



To-Do  
List

## Stearns County Ordinance 439 (Land Use and Zoning Ordinance) Recommendations

- Section 4.8.2 A Criteria for Considering Conditional Use Permits:** Section 4.8.2 A requires the Planning Commission and Board to consider a proposals alignment with the 2008 Comprehensive Plan's Policy Areas. This language will need to be amended to reflect the 2040 Comprehensive Plan's goals and policies.
- Section 4.10.5 Application for Change in District Boundary (Rezoning):** Rezoning requests are required to describe how the proposed change in a district boundary will be compatible with the County Comprehensive Plan. The application process will need to provide stronger guidance on how the Comprehensive Plan's Future Land Use Factors are used in making that determination through the use of the Future Land Use Decision Factors
- Section 4.15 Shoreland Alteration Permits:** All land within a 1,000 feet of a lake or 300 feet of a river, stream, or creek is designated as part of the County's Shoreland Overlay District (Ordinance #439 Section 10.2). The overlay district regulates development and other activities. Alterations to the shoreland must receive a permit under this ordinance. The ordinance does not perfectly align with goals and objectives outlined in this plan. The ordinance should be amended periodically in order to achieve the desired water quality outcomes for water bodies in Stearns County.
- Section 4.24 LESA:** This Plan continues to embrace the LESA score as a land use and zoning tool for evaluating projects. However, Appendix A of the ordinance should be updated to provide stronger guidance on how the LESA score will be used in the future when evaluating projects (e.g., Future Land Use Factors).
- Section 6 Performance Standards:** Section 6 identifies the performance standards applied to specific uses by zoning district or any other applicable overlay district. This Section 6 will need to be revisited to determine if there are any barriers to creating greater flexibility in what one can do with their land. Particular areas of focus should be given to accessory dwelling units, workforce housing, evaluate home and attached garage ratio requirements and expand rural business opportunities.
- Section 6.7.5 Animal Feedlot Setback Provisions:** Setback requirements between animal feedlots and residential uses will need to be revisited based on the policies established under the Agricultural Pillar. Aligning this ordinance with the Comprehensive Plan will require a reduction in setbacks between a feedlot and a residential dwelling (or vice versa) without a variance.
- Section 6.52 Solar Energy Systems:** Section 6.52 references specific goals from the 2008 Comprehensive Plan. This section will need to be amended to reflect the 2040 Comprehensive Plan's goals and policies.
- Section 7.1.1 New, Revised or Changed Use Accesses onto County Roads:** Section 7.1.1 references the County's Comprehensive Plan to determine access management guidelines. This section should be amended to reference both the County's Comprehensive Plan and County's Transportation Plan.
- Section 7.4 Cluster Development Standards:** Section 7.4 references specific goals from the 2008 Comprehensive Plan. This section will need to be amended to reflect the 2040 Comprehensive Plan's goals and policies.
- Section 7.5 & 7.6 Conservation Design Overlay, Agricultural:** This section references action items from the 2008 Comprehensive Plan. These references should be removed. Amendments should focus on the overall purpose and intent of the district without referencing specific statements from the Comprehensive Plan.
- Section 9 Primary District Provisions:** Section 9 includes purpose statements for each zoning district and references land use categories from the 2008 Comprehensive Plan. Amendments should avoid references to the Comprehensive Plan. This section will also need to be revisited to determine the appropriate uses allowed within each zoning district. For example, the Comprehensive Plan has emphasized greater flexibility in what one can do with their land. This includes the ability to operate rural businesses and other uses that are not currently allowed in the zoning districts. As part of these amendments, "Section 3.2. Definitions" will also need to be updated as new uses (e.g., tasting rooms, event centers, and accessory dwelling units) are introduced as permitted uses, provisional uses, conditional uses, or interim uses by zoning district.
- Section 10.2 Shoreland Overlay Provisions:** As more property owners make their home year-round, the intensity of use that accompanies seasonal properties with cabins or recreational vehicles can cause conflicts. Develop riparian standards that balance the interests of both year round and seasonal residents, while protecting the natural resources that draw them to lakeshore amenities.
- Section 10.2.14 Shoreland Alteration Provisions:** The County should work towards (1) developing shoreland alteration standards that acutely target sensitive areas including the shore impact zone, steep slopes, and bluffs., (2) further restrict native vegetation removal outside of identified water access corridors, and (3.) work with SWCD to develop unified standards and guidance for riparian lots.