  
13. **Agricultural Runoff.** In agricultural areas, the County will promote careful use of all farm chemicals and soil conservation practices. The location and operation of feedlots will continue to be carefully monitored to protect against ground and surface water pollution and general nuisances.

14. **Contaminated Soils.** The spreading of soil contaminated with petroleum must be approved by the Township Board of Supervisors before being spread in that Township.
15. **Historic Preservation.** Promote the preservation or study of historic and archaeological features and artifacts through reconnaissance of development sites having high potential for such features and through cooperation with the programs of the state and county historical societies.

### Economic Development

**Goal 6: Growth Promotion.**

**Promote economic development in McLeod County through sound land use planning.**

**Objectives:**

- A. *Increase the tax-base of the county in order to reduce the burden on individual tax-payers.*
- B. *Help provide more and better job opportunities for county residents.*
- C. *Reduce the need to commute outside the county for employment.*
- D. *Diversify the local economy.*

One of the best ways for a city or a county to promote economic development is create a well-planned, efficient and attractive community. Important siting criteria for industry are desirable places for the owners and employees to live, an adequate supply of properly educated or trained employees, streets and utilities that meet needs, and fire and police protection. County and local land use planning can help address these needs so that the attractive attributes of the community can be used in the promotion efforts of economic development groups.

**Policies:**

1. **Land Use Plan.** The McLeod County zoning ordinance and map will designate locations suitable for commercial or industrial development.
2. **Locations Encouraged.** McLeod County will encourage commercial and industrial development where city services (water and sewer) are available or can be economically extended.
3. **Planning Coordination.** McLeod County will coordinate its land use plan with the land use plans of the cities within the county.