

---

---

## WASHINGTON COUNTY

### DEVELOPMENT CODE

Pursuant to MSA Ch 394, Washington County has adopted official controls for the purposes of regulating the physical development of land in the unincorporated areas of the County. These official controls are compiled into and hereafter known as the Washington County Development Code and consists of the following chapters each adopted by Ordinance.

- |      |               |  |
|------|---------------|--|
| (1)  | Chapter One   | Administration   |
| (2)  | Chapter Two   | Zoning Regulations   |
| (3)  | Chapter Three | Subdivision Regulations  |
| (4)  | Chapter Four  | Individual Sewage Treatment System Regulations                       |
| (5)  | Chapter Five  | Lower St. Croix River Bluffland and Shoreland Management Regulations |
| (6)  | Chapter Six   | Shoreland Management Regulations                                     |
| (7)  | Chapter Seven | Mining Regulations   |
| (8)  | Chapter Eight | 201 Sewer Use Regulations  |
| (9)  | Chapter Nine  | Flood Plain Regulations  |
| (10) | Chapter Ten   | Official Map Regulation and Designation                              |

---

---

**WASHINGTON COUNTY DEVELOPMENT CODE**

**CHAPTER TWO  
ZONING REGULATIONS**

**PART 1  
ZONING MAPS, DISTRICTS AND USES**

**Table of Contents**

<b>SECTION 1. ZONING MAPS</b> .....	1
<b>SECTION 2. “AP”, “A-1”, “A-2”, “A-4”, AGRICULTURAL DISTRICTS AND USES</b> .....	2
2.1 Purpose and Scope .....	2
2.2 Land Uses in Agricultural Districts .....	2
<b>SECTION 3. “RR”, RURAL RESIDENTIAL DISTRICT AND USES</b> .....	3
3.1 Purpose and Scope .....	3
3.2 Land Uses in Rural Residential Districts .....	4
<b>SECTION 4. “SFE” SINGLE FAMILY ESTATE DISTRICT AND USES</b> .....	5
4.1 Purpose and Scope .....	5
4.2 Land Uses in Single Family Estate Districts .....	5
<b>SECTION 5. “RS”, RESIDENTIAL SUBURBAN DISTRICT AND USES</b> .....	6
5.1 Purpose and Scope .....	6
5.2 Uses in Residential Suburban Districts .....	6
<b>SECTION 6. “TZ”, TRANSITION ZONE DISTRICT AND USES</b> .....	7
6.1 Purpose and Scope .....	7
6.2 Land Uses in Transitional Zone Districts .....	7
<b>SECTION 7. CONSERVANCY DISTRICT AND USES</b> .....	8
7.1 Purpose and Scope .....	8
7.2 Land Uses in the Conservancy District .....	8
7.3 Performance Standards .....	9
<b>SECTION 8. “CI-R”, COMMERCIAL/LIGHT INDUSTRIAL - RURAL DISTRICT AND USES</b> .....	9
8.1 Purpose and Scope .....	9
8.2 Land Uses in Commercial/Light Industrial - Rural Districts .....	9
<b>SECTION 9. “CI-U”, COMMERCIAL/LIGHT INDUSTRIAL - URBAN DISTRICT AND USES</b> .....	10
9.1 Purpose and Scope .....	10
9.2 Land Uses in the Commercial/Light Industrial - Urban Districts .....	10

---

---

*Commentary/Interpretive  
Purposes Only*

**WASHINGTON COUNTY DEVELOPMENT CODE**

**CHAPTER TWO**

**ZONING REGULATIONS**

**PART 1**

**ZONING MAPS, DISTRICTS AND USES**

*Land in unincorporated areas is divided into districts. Allowed uses of the land are defined in this Part.*

*Boundaries of the zoning districts are delineated on the official zoning map.*

For the purpose of this Development Code, the regulations contained in this chapter shall become effective from and after October 20, 1997, after their publication according to law. If any court of competent jurisdiction shall adjudge any provision of this regulation to be invalid, such judgement shall not affect any other provisions of this regulation not specifically included in said judgement. If any court of competent jurisdiction shall adjudge invalid the application of any provision of this regulation to a particular property, building or structure, such judgement shall not affect the application of said provision to any other property, building or structure not specifically included in said judgement.

The unincorporated areas of the County are divided into districts. Each district has: a) primary uses; b) uses allowed with a Certificate of Compliance; and c) uses allowed with a Conditional Use Permit as herein defined. Unless a use is specifically defined as a primary use or allowed with a Certificate of Compliance or a Conditional Use Permit, it is a prohibited use.

**SECTION 1. ZONING MAPS**

**1.2** The boundaries of the districts are as shown on the maps published and made part hereof. These maps are designated as the Official Zoning Map of the County, and shall be maintained by the Zoning Administrator. The district boundary lines on these maps are intended to follow street right-of-way lines, street centerlines or lot lines unless such boundary is indicated otherwise on the map. In the case of unsubdivided property or in any case where street or lot lines are not used as boundaries, the district boundary lines shall be determined by use of dimensions or the scale appearing on the map. All of the notations, references and other information shown thereon shall have the same force and effect as if fully set forth herein and are made a part of this Part by reference and incorporated herein fully as if set forth herein at length. Whenever any street or public way is vacated, any zoning district line following such centerline of said vacated street or way shall not be affected by such vacation.

**1.3** When uses in a district are listed as both primary, permitted with a certificate of compliance or conditional use permit, or when any other

conflict appears in the Development Code with respect to uses within a district, the more restrictive provisions shall be applied.

**SECTION 2. “AP”, “A-1”, “A-2”, “A-4”, AGRICULTURAL DISTRICTS AND USES**

*There are four agricultural districts in the unincorporated areas of the County: AP, A-1, A-2, and A-4. Maximum densities in these districts:*

*AP =  
1 dwelling unit per 40 acres*

*A-1 =  
1 dwelling unit per 40 acres*

*A-2 =  
2 dwelling units per 40 acres*

*A-4 =  
4 dwelling units per 40 acres*

*Land in an agricultural district is used primarily for agriculture and single family residential.*

*Certain uses, other than agriculture or single family residential, may be allowed with a Certificate of Compliance.*

**2.1 Purpose and Scope.**

- (1) “AP”, Agricultural Preserves District: The “AP” District are those specific parcels of land created and restricted according to Minnesota Statutes 473H. to remain in agricultural use.
- (2) “A-1”, Agricultural District: The “A-1” District, as shown on the zoning district maps, is established to preserve agriculture as a viable long term land use and significant economic activity. Land within this district is eligible for inclusion into the Metropolitan Agricultural Preserves Program.
- (3) “A-2”, Agricultural District: The “A-2” district, as shown on the zoning district maps, has been established to preserve agriculture as a viable long term land use and significant economic activity within the County. Land within this district may be eligible for inclusion in the Metropolitan Agricultural Preserves Program.
- (4) “A-4”, Agricultural District: The “A-4” district, as shown on the zoning district maps, is established to preserve land for interim agricultural uses and to preserve the rural character of the County.

**2.2 Land Uses in Agricultural Districts.**

- (1) Primary Uses. The following are primary uses in the “AP”, “A-1”, “A-2” and “A-4” districts:
  - (A) Agriculture
  - (B) Single Family Residential
- (2) Uses with a Certificate of Compliance. The following uses are permitted in the “AP”, “A-1”, “A-2” and “A-4” districts after the issuance of a Certificate of Compliance:
  - (A) Accessory Apartments
  - (B) Agricultural Business–Seasonal
  - (C) Essential Services–Government Uses, Buildings and Storage
  - (D) Essential Services–Utility Substation
  - (E) Home Occupation

*Certain uses, other than agriculture or single family residential, may be allowed with a Conditional Use Permit.*

- (F) Horse Training Facility, Commercial (less than 10 horses)
- (G) Horse Training Facility, Private (over 10 horses)
- (H) Livestock and Livestock Operations (11-49 animal units)
- (I) Place of Worship
- (J) Plant Nursery
- (K) Temporary Care Facility
- (L) Temporary Dwelling Unit–Construction
- (M) Temporary Farm Dwelling

(3) Uses with a Conditional Use Permit. The following uses are permitted in the “AP”, “A-1”, “A-2” and “A-4” districts after the issuance of a Conditional Use Permit:

- (A) Balloon Port–Commercial
- (B) Bed and Breakfast Inn
- (C) Cemeteries
- (D) Commercial Kennel
- (E) Community Residence
- (F) Golf Course
- (G) Horse Training Facility, Commercial (over 10 horses)
- (H) Livestock and Livestock Operations (over 49 animal units)
- (I) Mining Operations
- (J) Multi-Family Residential Development
- (K) Open Space Development
- (L) Public Recreation Facility
- (M) Recreational Use, Passive
- (N) Resorts/Conference Facilities
- (O) Schools
- (P) Travel Trailer/Recreational Vehicle Campground
- (Q) Wireless Communication Facility
- (R) Yard Waste Facility

**SECTION 3. “RR”, RURAL RESIDENTIAL DISTRICT AND USES**

*Land designated in a rural residential district has a maximum density of 8 dwelling units per 40 acres.*

**3.1 Purpose and Scope.**

The Rural Residential District is established to provide areas for rural low-density housing in agricultural/rural areas on lands not capable of supporting long-term agricultural activities. The purpose of this district is to retain the rural character of the County.

*Land in a rural residential district is used primarily for agriculture and single family residential.*

**3.2 Land Uses in Rural Residential Districts.**

- (1) Primary Uses. The following are primary uses in the “RR” District.

*Certain uses, other than agriculture or single family residential, may be allowed with a Certificate of Compliance.*

- (A) Agriculture
  - (B) Single Family Residential
- (2) Uses with a Certificate of Compliance. The following uses are permitted in the “RR” District after the issuance of a Certificate of Compliance:
- (A) Accessory Apartment
  - (B) Agricultural Business–Seasonal
  - (C) Essential Services–Government Uses, Building and Storage
  - (D) Essential Services–Utility Substation
  - (E) Home Occupation
  - (F) Horse Training Facility, Commercial (less than 10 horses)
  - (G) Horse Training Facility, Private (over 10 horses)
  - (H) Place of Worship
  - (I) Plant Nursery
  - (J) Temporary Care Facility
  - (K) Temporary Dwelling Unit–Construction
  - (L) Temporary Farm Dwelling

*Certain uses, other than agriculture or single family residential, may be allowed with a Conditional Use Permit.*

- (3) Uses with a Conditional Use Permit. The following uses are permitted in the “RR” district after the issuance of a Conditional Use Permit:
- (A) Balloon Port - Commercial
  - (B) Bed and Breakfast Inn
  - (C) Cemeteries
  - (D) Commercial Kennel
  - (E) Community Residence
  - (F) Golf Course
  - (G) Horse Training Facility, Commercial (over 10 horses)
  - (H) Livestock and Livestock Operations (over 11 animal units)
  - (I) Mining
  - (J) Multi-Family Residential Development
  - (K) Public Recreation Facility
  - (L) Recreational Use, Passive
  - (M) Resort/Conference Facilities
  - (N) Schools
  - (O) Travel Trailer/Recreational Vehicle Campground
  - (P) Wireless Communication Facility
  - (Q) Yard Waste Facility

**SECTION 4. “SFE” SINGLE FAMILY ESTATE DISTRICT AND USES**

*Land designated in a Single Family Estate district has a maximum density of 16 dwelling units per 40 acres.*

*Land in a Single Family Estate district is used primarily for agriculture and single family residential.*

*Certain uses, other than agriculture or single family residential, may be allowed with a Certificate of Compliance.*

*Certain uses, other than agriculture or single family residential, may be allowed with a Conditional Use Permit.*

**4.1 Purpose and Scope.**

The Single Family Estate District provides residential areas in developing rural areas. The purpose of this district is to provide lots large enough to maintain a semi-rural setting, but lots not large enough to support long-term agricultural activities.

**4.2 Land Uses in Single Family Estate Districts.**

(1) Primary Uses. The following are primary uses in the “SFE” District:

- (A) Agriculture
- (B) Single Family Residential

(2) Uses with a Certificate of Compliance. The following uses are permitted in the “SFE” District after the issuance of a Certificate of Compliance:

- (A) Accessory Apartment
- (B) Agricultural Business–Seasonal
- (C) Essential Services–Government Uses, Building and Storage
- (D) Essential Services–Utility Substation
- (E) Home Occupation
- (F) Horse Training Facility, Commercial (less than 10 horses)
- (G) Horse Training Facility, Private (over 10 horses)
- (H) Place of Worship
- (I) Plant Nursery
- (J) Temporary Care Facility
- (K) Temporary Dwelling Unit–Construction
- (L) Temporary Farm Dwelling

(3) Uses with a Conditional Use Permit. The following uses are permitted in the “SFE” District after the issuance of a Conditional Use Permit:

- (A) Cemeteries
- (B) Community Residence serving 7-16 patients
- (C) Golf Course
- (D) Horse Training Facility, Commercial (over 10 horses)
- (E) Livestock and Livestock Operations (over 11 animal units)
- (F) Multi-Family Residential Development
- (G) Public Recreation Facility
- (H) Schools

**SECTION 5. “RS”, RESIDENTIAL SUBURBAN DISTRICT AND USES**

**5.1 Purpose and Scope.**

The purpose of this district is to provide higher density residential uses on lots where a full range of public utilities and services are available.

*Land in a Residential Suburban district is used primarily for agriculture and single family residential.*

**5.2 Uses in Residential Suburban Districts.**

(1) Primary Uses. The following are primary uses in the “RS” District:

- (A) Agriculture
- (B) Single Family Residential

(2) Uses with a Certificate of Compliance. The following uses are permitted in the “RS” District after the issuance of a Certificate of Compliance:

- (A) Accessory Apartment
- (B) Community Residence
- (C) Essential Services–Government Buildings, Storage and Uses
- (D) Essential Services–Utility Substation
- (E) Home Occupation
- (F) Horse Training Facility, Private (over 10 horses)
- (G) Place of Worship
- (H) Temporary Care Facility
- (I) Temporary Dwelling Unit–Construction
- (J) Temporary Farm Dwelling

*Certain uses, other than agriculture and single family residential, may be allowed with a Certificate of Compliance.*

(3) Uses with a Conditional Use Permit. The following uses are permitted in the “RS” District after the issuance of a Conditional Use Permit:

- (A) Cemeteries
- (B) Community Residence serving 7-16 people
- (C) Golf Course
- (D) Horse Training Facility, Commercial (over 10 horses)
- (E) Livestock and Livestock Operations (over 11 animal units)
- (F) Multi-Family Residential Development
- (G) Public Recreation Facility
- (H) Schools

*Certain uses, other than agriculture and single family residential, may be allowed with a Conditional Use Permit.*

**SECTION 6. “TZ”, TRANSITION ZONE DISTRICT AND USES**

*Land in a Transitional Zone is used primarily for agriculture and single family residential.*

*Certain uses, other than agriculture and single family residential, may be allowed with a Certificate of Compliance.*

*Certain uses, other than agriculture and single family residential, may be allowed with a Conditional Use Permit.*

**6.1 Purpose and Scope.**

The purpose of this district is to preserve lands immediately adjacent to areas served with public utilities which over time could ultimately become urban or suburban in nature.

**6.2 Land Uses in Transitional Zone Districts.**

(1) Primary Uses. The following are primary uses in the “TZ” zone.

- (A) Agriculture
- (B) Single Family Residential

(2) Uses with a Certificate of Compliance. The following uses are permitted in the “TZ” District after the issuance of a Certificate of Compliance:

- (A) Accessory Apartment
- (B) Agricultural Business - Seasonal
- (C) Essential Services–Government Uses, Building and Storage
- (D) Essential Services–Utility Substation
- (E) Home Occupation
- (F) Horse Training Facility, Commercial (less than 10 horses)
- (G) Horse Training Facility, Private (over 10 horses)
- (H) Place of Worship
- (I) Plant Nursery
- (J) Temporary Care Facility
- (K) Temporary Dwelling Unit–Construction
- (L) Temporary Farm Dwelling

(3) Uses with a Conditional Use Permit. The following uses are permitted in the “TZ” District after the issuance of a Conditional Use Permit:

- (A) Cemeteries
- (B) Community Residence
- (C) Golf Course
- (D) Horse Training Facility, Commercial (over 10 horses)
- (E) Livestock and Livestock Operations (over 11 animal units)
- (F) Multi-family Residential Development
- (G) Public Recreation Facility
- (H) Schools

*Land in a Conservancy District contains either a valuable natural resource or other similar resource. The intent is to foster, preserve and promote sensitive development of this land.*

## **SECTION 7. CONSERVANCY DISTRICT AND USES**

### **7.1 Purpose and Scope.**

The Conservancy District is established to provide special regulatory protection for those areas that either contain a valuable natural resource or other similar resource and to foster, preserve and promote sensitive development in these areas. Land within this district may be unsuitable for agricultural production or development due to wetlands, woodlands, steep slopes, scenic views, bedrock formations, and/or other physical features of unique natural and biological characteristics.

### **7.2 Land Uses in the Conservancy District.**

(1) **Primary Uses.** The following are primary uses in the Conservancy District:

- (A) Agriculture
- (B) Single Family Residential

(2) **Uses with a Certificate of Compliance.** The following uses are permitted in the Conservancy District after the issuance of a Certificate of Compliance:

- (A) Accessory Apartment
- (B) Agricultural Business–Seasonal
- (C) Essential Services–Government Uses, Building and Storage
- (D) Essential Services–Utility Substation
- (E) Home Occupation
- (F) Plant Nursery
- (G) Temporary Care Facility
- (H) Temporary Dwelling Unit–Construction
- (I) Temporary Farm Dwelling

(3) **Uses with a Conditional Use Permit.**

- (A) Recreation Uses–Passive

### **7.3 Performance Standards**

(A) Land alteration and development shall not encroach on rare plant communities or endangered species identified in the Minnesota Department of Natural Resources County Biological Survey for Natural Communities and rare species.

(B) The impacts of land alteration and development on the existing wildlife and plant habitats shall be

minimized through site design, restoration and by maintaining continuity with those habitats on adjacent sites.

- (C) Land alteration and development shall minimize the impacts on the hydrological regime and water quality of surface water by using best management practices.

**SECTION 8. “CI-R”, COMMERCIAL/LIGHT INDUSTRIAL - RURAL DISTRICT AND USES**

*This district is provided for Commercial/Light Industrial development where NO public sanitary sewer is available.*

**8.1 Purpose and Scope.**

The purpose of this district is to provide an area for a general mix of commercial and light industrial businesses that are non-threatening to the environment. Public sanitary sewer is not available in this district.

*There are no primary uses in the Commercial/Light Industrial - Rural District.*

**8.2 Land Uses in Commercial/Light Industrial - Rural Districts.**

- (1) Primary Uses. There are no primary uses in Commercial /Light Industrial - Rural Districts.

*Certain uses are allowed in CI-R districts with a Certificate of Compliance.*

- (2) Uses with a Certificate of Compliance. The following uses are permitted in the “CI-R” District after the issuance of a Certificate of Compliance:

- (A) Bars & Taverns
- (B) Clubs/Lodges
- (C) Commercial Kennel
- (D) Essential Services–Government Buildings, Storage and Uses
- (E) Essential Services–Utility Substations
- (F) Funeral Homes
- (G) Home Occupations
- (H) Light Manufacturing
- (I) Medical Clinic
- (J) Office
- (K) Place of Worship
- (L) Plant Nursery
- (M) Restaurants
- (N) Retail Sales
- (O) Self-Storage Facility
- (P) Veterinary Clinic
- (Q) Warehousing and Distribution
- (R) Wholesale

*Certain uses are allowed in CI-R districts with a Conditional Use Permit.*

- (3) Uses with a Conditional Use Permit. The following uses are permitted in the “CI-R” District after the issuance of a Conditional Use Permit:
  - (A) Automotive Dealership
  - (B) Cemeteries
  - (C) Community Residence serving 7-16 patients
  - (D) Mining
  - (E) Motor Vehicle Repair
  - (F) Motor Vehicle Service Station
  - (G) Multi-Family Residential Development
  - (H) Plant Nursery, Commercial
  - (I) Public Recreation Facility
  - (J) Recreation Use–Active
  - (K) Recycling Center
  - (L) Schools
  - (M) Shopping Center
  - (N) Storage Facility
  - (O) Transportation/Motor Freight Terminal
  - (P) Wireless Communications Facility
  - (Q) Yard Waste Facility

**SECTION 9. “CI-U”, COMMERCIAL/LIGHT INDUSTRIAL - URBAN DISTRICT AND USES**

*This district is provided for Commercial/Light Industrial development where public utilities will be provided.*

- 9.1** Purpose and Scope.
 

The purpose of this district is to provide an area for a general mix of commercial and light industrial businesses where urban services would be provided to accommodate future uses.

*There are no primary uses in the Commercial/Light Industrial - Urban District.*

**9.2** Land Uses in the Commercial/Light Industrial - Urban Districts.

*Certain uses are allowed in CI-U districts with a Certificate of Compliance.*

- (1) Primary Uses. There are no primary uses in Commercial /Light Industrial - Urban Districts.
- (2) Uses with a Certificate of Compliance. The following are permitted in the “CI-U” District after the issuance of a Certificate of Compliance:
  - (A) Bars and Taverns
  - (B) Clubs/Lodges
  - (C) Commercial Kennel
  - (D) Essential Services–Government Buildings, Storage and Uses
  - (E) Essential Services–Utility Substations
  - (F) Funeral Homes
  - (G) Home Occupations

*Certain uses are allowed in the CI-U district with a conditional use permit.*

- (H) Light Manufacturing
- (I) Medical Clinic
- (J) Office
- (K) Place of Worship
- (L) Plant Nursery
- (M) Restaurants
- (N) Retail Sales
- (O) Self-Service Storage Facility
- (P) Veterinary Clinic
- (Q) Warehousing and Distribution
- (R) Wholesale

(3) Uses with a Conditional Use Permit. The following uses are permitted in the “CI-U” District after the issuance of a Conditional Use Permit:

- (A) Automotive Dealership
- (B) Car Wash
- (C) Cemeteries
- (D) Community Residence serving 7 or more patients
- (E) Hotel/Motel
- (F) Mining
- (G) Motor Vehicle Repair
- (H) Motor Vehicle Service Station
- (I) Multi-Family Residential Development
- (J) Plant Nursery, Commercial
- (K) Public Recreation Facility
- (L) Recreational Use, Active
- (M) Recycling Center
- (N) Schools
- (O) Shopping Center
- (P) Transportation/Motor Freight Terminal
- (Q) Yard Waste Facility