

713 FEEDLOTS

713.1 All feedlots with a capacity to hold 10 or more animal units require county zoning permits and county feedlot permits and shall be constructed and operated in accordance with the Minnesota Pollution Control Agency Water Quality Division Animal Feedlots Chapter 7020 which is herewith adopted by reference in its entirety and without change except as may be amended by the State.

Feedlots established and/or operating in Nicollet County, and the handling of animal manure either generated in the county or originating outside the county and transported into the county for use as a domestic fertilizer shall conform with the standards contained herein and in any other Nicollet County Ordinances or State of Minnesota Statutes or Rules that apply to animal feedlot and/or manure management.

713.2 Chapter 7020. See Appendix B

713.3 Feedlots that are 300 animal units and over in size or manure storage areas receiving manure from feedlots that are 300 animal units and over in size require a conditional use permit from the county. Feedlots that require conditional use permits shall, in addition to meeting other requirements herein, adhere to the following requirements:

1. It must be demonstrated that there will be no detrimental effects to parks, cities, protected resources, or residential areas.
2. To ensure no detrimental effects, special conditions will be attached to the conditional use permit related to specific concerns. These may include but are not limited to location and time of manure disposal, extra setback needs, additional equipment, hours of operation and screening.
3. A map shall be submitted showing location of the feedlot and conditions of the area within 1/2 mile. It shall depict all existing topography (including 10 foot contours), all existing land uses as described herein and existing property lines.

713.4 DIMENSIONAL STANDARDS

The following setback requirements are to be measured from the outermost boundaries of the feedlot to the site of existing structures for which setbacks are established. In the case of residential districts, public parks and city limits, the measurement will be from the feedlot to the closest property line or city limit boundary line.

SETBACK REQUIREMENTS

1. New feedlots shall not be located within one-half (1/2) mile of a public park
2. New feedlots shall not be located within one-half (1/2) mile of 10 or more houses or buildable lots in a R-1 (Urban/Residential) or RT (Rural Townsite) zoning district.
3. New feedlots shall not be constructed within on-half (1/2) mile of public schools defined in Minnesota Statutes 120A.05 and private schools excluding home school sites or churches as defined under and with reference to the provisions of Minnesota Statutes Chapter 272.
4. New feedlots shall not be constructed within one-eighth (1/8) mile of existing dwellings that are not designated as accessory to the feedlot.
5. New feedlots shall not be located within 1/2 mile of the city limits of Nicollet, Courtland and Lafayette.
6. New feedlots shall not be located within 1 mile of the city limits of St. Peter and North Mankato.
7. New feedlots or new construction on existing feedlots shall meet a 99% odor annoyance free rating at the closest city limits line and a 93% odor annoyance free rating for residential zoning districts, public parks, churches, public schools or dwellings that are not designated as accessory to the feedlot, as determined by the OFFSET odor evaluation modeling as developed and modified by the University of Minnesota Department of Biosystems and Agricultural Engineering.
8. New dwellings that are not designated as accessory to the feedlot in agriculturally zoned districts shall not be located within a 1/8th mile and/or 93% OFFSET Odor Modeling distance from any existing feedlot, whichever is greater.
9. No permit for a dwelling not accessory to the feedlot shall be issued within a setback distance where a notice of intent to construct a feedlot has been filed within the previous two (2) years with the Nicollet County Environmental Services Office, unless the notice is withdrawn by the applicant.
10. A dwelling that is on a separate parcel from the feedlot that is to be considered as accessory to the feedlot shall be designated as such on the conditional use permit and this status shall be recorded against the designated property.

713.5 SIZE RESTRICTION

No feedlot shall exceed 3000 animal units in size.

62. Exterior Storage (including open storage) – The storage of goods, materials, equipment, manufactured products and similar items not fully enclosed by a building.
63. Extraction Area – Any non-agricultural artificial excavation of earth exceeding fifty square feet of surface area of two feet in depth, excavated or made by the removal from the natural surface of the earth, or sod, soil, sand, gravel, stone or other natural matter, or made by turning, breaking or undermining the surface of the earth.
64. Failing Systems – Any ISTS that discharges sewage to a seepage pit, drywall or leaching pit and any system constructed prior to June 3, 1997 with less the two feet of soil or sand between the bottom of the distribution medium and the saturated soil level or bedrock. In addition any system posing an imminent threat to public health or safety as defined in Minnesota Rules 7080.0020 Subp. 19a shall be considered failing.
65. Failure to Protect Groundwater - At a minimum, a SSTS that does not protect groundwater is considered to be a seepage pit, cesspool, drywell, leaching pit, or other pit; a SSTS with less than the required vertical separation distance, described in MR Chapter 7080.1500 Subp. 4 D and E; and a system not abandoned in accordance with part 7080.2500. The determination of the threat to groundwater for other conditions must be made by a Qualified Employee or an individual licensed pursuant to Article IV, Section 5 hereof.
66. Family – An individual, or two or more persons related by blood, marriage or adoption, living together as a single housekeeping unit in a dwelling unit.
67. Farm – A tract of land which is principally used for agricultural activities such as the production of cash crops, livestock or poultry farming. Such farms may include agricultural dwellings and accessory buildings and structures necessary to the operation of the farm.
68. Feedlot – A lot or building or combination of lots and buildings intended for the confined feeding, breeding, raising or holding of animals and specifically designed as a confinement area in which manure may accumulate, or where the concentration of animals is such that a vegetative cover cannot be maintained within the enclosure. For purposes of this Ordinance, open lots used for the feeding and rearing of poultry (poultry ranges) shall be considered to be animal feedlots. Pastures shall not be considered animal feedlots under these rules. Manure storage areas off the site of the feedlot will be considered as a feedlot for this Ordinance.
69. Feedlot, New – A feedlot permitted after the adoption of the December 12, 2000 Ordinance revision.