

Resource Protection – Aggregate Overlay Zoning District Proposed Rezoning Overview

Clay County uses two types of zoning districts to regulate land use to meet the goals and objectives of the Clay County Comprehensive Plan and to stay compliant with federal and state rules and laws. These zoning districts are categorized as base zoning districts and overlay zoning districts. The zoning map is available for viewing [here](#).

Base zoning districts are established by the 2012 Clay County Development Code and prescribe basic regulations that govern land use and site development. In Clay County, base zoning districts are intended to preserve the agricultural character of the County, protect shoreland areas, and promote economic development.

Base Zoning Districts

Agricultural General
Agricultural Service Center
Highway Commercial
Limited Highway Commercial
Shoreland: Special Protection
Shoreland: Residential
Shoreland: Special Protection – Low Development
Shoreland: General Use
Urban Expansion District Tier 1
Urban Expansion District Tier 2

Overlay zoning districts are special zoning districts placed over existing base zones that identify special land use provisions in addition to those in the underlying base zone. The purpose of overlay zoning districts is to protect special features or resources found within the base zoning districts. In Clay County, these overlay zoning districts protect airports, floodplains, biological, aggregate (sand and gravel), and groundwater resources from incompatible development or development that may harm or threaten these resources.

Overlay Zoning Districts

Landing Field
Floodway
Floodplain Fringe
General Floodplain
Resource Protection – Aggregate Resources
Resource Protection – Biologically Significant Areas
Resource Protection – Wellhead Protection

Proposed Changes to Resource Protection – Aggregate Overlay Zoning District

The purpose of the Resource Protection – Aggregate Overlay District is to protect areas with existing significant aggregate resources as shown in the Clay County Aggregate Resources Inventory completed pursuant to Minnesota Statutes Chapter 84.94. The Minnesota Department of Natural Resources completed [aggregate resource mapping](#) for Clay County, which serves as the basis for this overlay zoning district.

When this overlay zoning district was adopted in the mid-2000s, it was placed over zoning districts where gravel mining was prohibited, specifically all shoreland zoning districts, the Resource Protection – Wellhead Protection Overlay Zoning District and the Agricultural Service Center Zoning District. Because gravel mining is not allowed in these zoning districts, Clay County is proposing to remove the overlay district from these areas as well as areas identified as having land uses incompatible with gravel mining (e.g., existing major subdivisions). The current and proposed zoning for the Resource Protection – Aggregate Overlay Zoning District is available for viewing [here](#).

Clay County is also considering text amendments to the 2012 Development Code to expand the list of permitted uses in the Resource Protection – Aggregate Overlay Zoning District. The proposed changes are available for viewing [here](#).

The proposed rezoning and text amendments are not intended to add new zoning and land use restrictions. The purpose is to make corrections to an existing zoning district and list of permitted in that zoning district and remove land use restrictions that could cause an undue or unintended burden on landowners in that zoning district.