

## **SECTION 15. CONFINED FEEDLOT REGULATIONS**

### **Subdivision 1. CONFINED FEEDLOTS GENERALLY**

No person shall permit or allow their land or property under their control to be used for any confined feedlot, and no animal manure from any confined feedlot shall be disposed of within the County of McLeod, except at an operation which has been approved in accordance with the provisions of this section.

1. No new feedlots are permitted in the Hutchinson Joint Planning Area within 2,640 feet (½ mile) from the City of Hutchinson municipal boundary.
2. Any existing permitted feedlot that is located within 2,640 feet (½ mile) of the City of Hutchinson will have a maximum of 10 animal units allowed at that site, unless it is already permitted for more than 10 animal units, then that number will be the maximum animal units allowed at that site.

### **Subdivision 2. ADOPTION BY REFERENCE OF STATE REGULATIONS**

Pursuant to M.S.A. 394.25 Subdivision 8, the McLeod County Board of Commissioners hereby adopts by reference Minnesota Pollution Control Agency (MPCA) rules chapter 7020 and appendices and as amended. Provisions of these rules shall be as much a part of this Ordinance as if they had been set out in full herein when adopted by this reference.

### **Subdivision 3. EXEMPT FROM REGULATION**

1. Any confined feeding operation of ten (10) animal units or less when in conformance with all provisions of this section and located within 2,640 feet (1/2 mile) from the City of Hutchinson and within the Hutchinson Joint Planning Area.
3. Any confined feeding operation of less than fifty (50) animal units when in conformance with all provisions of this section and located more than 2,640 feet (1/2 mile) from the City of Hutchinson and within the Hutchinson Joint Planning Area.
3. Any exempt permitted confined feedlot meeting the one-half (1/2) acre per animal unit.
4. Nothing in this section shall exempt any owner or operator of any feedlot from conforming with applicable state or federal regulations governing confined feeding operation, or any other provision of this Ordinance.

### **Subdivision 4. APPLICATION PROCEDURE**

Applications for locating any confined feeding operation in McLeod County shall be governed by the following procedures:

1. The owner of an existing animal feedlot for fifty (50) animal units or more shall make application to the County for a permit when any of the following conditions exist more than 2,640 feet (1/2 mile) from the City of Hutchinson and within the Hutchinson Joint Planning Area:

- A. An existing feedlot is expanded or modified.
  - B. Ownership of an existing animal feedlot is changed.
  - C. A National Pollutant Discharge Elimination System (NPDES) Permit application is required under state or federal rules and regulations.
2. The owner of any feedlot shall be required to make an application to the County when an inspection by that agency determines that the animal feedlot creates or maintains a potential pollution hazard.
  3. The owner of any animal feedlot shall be required to obtain a McLeod County Feedlot permit from the County stating compliance with the provisions of this Ordinance and the McLeod County Feedlot Ordinance, whichever standards are more restrictive.

**Subdivision 5. FEEDLOTS REQUIRING A CONDITIONAL USE PERMIT**

Animal feedlot operations shall require a Conditional Use Permit issued by the County if;

1. Any exempt permitted confined feedlot exceeding one half (1/2) acre per animal unit.
2. Any new feedlot or expansion of an existing permitted feedlot that is located 2,640 feet (½ mile) or more from the City of Hutchinson and located within the Hutchinson Joint Planning Area will require a Conditional Use Permit and McLeod County Feedlot Permit to house a maximum of 399 animal units.

**Subdivision 6. CRITERIA CHECKLIST FOR EXPANSION OF EXISTING FEEDLOTS**

1. No new feedlots shall exceed three hundred ninety nine (399) animal units, unless the original feedlot was greater than four-hundred (400) animal units at the time this ordinance was enacted; such expansion shall require a conditional use permit.
2. Submittal of manure best management practices plan is required.
3. Feedlots must meet McLeod County structure setback requirements and provide landscaping plan for screening.