



Planning Commission Meeting Agenda Monday, August 5th, 2024 @ 6:00 PM

Chair: Simon Stricker

City Clerk: Krista Okerman

Commission:

Deputy Clerk: Cassandra Delougherty

Joby Goerges

City Attorney: Brad Person

Steve Stricker

Roman Siltman

Sean Smuda

City of Jenkins
33861 Cottage Avenue
Jenkins, MN 56474
(218) 568-4637

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NOTE: Printed materials relating to agenda items are available for public inspection in a three-ring binder on table by Council Chamber entrance.

1. Call to Order – Pledge of Allegiance
2. Roll Call
3. Approval
 - a. Agenda
 - b. Minutes from the June 3rd, 2024 meeting
4. Public Hearing-**APPLICATION WITHDRAWN**
 - a. 6:00pm: Rezone Application RR to A
 - i. Open hearing for public comment
 - ii. Close public hearing
 - iii. Planning Commission deliberation
 - iv. Planning Commission Action
5. New Business
 - a. Proposed Ordinance Amendment-Shoreland Overlay & Floodplain Overlay Districts
6. Unfinished Business
 - a. Proposed Ordinance Amendment-Solar Energy Systems
 - b. Dwelling Units, Living Quarters, Shouses, and Tiny Homes
 - i. Pequot Lakes ADU Ordinance
 - ii. Tiny Homes-2020 MN Residential Code-Dept. of Labor & Industry
 - iii. Accessory Dwelling Units Defined
 - c. Land Use Matrix Update
 - i. Land Use Matrix A-D
 - ii. Definitions
 - iii. Proposed Format Land Use/Accessory Use Matrix
7. Miscellaneous/Communication
 - a. Planning & Zoning Administrator's Report
8. Adjournment

**COUNTY OF CROW WING
CITY OF JENKINS
DRAFT**MINUTES OF THE REGULAR PLANNING COMMISSION MEETING
AND PUBLIC HEARINGS
JUNE 3RD, 2024**

CALL TO ORDER: The regular Planning Commission meeting was called to order at 7:00 PM by Chairman Stricker with all citing the Pledge of Allegiance.

ATTENDANCE: Present: Chairman Stricker; Commissioners Siltman, St. Stricker, Goerges, and Smuda, Clerk Okerman, Deputy Delougherty, and Sourcewell Community Development Administrator Kayode Adiatu.

ADDITIONS/DELETIONS: none

APPROVALS: The Agenda and Minutes from May 6th, 2024 Regular Meeting. **Motion to approve made by St Stricker, Seconded by Smuda. All present voted aye.**

**PUBLIC HEARING: Variance & CUP Application, Ebnet 2.3 acre RR
Lot 3 Block 1 Pleasant Acres** Variance from 3 acre minimum requirement per City Code. 0.7 acres smaller than requirement. There is a 0.39-acre discrepancy regarding the deeded acres based on information obtained from Crow Wing County GIS. Based on calculations of the surveyed Pleasant Acre Plat, the property is 2.3+/- acres. Size and shape do not significantly differ from neighboring properties. If adhering to min lot requirement of a duplex, cannot do anything with the property. Property owners have no control over the lot size at the time of purchase.

Hearing opened for Public Comment-

Victor Prociuk 35132 Drake Circle expressed concerns with size, number of units, and cost. Mr. Ebnet explained- 2 bedrooms on each side of the duplex. Ebnet's son will live in one side and rent the other size. Size of the structure will be 80ftX32ft. Single level. Slab on grade. It will not be for sale. Ebnet also has a rental by movie theater, and expressed that there isn't much housing available in the area. Rent price will be dependent on the market. Looking at renting to young professionals or 55+ community. Victor-why not a home? They bought in this area because of single family dwellings.

Mr. Adiatu reminded the audience that the variance is the issue on the table now, please focus on the variance first, before the CUP.

Commissioner Goerges-Does not have a problem allowing that variance. Curious when and why the lot size minimum was set at 3-acres for a duplex. The 2.3-acres is plenty large enough for a duplex.

Chris Teich 3155 Ellis Rd. Questioning why are we forcing a duplex in the neighborhood? Moved in area for same reason as Mr. Prociuk, not having neighbor.

Goerges-if you built a single-family 4bedroom, there wouldn't be much difference between traffic, and doesn't see that as a reason for denial.

Ebnet mentioned that based on his understanding, a duplex is allowed in this zoning district with conditions, per the City Code.

Kayode Adiatu-if recommendation is to deny variance, the CUP would be denied.

Janis Wolf 3640 Cemetery Road How will this help Jenkins?

Chairman Stricker-The City is lacking housing in the area, and it would increase tax base for the City. Current tax base is next to nothing on that property but if building a adds tax value to the City.

Each property is looked at individually. We would be allowing the variance on this piece of property.

Smuda-approving variance doesn't mean CUP will be approved.

PUBLIC HEARING FOR VARIANCE WAS CLOSED

Commissioner Goerges-variance is fine. Still a pretty good sized lot. There is a lot of space there, and it is all high ground.

Siltman-short close to 20%, so special characteristics, we shouldn't allow it or others will be asking for the same thing. The land sizes were set up for a reason. Low density living area for people.

Smuda-his land, supposed to be 3 acres per Siltman. According to comment, doesn't sound like people are too excited about a duplex in the area. To represent the constituents, he's between a rock and a hard place.

St Stricker-well treed for screening.

Stricker-personally has no issue with the variance, as someone who cares about the community, and has invested in the area, we want the town to grow. This may not be the area, but that type of housing is needed. States that his personal opinion does not matter that much. He is not opposed to the variance, but understands what Siltman is saying regarding variance.

We may need to review what is and isn't allowed, along with sizes.

Siltman-before we vote, if there are certain things to look at, we need to do that in the proper time and place. Code, there wasn't anyone sitting in the audience.

Commissioner Goerges made motion to approve variance citing the findings of fact as noted in the staff report, St Stricker, Smuda, Stricker, Goerges ayes, Siltman nay.

Conditional Use Permit-approve or deny application for duplex based on conditions.

Approve with a stamp of conditions, compatibility, and consistency with comp plan. Did look at comp plan, which is the City's business model. What do you want to see in the next 20 years, housing goals are part of it. Plat-applicant meets setbacks, minimal traffic impact. Proposed design is architectural features. Make conditions

PUBLIC COMMENT-CUP:

Samantha Torkelson 3098 Ellis, moved to the area because it was low population, dead end road, small kids, animals. Another rental at the end of the road and too many

people. If she wanted to live by a duplex, she would have moved into town. abutting her garage.

Ebnet-50ft setback

Someone making a decision, how many people should be here.

Tyler Childs 3151 Ellis, Small children, one of which is autistic, rides bike. Everyone knows. Renters got put to an end. All family on Ellis. Bring in son and income for himself. Seems like business. Ellis want about business. It was established to create a family development. He then stated, the following prior to exiting the Chambers, "Worst case scenario, I burn the mother-bleeper down".

Chairman Stricker-As far as living down a dead end dirt road, he completely understands. When property goes up for sale, it's a huge concern for everyone. Totally understandable. He doesn't know that a 2400 sq ft duplex that has 2 bedrooms on each side is a whole lot different than a large family single dwelling. Amount of traffic produced would not necessarily be more.

Ebnet-The lot has been for sale for a long time. Any one of the residents or surrounding property owners could have worked together to purchase it if they didn't want someone to buy it. Yes, he is trying to make a dollar, will be a rental property. His other rentals have not created a problem for the neighbors. States that he will not put up with bad renters, but instead is just trying to provide housing for good renters. He is not trying to invade surrounding property owners with undesirables. If he were to build a house and sell it, surrounding property owners won't know or have control over who purchases it, and feels this is no different.

Chris Teich. Feels that a single-family dwelling is okay, but not happy with a duplex.

CLOSED PUBLIC COMMENT

COMMISSION DELIBERATION-construct a duplex.

Chairman Stricker-I do believe this isn't my opinion or my place to have an opinion, I do believe this is beneficial to Jenkins and the area. I ultimately do not see a difference between this and a large single family dwelling. Inclined to deny based off of neighboring property owners opinion.

Commissioner Goerges-never know what you're going to get with a single family, even at 2 bedrooms. Not enough of a difference between a 4 bedroom single-family than 2-2 bedroom duplexes, so he not have any problem with it. He feels that this is something that is desperately needed.

Clerk Okerman reminded the Commission that a public hearing is for input, but that they are not to base their decision on public opinion.

Siltman-RR-lot density and neighborhood. We have already approved the variance. RR is for nice single family homes with big yards, and spread out.

Kayode Adiatu informed the Commission and audience that he been doing this for 5 to 6 years and has carefully reviewed the application. The staff report is based on City Code and Best Practices for the Rural Residential Zoning District and the plan that the applicant has in place. Traffic analysis shows that the traffic impact is reasonably low. The proposed use replicates existing

structures in the neighborhood. It is important for rural MN Cities to start reimagining types of housing, as more and more people desire to live in the area.

Clerk Okerman reminded the Commission that an important goal within City's Comprehensive plan is that the City wants to offer a variety of housing.

Chairman Stricker-If renting one side and living in the other, there is a vested interest. If one side parties too much, there is some safety in keeping the peace. This is a relatively small duplex, 2400sq feet. Entering on the corner.

St Stricker-2.3 acres is a lot of acreage for a duplex. Ted and Kim will do a nice job.

Smuda-at P&Z in Wadena-Application submitted for a 50-unit campground surrounded by hunting and residential land.

P&Z recommendation was no based on surrounding property owner's opinions, CC passed it, because an application can't be denied just because of the public opinion.

St Stricker doesn't think anyone else is going to put another duplex nearby, likely. This may be a real nice addition to the area.

Motion to recommend approval of the CUP made by St. Stricker, seconded by Goerges, all ayes.

Motion to add conditions per staff recommendations, no additional landscape/screening necessary, but must maintain the 50ft screening on sideyard setbacks by Goerges, seconded by St Stricker, all ayes.

PUBLIC HEARING: Land Subdivision Application-Bean 14.95 acre parcel. Existing structure on SW corner-proposing 4 parcels. One parcel is been delineated. Engineering comment, Lot 3 and 4 will have access off CR 145, lot 1-Cemetery Rd. Includes appropriate setbacks. dedication language. 1, 3, and 4, 1..56, 1.55 , 1.26 acres buildable. Driveway access off CR 145

PUBLIC COMMENT OPEN:

Kevin Olson, 5071 Olson Rd. Wondering what is not allowable in the 30ft setback. Clerk Okerman informed him that this is regarding structures. Lot 4 access

Co-Applicant/Property Owner Bethany Bean-They had this delineated out, Crow Wing County map is a little different. Delineation also includes vegetation; it's all been done and flagged by the specialist. Wanted to make sure that all vegetation was protected.

Clerk Okerman-The City's Wetland Administrator, Joey Gidden, has reviewed the delineation and Preliminary Plat..

Janis Wolf, 3640 Cemetery Rd bought her property 28 years ago. Thoughts are putting this development in is that we will lose the Country lifestyle. She feels that it appears that there is no intention of caring for the future Jenkins lifestyle that we all like.

CLOSE PUBLIC COMMENT

COMMISSION DELIBERATION-

Commissioner Siltman-It looks like everything has been reviewed, lots are large enough, although it adds more people to the area, it maintains the density requirements for the area.

Smuda-hears what Wolf is saying, especially with everything growing since Covid. 2.5 acre lots are pretty large. Unfortunately, we can't make everyone happy, but people will need a place to live.

Goerges-meets minimum lot requirements, looks good.

Kayode-sit in similar forum talking to elected officials regarding how much housing and what types of housing to we want. What can we implement and amend to be best for the City.

Chairman Stricker-in line with most other properties in the area. As far as staff findings, only thing is Ag.

St Stricker-things are going to grow. Grew up here. Cant control it all, and we cant keep it pristine. These seem like real nice lot sizes.

Smuda made motion to approve the Preliminary Plat with staff findings and engineers comments, seconded by Siltman, all ayes.

PUBLIC HEARING: Conditional Use Permit for Roof-Mounted Solar System OM-AIM LLC. We do not have a performance standard, but we require a conditional use permit for roof-mounted solar in C2 district. Positive environmental impact-positive by reducing electricity, lowering carbon footprint.

Kayode personally viewed the site and noticed that there is very little, if an, visibility of the proposed roof-mounted energy system.

Subject property abuts 371, zoning ordinance does not provide performance standards.

Conditions-must meet all .

PUBLIC COMMENT none

CLOSED PUBLIC COMMENT

COMMISSION DELIBERATION-

Chairman Stricker-the way that they are doing it, can't see a way that they are going to negatively impact their business. If ground-mounted, it wouldn't easily pass.

Solar array is flush-mounted to the roof.

Visual and Aesthetic Considerations.

Motion to approve with findings and conditions, with the addition of the visual and aesthetic considerations per staff report made by Goerges seconded by Smuda. All ayes.

MISC/COMM

Kayode Adiatu gave background on himself: Urban Planning and GIS in the states for 5 or 6 years. He is temporarily filling in for Brittney Cotner, our previous Community Development Administrator. During his time here, he would be happy to work with us and collaborate on anything that we would like his help with, such as adopting a solar energy system ordinance. He informed the Commission that there are a number of solar companies buying properties for solar farms. If the City doesn't have performance standards and regulations in place, we cannot regulate. What standards do we want to impose?

Kayode has worked in Mankato and St Peter as an intern, then as a Planner in Wilmar& Lake Elmo, prior to working with Sourcewell.

ADJOURNMENT Motion to adjourn made by Commissioner St Stricker, seconded by Goerges at 7:45 pm. All present voted aye.

Respectfully submitted by Cassandra Delougherty, Deputy City Clerk.

Cassandra Delougherty, Deputy City Clerk

Dated: _____



AGENDA ITEM # 4a

REPORT TO PLANNING COMMISSION

Prepared by: Cassandra Delougherty
Date: July 30th, 2024
Subject: Rezone Application Withdrawal

Report: The City received an application for Rezone from RR to Agricultural. The application has since been withdrawn, but with a condition that we review and possibly amend our current animal ordinance in RR Zoning District. Attached is the withdrawal, provided by the property owner.

Requested Action: none regarding rezone application withdrawal, but review/modification of animal husbandry ordinance is requested as part of Agenda Item 6c.

To whom it concerns,

I would like to withdraw my rezone application, with the condition that the city is willing to work towards making an animal ordinance that is more common sense for Rural Residential zoning and more receptive towards 4H and 4H families. I would also like recognition that in having my current animals, that I have the status as "Legal non-conforming" aka grandfathered in.

Thank you

A handwritten signature in black ink, appearing to read 'RS', with a stylized flourish underneath.

Roman Siltman



REPORT TO PLANNING COMMISSION

Prepared by: Cassandra Delougherty

Date: August 5th, 2024

Subject: Ordinance Amendment-"Shoreland Overlay" and "Floodplain Overlay" Districts

Report: Currently, City Code 150.035, titled "Shoreland Overlay District,"(B) "*Adoption, Administration, and Enforcement*" and 150.036, titled "Floodplain Overlay District" (D) "*Adoption, Administration, and Enforcement*" states that the regulations on property within the above titled Districts are administered and enforced by the Crow Wing County Planning Department. The Crow Wing County Planning Department is no longer responsible for administering and/or enforcing the regulations, so the ordinance must be amended to reflect the current enforcement. Amendment to state that regulations of the above titled Districts will be administered and enforced by, "the City's Designated Wetland Conservation Act Administrator."

The City of Jenkins currently utilizes the expertise of qualified members of the Widseth team for all of our Shoreland/Floodplain reviews and compliance.

Commission Action Requested: Please review attached Ordinance Amendment and make a recommendation on approval or denial of the Ordinance Amendment. If recommending denial, staff requests further direction on how to proceed.

ORDINANCE NO. O-24-____

AN ORDINANCE AMENDING JENKINS LAND USE ORDINANCE SECTION XV—
ZONING DISTRICTS AND DISTRICT RELATED TO 150.035 SHORELAND
OVERLAY DISTRICT (SO) AND 150.036 FLOODPLAIN OVERLAY DISTRICT (FP)

The City Council of Jenkins, Minnesota ordains:

Section 1. Jenkins Land Use Ordinance, Title XV: Land Usage, Zoning Districts and District Provisions 150.035-titled Shoreland Overlay District (SO) and 150.036-titled Floodplain Overlay District (FP) is amended to read:

§ 150.035 SHORELAND OVERLAY DISTRICT.

(A) *Purpose and intent.* The regulations contained in this overlay district are intended to guide and govern the wise development of shoreland of public waters, thus preserving and enhancing the quality of surface waters, preserving the economic and natural environmental values of shorelands, and providing for the wise utilization of water and related land resources in the city. This is an overlay district, thus, the standards (including permitted, accessory and conditional uses) of the underlying zoning district also apply, and the stricter of the two standards shall apply.

(B) *Adoption, administration, and enforcement.* The shoreland regulations adopted by the county and found in the County Zoning Ordinance are hereby adopted by reference to be part of the city's Zoning Ordinance. The shoreland regulations on property located within the shoreland in the city are administered and enforced by the ~~County Planning Department, located in Brainerd, Minnesota.~~ **the City's Designated Wetland Conservation Act Administrator.** A permit for any land use must also be approved by the city and meet the City Zoning Ordinance requirements for the underlying zoning district.

(Ord. passed 4-10-2017 Ord. amended - -)

§ 150.036 FLOODPLAIN OVERLAY DISTRICT (FP).

(A) *Purpose and intent.* The purpose of this chapter is to maintain the community's eligibility in the National Flood Insurance Program and to minimize potential losses due to periodic flooding, including loss of life, loss of property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.

(B) *Warning of disclaimer of liability.* This chapter does not imply that areas outside of the floodplain district or land uses permitted within such districts will be free from flooding and flood damages. This chapter shall not create liability on the part of the city or any officer or employee thereof for any flood damages that result from reliance on this chapter or any administrative decisions lawfully made thereunder.

(C) *National Flood Insurance Program compliance.* This chapter is adopted to comply with the rules and regulations of the National Flood Insurance Program codified as 44 C.F.R. parts 59 through 78, as amended, so as to maintain the community's eligibility in the National Flood Insurance Program.

(D) *Adoption, administration, and enforcement.* The floodplain regulations adopted by the county and found in the County Zoning Ordinance are hereby adopted by reference to be part of the city zoning ordinance. The floodplain regulations on property located in the floodplain within the city, are administered and enforced by County Planning Department, located in Brainerd, Minnesota. **the City's Designated Wetland Conservation Act Administrator.** A permit for any land use must also be approved by the city and meet the City Zoning Ordinance requirements for the underlying zoning district.
(~~Ord. passed 4-10-2017~~ **Ord. amended - -**)

Section 3. **Repeal.** This ordinance shall supersede and repeal all ordinances or policies inconsistent herewith.

Section 4. **Effective Date.** This ordinance shall become effective upon its passage and publication as provided by law.

Passed by the City Council of Jenkins, Minnesota this _____ day of _____, 2024.

Andrew J. Rudlang, Mayor

Attested:

Krista A. Okerman, City Clerk



AGENDA ITEM # 6a

REPORT TO PLANNING COMMISSION

Prepared by: Cassandra Delougherty
Date: July 30th, 2024
Subject: Ordinance Amendment-Solar Energy Systems

Report: With the recent interest in Solar Energy Systems by residents, and the approved Conditional use Permit for AmericInn, Om-Air, staff would like the Planning Commission to make a recommendation to Council regarding definitions, standards, and an update to the Land Use Matrix on Solar Energy Systems, both roof-mounted, as well as ground-mounted systems.

Requested Action: Please review the attached draft resolution and discuss what changes you would like made to the amendment in order to move forward with a recommendation of an Amendment to our City Code regarding Solar Energy Systems, roof-mounted, and ground-mounted. If the Commission would like to table the item, please give staff further direction.

Solar Energy Systems

(A) Accessory use.

(1) Roof mounted solar energy systems shall be allowed as a permitted accessory use in all zoning districts in accordance with the standards in this section and all ground mounted shall be considered by interim or conditional use permit.

(2) The following systems shall be exempt from the requirements of this section and shall be regulated as any other building element:

(a) Building integrated solar energy systems that are an integral part of a principal or accessory building, rather than a separate mechanical device, replacing or substituting for an architectural element or structural component including, but not limited to, photovoltaic or hot water solar energy systems contained within roofing materials, windows, skylights, and awnings; and

(b) Passive solar energy systems that capture solar light or heat without transforming it into another form of energy or transferring the heat via a heat exchanger.

(B) System standards.

(1) Electrical.

(a) All utilities shall be installed underground.

(b) An exterior utility disconnect switch shall be installed at the electric meter serving the property.

(c) Solar energy systems shall be grounded to protect against natural lightning strikes in conformance with the national electrical code as adopted by the city.

(d) No solar energy system shall be interconnected with a local electrical utility company until the utility company has reviewed and commented upon it. The interconnection of the solar energy system with the utility company shall adhere to the national electrical code as adopted by the city.

(2) Maximum area. Ground mounted solar energy systems shall be limited to 25% of the total impervious surface for the lot or 1,000 square feet of coverage, whichever is more restrictive.

(3) Color. All roof mounted solar energy systems shall use colors that are the same or similar with the color of the roof material of the building on which the system is mounted.

(C) Location.

(1) Roof mounting.

(a) The solar energy system shall comply with the maximum height requirements of the applicable zoning district.

(b) The solar energy system shall not extend beyond the perimeter of the exterior walls of the building on which it is mounted.

(2) Ground mounting.

(a) The solar energy system shall only be located in the rear yard as defined by this chapter.

(b) The solar energy system shall comply with the maximum height requirements for accessory buildings for the applicable zoning district.

(c) All components of the solar energy system shall meet the setback requirements of the Zoning District.

(d) Solar energy systems shall not encroach upon drainage and utility easements.

(D) Screening. Solar energy systems shall be screened in accordance with the requirements of this chapter to the extent possible without affecting their function.

(E) Certification.

(1) Roof-Mounted:

(a) Prior to permit issuance, the property owner shall provide documentation from a certified professional that, at a minimum, the following:

(i) Certification that the electrical wiring meets State Codes;

(ii) Certification that the roof condition is adequate for the solar energy system being installed;

(iii) Certification that the structural integrity will not be compromised by, and is adequate for the solar energy system being installed.

(iv) The solar energy system shall be certified by a licensed professional and comply with the requirements of the international building code.

(2) Ground-Mounted:

(a) Prior to permit issuance, the property owner shall provide documentation from a certified professional that, at a minimum, the following:

(i) Certification that the electrical wiring meets State Codes;

(ii) The solar energy system shall be certified by a licensed professional and comply with the requirements of the international building code.

(F) Abandonment. Any solar energy system which is inoperable for 12 successive months shall be deemed to be abandoned and shall be deemed a public nuisance. The owner shall remove the abandoned system at their expense after obtaining a demolition permit.

(G) Permit. A Land Use Permit shall be obtained for any solar energy system prior to installation.

(a) Permit Issuance shall be authorized by the Planning & Zoning Administrator or their designee, or at their discretion, may require approval by the Planning Commission.

(H) Height- Solar energy systems must meet the following height requirements:

(a) Roof-mounted solar energy systems shall not exceed the maximum allowed height in any zoning district.

(b) Ground-mounted solar energy systems shall not exceed 20 feet in height when oriented at maximum tilt.

(I) Location and Setbacks- Solar energy system must meet the accessory structure setback for the zoning district on which the system is located.

Roof-mounted Solar Energy Systems- In addition to the building setback, the collector surface and mounting devices for roof-mounted solar energy systems shall not extend beyond the exterior perimeter of the building on which the system is mounted or built, unless the collector and mounting system has been explicitly engineered to safely extend beyond the edge, and setback standards are not violated. Exterior piping for solar hot water systems shall be allowed to extend beyond the perimeter of the building on a side yard exposure.

(a) Ground-mounted Solar Energy Systems- Ground-mounted solar energy systems may only be allowed on parcels ten acres in size and greater and may not extend into the side-yard or rear setback when oriented at minimum design tilt.

(J) Visibility- Solar energy systems shall be designed to blend into the architecture of

the building or be screened from routine view from public right-of-ways other than alleys.

Effective Date: This ordinance amendment shall be in full force and effect from and after passage and publication according to state law.

Repeal: This ordinance shall repeal all ordinances inconsistent herewith.

Andrew Rudlang, Mayor

ATTEST:

Krista Okerman, City Clerk/Treasurer



REPORT TO PLANNING COMMISSION

Prepared by: Krista Okerman updated by Cassandra Delougherty

Date: August 1, 2024

Subject: Dwelling Units, Living Quarters, “Shouses” and Tiny Homes

Report: Since at least 2020, the City has had inquiries regarding living quarters in the Commercial District and if “shouses” and or tiny homes are allowed within the City limits. It has also been brought to our attention that some business currently do have living quarters within them, which is not an allowed use at this time. However, this use was allowed according to previous zoning ordinances. We would like to have a discussion on these items. Following are the ordinances and effective dates related to living quarters in the Commercial Districts.

Effective through May 11, 2009

9.05a Commercial Use Standards

9.05.01a All structures shall be compatible with neighboring structures. Signing and parking shall conform to Section 17.0

9.05.02a Except for the display of merchandise for sale, outside storage shall be screened.

9.05.03a Business operation shall be compatible with the surrounding development.

9.05.04a Single residences may be allowed under a conditional use permit if occupied by the owner or manager of the commercial operation on the premises.

9.05.05a No animals other than household pets or those necessary for the maintenance, operation or protection of facilities or premises shall be allowed in any commercial districts. Pets shall be of a reasonable number and shall not constitute a nuisance.

9.05.06a All structures in commercial districts not in shore land areas, except churches, shall not exceed 35 feet in height.

Effective May 12, 2009 through April 10, 2017

Subdivision 10. Central Business District (C-1)

A. *Statement of Intent.* This district is intended for retail stores, professional offices, financial institutions, and general offices, which are mutually compatible and can benefit from and contribute to a compact shopping area serving the City and the surrounding area. It is also intended to be a setting conducive to and safe for a high level of pedestrian traffic. *Off-street parking is generally not required for businesses locating in pedestrian oriented areas, however if the property abuts Highway #371, parking shall*

be required. Businesses requiring a Conditional Use Permit will also be required to provide off-street parking.

Conditional Uses. The following uses may be permitted with the approval of a Conditional Use Permit by the City Council following the procedures outlined in Section V, Subdivision 6 of this Ordinance.

1. Multi-family housing provided that such dwelling units are located above or behind (part of building) commercial or office establishments; subject to the following conditions:

a. Any apartment shall be provided with private access, other than through a business.

Existing Ordinance:

| <u>USE</u> | <u>AG</u> | <u>RR</u> | <u>R-1</u> | <u>R-2</u> | <u>RS</u> | <u>P</u> | <u>C-1</u> | <u>C-2</u> | <u>I-1</u> |
|--------------------------|-----------|-----------|------------|------------|-----------|----------|------------|------------|------------|
| Dwelling, Duplex | E | C | C | P | E | E | E | E | E |
| Dwelling, Guest Quarters | P | P | P | P | E | E | P | P | E |
| Dwelling, Multi-Family | E | C | E | C | E | E | C | E | E |
| Dwelling, Single Family | P | P | P | P | E | E | E | E | E |

1. **Dwelling, Guest Quarters.** A structure, not for sale or lease, used as a dwelling unit that may contain sleeping spaces and kitchen and bathroom facilities in addition to those provided in the primary dwelling on the lot. Any accessory structure with kitchen or bathroom facilities shall be considered a dwelling, guest quarters.
2. **Dwelling, Multi-Family.** Two or more dwelling units attached together by any point including duplexes, triplexes, townhouses and multi-level units regardless of type of ownership.
3. **Dwelling, Single Family.** A dwelling unit totally separated from any other dwelling unit.

The City of Pequot Lakes is currently reviewing an ordinance for “Accessory Dwelling Units”, which I have attached for your review.

Shouses/tiny homes

There has recently been an uptick in people wanting to build “shouses”. Currently the City does not have any regulations or restrictions on these other than dwelling units must be a minimum of 20 feet wide and be placed on a foundation. Does the Planning Commission wish to maintain the 20ft minimum width requirement, which would prohibit Tiny Homes in all Zoning Districts? Staff would like you to have a discussion on if you think there should be some restrictions on the living space for structures. Some ways to regulate this could be:

- Have a minimum square footage for livable structures.
- Require the square footage of a garage/storage shed to be less than the living space.
- Require the house portion be the principle use in Residential Districts and the secondary use in the Commercial Districts.
- Siding and/or other aesthetic requirements in the residential district.

**ORDINANCE NUMBER 22-___, SECOND SERIES
AN ORDINANCE AMENDING CHAPTER 17 OF THE CITY CODE
REGARDING DEFINITIONS, LAND USE MATRIX, AND
ACCESSORY DWELLING UNITS
CITY OF PEQUOT LAKES
COUNTY OF CROW WING
STATE OF MINNESOTA**

The City Council of the City of Pequot Lakes does ordain as follows;

Purpose and Intent: The purpose and intent of this ordinance is to amend Chapter 17 of the Pequot Lakes City Code regarding definitions, Land Use Matrix, and Accessory Dwelling Units.

Amendment: Chapter 17, Article 3.2 shall be amended as follows:

Section 17-3.2 DEFINITIONS

Accessory Dwelling Unit (ADU): A single unit located on the same property as a principal dwelling proving complete, independent, living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation. An ADU may be detached, attached, interior (upper or lower level), above garage or a garage conversion.

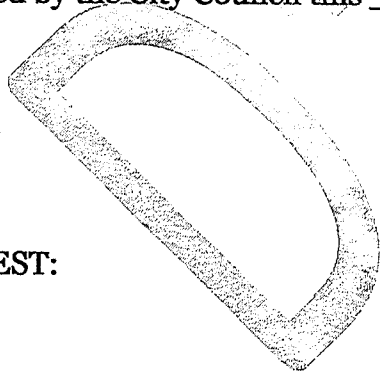
Section 17-7.16 Accessory Dwelling Unit (ADU):

1. Accessory Dwelling Unit (ADU) requires a permit on a conforming residential lot located outside of the Shoreland Area and shall comply with the following standards:
 - A. One ADU allowed per parcel;
 - B. All required setbacks of the underlying zone shall be met;
 - C. Impervious coverage limits of underlying zone shall be met;
 - D. An existing dwelling with multiple lots shall be consolidated into one lot to construct an ADU;
 - E. Maximum square footage of the ADU shall be _____;
 - F. Maximum height shall not be more than main dwelling or maximum height of underlying zone;
 - G. A detached ADU shall not be constructed closer than 10 feet of the main dwelling;
 - H. Architectural Standards:
 - i. Wood construction;
 - ii. Siding shall match main dwelling;
 - iii. Exterior color shall match/be compatible with main dwelling;

- iv. Shingles shall match main dwelling;
- v. Roof pitch shall _____
- vi. _____
- I. Shall not be allowed as a Short-term Rental Dwelling Unit;
- J. May be allowed as a long-term rental (define);
- K. Owner occupancy of the main dwelling shall/shall not be required; *(An owner of the property must occupy at least one dwelling unit on the lot as their primary place of residence. Proof of homesteading shall be required and variances from this provision shall not be considered);*
- L. Conversion of garage space to an ADU shall require replacement of the garage space. Space within a garage that exceeds what is necessary for two vehicles may be converted without replacement;
- M. Onsite parking shall be required for the occupants of the ADU;
- N. A stormwater management plan shall be required demonstrating how stormwater water will be maintained on parcel;
- O. A licensed Subsurface Sewage Treatment System (SSTS) Designer shall determine if the existing SSTS is sized correctly for the additional bedroom(s) in the ADU;
- P. _____
- Q. _____

Effective Date: This Ordinance shall become effective upon its passage and publication as provided by law.

Passed by the City Council this _____ day of _____, 2022, by ___/5th vote.



ATTEST:

Tyler Gardner
Mayor

Richard Spiczka
City Administrator



REPORT TO PLANNING COMMISSION

Prepared by: Cassandra Delougherty
Date: July 30th, 2024
Subject: Homework-Land Use Matrix

Report: With the recent Rezone Application withdrawal condition, as well as interest in ADUs in C-1 and C-2 districts, shouses, barndominiums, and tiny homes, staff need direction on what the City would like to allow, and in which Zoning Districts, moving forward. Attached is a portion (A-D) of the current Land use Matrix, along with our current definitions.

Requested Action: Please review the attached portion of the Land Use Matrix, and provide recommendations regarding uses and districts to staff within the next two weeks of the highlighted items, at a minimum. Once staff have received each Planning Commissioner's recommendations, staff will incorporate the information into the new format of the Land Use/Accessory Use Matrix, provided by Clerk Okerman at an earlier meeting, also attached. If Commissioners have differing opinions of uses and districts, staff will present the findings for full Commission discussion and consensus recommendation.

§ 150.038 LAND USE MATRIX.

(A) The land use matrix shown in the following table establishes the allowable, permitted, accessory, conditional, interim, and excluded uses within the city.

(B) All uses are considered prohibited unless specifically allowed in this code, even if they are not listed specifically under excluded uses.

(C) All accessory uses require a permit, unless otherwise indicated.

| Use | AG | RR | R-1 | R-2 | RS | P | C-1 | C-2 | I-1 | Accessory Use? | Performance Standards? |
|--|-----|-----|-----|-----|----|---|-----|-----|-----|----------------|------------------------|
| Abandoned building | E | E | E | E | E | E | E | E | E | | |
| Abandoned motor vehicle | E | E | E | E | E | E | E | E | E | | |
| Accessory structure | P | P | P | P | P | P | P | P | P | | |
| Adult use | E | E | E | E | E | E | E | E | C | | |
| Agricultural structure | A | E | E | E | E | E | E | E | E | | |
| Airport | E | E | E | E | E | E | E | E | E | | |
| Animals, domestic | A | A | A | A | E | E | A | A | A | | |
| Animals, wild | E | E | E | E | E | E | E | E | E | | |
| Animal clinic (veterinary)/kennels | C | E | E | E | E | E | C | P | E | | |
| Animal grooming establishment | P | C | C | E | E | E | P | P | P | | |
| Animal husbandry | A | C | E | E | E | E | E | E | E | | |
| Antenna | A | C | P | P | A | A | P | A | A | | |
| Artist's studio | P | A | P | P | E | E | P | P | P | | |
| Auto salvage yard | C | P | E | E | E | E | E | E | C | | |
| Bank/credit union | E | E | E | E | E | E | C | P | E | | |
| Banner | P | P | P | P | P | P | P | P | P | | |
| Bed and breakfast | E | C | C | C | E | E | E | E | E | | |
| Billboards | E | E | E | E | E | E | E | E | E | | |
| Boat Access | E | E | E | E | E | E | E | E | E | | |
| Boat house | E | E | E | E | E | E | E | E | E | | |
| Brewery | E | E | E | E | E | E | A | A | E | | |
| Brewery with taproom | E | E | E | E | E | E | A | A | A | | |
| Brew Pub | | | | | | | | | | | |
| Campground | C | E | E | E | E | C | E | C | E | | |
| Camping | A/P | A/P | A/P | A/P | E | E | A/P | E | E | | |
| Cemetery | C | E | E | E | E | P | E | E | E | | |
| Church | C | C | C | C | E | E | C | P | E | | |
| Commercial use (other, not classified) | E | E | E | E | E | E | C | C | P | | |
| Community park | A | A | A | A | E | A | A | A | A | | |
| Controlled access lot | E | E | E | E | E | E | E | E | E | | |
| Conservation subdivision | P | P | E | E | P | E | E | E | E | | |
| Conservation subdivision, shoreline | E | E | E | E | E | E | E | E | E | | |
| Conventional subdivision | C | C | P | P | C | P | P | P | P | | |
| Deck | P | P | P | P | E | P | P | P | P | | |
| Dock | E | E | E | E | E | E | E | E | E | | |
| Dwelling, Accessory Dwelling Unit | | | | | | | | | | | |
| Dwelling, duplex | E | C | C | P | E | E | E | E | E | | |
| Dwelling, guest quarters | P | P | P | P | E | E | P | P | E | | |
| Dwelling, multi-family | E | C | E | C | E | E | C | E | E | | |
| Dwelling, single family | P | P | P | P | E | E | E | E | E | | |
| Dwelling, "shouse" "barndominium" | | | | | | | | | | | |
| Dwelling, tiny home | | | | | | | | | | | |

Notes to table:

A - Allowed without a permit P - Permitted C - Conditional use
 I - Interim E - Excluded AC - Accessory use

§ 150.005 DEFINITIONS.

For the purpose of this chapter, the following definitions apply unless the context clearly indicates or requires a different meaning.

ABANDONED BUILDING. A building as defined hereinafter, on public or private property, which no longer serves a practical use and, due to its location or structural condition, is considered a safety hazard in the opinion of the Zoning Administrator.

ABANDONED MOTOR VEHICLE. A motor vehicle as defined in M.S. § 169.01, as amended from time to time, that has remained on public property in an inoperable condition for more than 48 hours, or has remained on private property for more than 48 hours without the permission of the owner, or has remained on private property for more than 30 days and is inoperable or is unlicensed unless kept in a garage or other storage structure.

ABUTTING. Making direct contact with or immediately bordering.

ACCESSORY USE OR STRUCTURE. A use on the same lot that is both incidental and subordinate to and serving the principal use or structure of facility.

ADDITION. A physical enlargement of an existing structure.

ADJACENT. In close proximity to or neighboring, not necessarily abutting.

ADULT BOOK AND/OR MEDIA STORE. An establishment which has a substantial portion (25% of utilized floor area) of its stock in trade or stock on display books, magazines, films, videotapes, or other media which are characterized by their emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas.

ADULT CABARET. An establishment which provides dancing or other live entertainment, and if such dancing or other live entertainment is distinguished or characterized by an emphasis on the performance, depiction, or description of specified sexual activities or specified anatomical areas.

ADULT ESTABLISHMENT. Any business which offers its patrons services, entertainment, or the sale of merchandise characterized by an emphasis on matter depicting, exposing, describing, discussing, or relating to specified sexual activities or specified anatomical areas. Specifically included in the term, but without limitation, are adult book and media stores, adult cabarets, adult hotels or motels, adult mini-motion picture theaters, adult modeling studios, adult motion picture arcades, adult motion picture theaters, adult novelty businesses, and other adult establishments.

ADULT HOTEL OR MOTEL. A hotel or motel wherein material is presented which is distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas.

ADULT MINI-MOTION PICTURE THEATER.

(1) A theater in an enclosed building, with a capacity for less than 50 persons, used for presenting motion pictures, including, but not limited to, film and videotape, having as a dominant theme material distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas.

(2) Any business which presents motion pictures, including films and videotapes, having as a dominant theme material distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas, for viewing on the premises, including, but not limited to, private booths, viewing by means of coin operated or other mechanical devices, and the viewing of excerpts of motion pictures offered for sale or rent.

ADULT MOTION PICTURE ARCADE. Any place wherein coin or token operated or electronically, electrically, or mechanically controlled or operated still or motor picture machines, projectors, or other image producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by an emphasis on depicting or describing specified sexual activities or specified anatomical areas.

ADULT MOTION PICTURE THEATER. A theater in an enclosed building, with a capacity of 50 or more persons, used regularly and routinely for presenting live entertainment or motion pictures, including, but not limited to, film and videotapes, having as a dominant theme material distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas for observation by patrons therein.

ADULT NOVELTY BUSINESS. A business which sells, offers to sell, or displays devices which stimulate human genitals, or devices which are designed for sexual stimulation.

ADULT USE. Any of the adult activities and businesses described above constitute **ADULT ORIENTED BUSINESSES** which are subject to the regulation of this chapter.

AGENT. Any person acting on behalf of a landowner in dealing with activities under the jurisdiction of the chapter, including, but not limited to, realtors, contractors, or attorneys.

AGRICULTURAL USE. The use of land for agricultural purposes, including farming, dairying, pasturage, agriculture, horticulture, floriculture, viticulture, and animal and poultry husbandry, and the necessary accessory uses used for packing, treating, or storing the product, provided, however, that the operation of any such accessory uses shall be secondary to that of the normal agricultural activities.

AIRPORT. Any premises used or intended for use for the landing and taking off of aircraft, including any structures used or intended for use for aircraft services.

ALTERATION. A change or rearrangement in the structural parts or in the existing facilities, or an enlargement, whether by extending on a side or by increasing in height, or by moving from one location to another, of a building or a structure.

ANIMALS, DOMESTIC. Common household pets, such as dogs and cats, kept for amusement, companionship, decoration, or interest.

ANIMALS, WILD OR EXOTIC. Animals, such as wolves, tigers, lions, and snakes, that are not normally a domestic animal or farm animal and would ordinarily be confined in a zoo or found in the wild.

ANIMAL BOARDING FACILITY. An establishment that houses animals, other than those belonging to the occupant, overnight or over an extended period of time.

ANIMAL GROOMING ESTABLISHMENT. An establishment principally engaged in grooming animals in which overnight boarding is prohibited.

ANIMAL HUSBANDRY. The practice of raising, selective breeding, farming, or care of common farm animals such as cattle, horses, hogs, sheep, goats, poultry, and rabbits by humans for advantages.

ANIMAL UNIT. A unit of measure based on the approximate production of wastes from 1,000 pounds of live weight of poultry or animals.

| | |
|-------------------------------|------|
| One chicken | 0.1 |
| One duck | 0.05 |
| One goose | 0.1 |
| One mature dairy cow or horse | 1.4 |

| | |
|--------------------------------------|------|
| One sheep | 0.1 |
| One slaughter weight steer or heifer | 1 |
| One swine over 55 pounds | 0.4 |
| One turkey | 0.18 |

ANTENNA. Any structure or device used for the purpose of collecting or radiating electromagnetic waves, including, but not limited to, directional antennas such as panels, microwave dishes, satellite dishes, and omni-directional antennas such as whip antennas. Dishes under 36 inches are excluded from the definition of **ANTENNA**.

APARTMENT. A room or suite of rooms that is designed for, intended for, or occupied as a residence by a family or individual, and is equipped with sanitary facilities.

APPEAL. An application for the review of an order, requirement, decision, determination, or interpretation of this chapter made by an administrative officer in the application and/or enforcement of this chapter.

ARCHITECTURAL PROJECTION. A non-functional or ornamental feature on a building or other structure that does not extend to or from the ground.

ARTIST'S STUDIO. A fine arts workshop of a painter, sculptor, potter, weaver, carver, jeweler, photographer, or other similar art that requires artistic skill, where the public is received or where the artist is engaging in retail sales. Not generally utilitarian, related to personal hygiene, or adornment.

ATTACHED. Two buildings or structures that combine to form one building or structure through the use of at least one common wall, not including a breezeway.

ATTORNEY. The attorney duly appointed by the Council to represent the city.

AUTO SALVAGE YARD. A lot or yard where four or more motor vehicles are stored while parts are removed, where crushing occurs, or where storage pending crushing may occur.

AUTO TRIP. Transport in a vehicle that includes both an arrival and a departure from a location.

BALCONY. Same as a **DECK**.

BANNER. A temporary sign constructed out of paper, plastic, cloth, cardboard, or some other non-permanent material and affixed to poles or the side of a building in a manner than can be easily moved, modified, or rearranged.

BATHROOM. A room containing a shower or bathtub or a sink and toilet.

BASEMENT. The space below the first story of a structure which is greater than four feet in height.

BED AND BREAKFAST DWELLING. A dwelling, single family, licensed through the County Public Health Services, where, for compensation, meals and lodging are provided for three or more unrelated persons, but not to exceed eight persons. The owner of the parcel must live on the premises.

BEDROOM. A portion of a dwelling unit intended to be used for sleeping purposes, which may contain closets and may have access to a bathroom.

BLUFF.

(1) A topographic feature such as a hill, cliff, or embankment having all of the following characteristics:

(a) Part or all of the feature is located in a shoreland area;

- (b) The slope rises at least 25 feet above the ordinary high water mark of the water body;
- (c) The grade of the slope from the toe of the bluff to a point 25 feet above the ordinary high water level averages 30% or greater; and
- (d) The slope must drain towards the water body.

(2) An area with an average slope of less than 18% over a distance for 50 feet or more shall not be considered part of the **BLUFF**.

BLUFF IMPACT ZONE. A bluff and the land located within 20 feet inland from the top of the bluff.

BOAT ACCESS. A ramp, road, or other conveyance on a residential lot which allows the launching and removal of a boat with a vehicle and trailer.

BOAT HOUSE. A structure designed and used solely for the storage of boats or boating equipment.

BOARDING HOUSE. Same as **BED AND BREAKFAST DWELLING**.

BOARD OF ADJUSTMENT. The Board, appointed by the City Council, to hear appeals from actions of the Zoning Administrator, and variance requests.

BREEZEWAY. A covered or enclosed walkway that physically connects two or more buildings or structures. Shall not materially connect the two or more buildings or structures.

BREWERY. Manufactures, processes, and warehouses malt liquor for wholesale distribution in off-sale packages to retail liquor establishments and may retail malt liquor product for onsite consumption in a taproom or for offsite consumption as growlers. A brewer may not have an ownership interest in a **BREWERY** licensed under M.S. § 340A.301, Subd. 6, clause (d), as amended from time to time.

BUILDABLE AREA. Any site, lot, parcel, or any portion thereof that does not contain designated flood plain, wetlands, or areas in excess of 25% slope.

BUILDING. Any structure used or intended for storage, shelter, or occupancy.

BUILDING HEIGHT. The vertical distance between the highest adjoining ground level at the building or ten feet above the lowest ground level, whichever is lower, and the highest point of a flat roof or average height between the eaves and the highest ridge of gable, hip, or gambrel roofs, or ten feet below the peak, whichever is greater.

BUILDING LINE. A line parallel to a lot line or the ordinary high water level at the required setback beyond which a structure may not extend.

BUILDING PERMIT. A permit authorizing an applicant under this code to undertake construction or other development activity.

CAMPGROUND. Any area, whether publicly or privately owned, consisting of designated campsites with appropriate facilities and management services designed for temporary occupation by tents or recreational vehicles.

CAMPING. Habitation of a temporary structure.

CAMPSITE. A parcel within a resort or campground designated for the occupancy of one family on a periodic basis in a tent or recreational vehicle.

CEMETERY, UNPLATTED. Any human remains or burials found outside of platted, recorded, or identified cemeteries pursuant to M.S. § 307.08, as amended from time to time.

CHAIRPERSON. The individual elected by the Planning Commission to chair its meetings. A vice-chair may also be elected and would serve as **CHAIRPERSON** when the elected chairperson was absent.

CHILD CARE, CENTER. A facility that is maintained, for the whole or part of the day, for the care of five or more children who are 18 years of age or younger, and who are not related to the owner, operator, or manager thereof, whether such facility is operated with or without compensation for such care and with or without stated educational purposes. The term shall not include any facility licensed as a foster care home or any facility defined as a **CHILD CARE, FAMILY HOME**.

CHILD CARE, FAMILY HOME. A primary residence where, for the whole or part of the day, an owner of the residence, licensed as a child care provider, cares for five or more children who are 18 years of age or younger and who are not related to the owner, whether such facility is operated with or without compensation for such care.

CHURCH. A building, together with its accessory buildings and uses, where persons regularly assemble for religious worship and which building, together with its accessory buildings and uses, is maintained and controlled by a religious body organized to sustain public worship and related community activities.

CLEAR CUTTING. See **VEGETATION REMOVAL, CLEAR CUTTING**.

CITY CLERK-TREASURER. The appointed person responsible for administration of the city affairs.

CITY COUNCIL. The duly elected governing body of the city.

CITY SEWER OR WATER SYSTEM. A system of municipally maintained utilities, approved by the state, and serving more than one building or property.

COMMERCIAL USE. The principal use of land or buildings for the sale, lease, rental, trade of products, goods, or services.

COMMERCIAL WIRELESS TELECOMMUNICATION SERVICES. All commercial wireless telecommunications services, including cellular, personal communications services, specialized mobilized radio, enhanced specialized mobilized radio, paging, and similar services that are marketed to the general public.

COMMISSIONER. The Commissioner of the Department of Natural Resources.

COMMUNITY PARK. A park designed to provide recreational opportunities to serve the entire community.

CONSERVATION PARCEL. A parcel of land set aside from development in a Rural Conservation Subdivision.

COMPREHENSIVE PLAN. Also referred to as **COMMUNITY PLAN**. A compilation of policy statements, goals, standards, and maps for guiding the physical, social, and economic development, both private and public, of the city and its environs and may include, but is not limited to, the following items: statements of policies, goals, standards, a land use plan, a community facilities plan, a transportation plan, and recommendations for plan execution.

CONDITIONAL USE. A land use or development, as defined by the chapter, that would not be appropriate without restriction, but may specifically be allowed without restrictions of conditions as determined by the Planning Commission and the Council upon a finding that the use or development is an appropriate **CONDITIONAL LAND USE** in the land use zone; the use or development, with conditions, conforms to the Comprehensive Land Use Plan; the use, with conditions, is compatible with the existing neighborhood; and the use, with conditions, would not be injurious to the public health, safety, welfare, morals, order, comfort, convenience, appearance, or prosperity of the city.

CONTIGUOUS. The sharing of a common border at more than a single point. Lots, parcels, or boundaries may be considered **CONTIGUOUS** where separated by rights-of-way, rivers, or streams.

CONTROLLED ACCESS LOT. Any lot which is designated for the exclusive use by non-riparian landowners within a subdivision as a means to gain access to a lake, river, or stream.

COUNCIL. The City Council, as established by state law.

CRAWL SPACE. The space below the first story of a structure not more than four feet high and not intended for human habitation.

CUL-DE-SAC. A short local street terminating in a vehicular turnaround.

DBH. Diameter at breast height. The width of a tree or shrub as measured at four and one-half feet above the ground surface.

DECK. An uncovered, unscreened structure or on-grade patio not including on-grade walks four feet wide or less.

DOCK. A platform extending waterward from the shoreline intended for ingress and egress for moored watercraft or to provide access to water for swimming, fishing, or other water-orientated activities.

DORMITORY. A building, or portion thereof, providing group sleeping accommodations in one room, with shared bath and toilet facilities.

DUPLEX, TRIPLEX, or QUAD. A structure on a single lot having two, three, or four dwelling units respectively being attached by common walls, and each being equipped with separate sleeping, cooking, eating, living, and sanitation facilities.

DWELLING, GUEST QUARTERS. A structure, not for sale or lease, used as a dwelling unit that may contain sleeping spaces and kitchen and bathroom facilities in addition to those provided in the primary dwelling on the lot. Any accessory structure with kitchen or bathroom facilities shall be considered a **DWELLING, GUEST QUARTERS**.

DWELLING, MULTI-FAMILY. Two or more dwelling units attached together by any point, including duplexes, triplexes, townhouses, and multi-level units, regardless of type of ownership.

DWELLING, SINGLE FAMILY. A dwelling unit totally separated from any other dwelling unit.

DWELLING, TOWNHOUSE. A type of multi-family housing consisting of dwelling units attached by common party walls. Ownership may be defined by plat or condominium plan.

DWELLING SITE. A designated location for residential use by one or more persons using temporary or moveable shelter, including camping and recreational vehicle sites.

DWELLING UNIT. A structure or portion of a structure or other shelter designed as a short or long-term living quarters for one or more persons, including rental or time share accommodations such as a motel, hotel resort rooms, and resort cabins.

DWELLING WIDTH. The smallest horizontal dimension of the major portion of a dwelling.

EARTH TONE. A shade of color that, when viewed from a distance, blends with the colors of the surrounding landscape.

ENGINEER. The engineer duly appointed by the Council to perform technical services for the city.

EVENT CENTER. A premises which is rented out for public or private activities that are not repeated on a weekly basis, and which are not open to the public on a daily basis at times other than when an event is scheduled.

EXTERIOR STORAGE. Storage of goods, materials, equipment, and manufactured products outside a fully enclosed building.

Principal Use: Table 1

| | Agricultural | Residential | | | | Business | | Industrial | Public |
|---|--------------|-------------|-----|-----|-----|----------|-----|------------|--------|
| Principal Use Type | AG | RR | R-1 | R-2 | R-S | C-1 | C-2 | I-1 | P |
| Residential | | | | | | | | | |
| Household Living | | | | | | | | | |
| Dwelling, Single-Family | P | P | P | P | | | | | |
| Dwelling, Multi-Family | | | | | | | | | |
| Dwelling, Guest Quarters | | | | | | | | | |
| Dwelling, Duplex | | | | | | | | | |
| Dwelling, Senior Independent Living | | | | | | | | | |
| Group Living | | | | | | | | | |
| Group Care Facilities | | | | | | | | | |
| Licensed Residential Facility | | | | | | | | | |
| Senior Housing | | | | | | | | | |
| Lodging | | | | | | | | | |
| Bed and Breakfast | | C | C | C | | | | | |
| Hotels and Motels | | | | | | | | | |
| Public, Social, Health Care or Institutional | | | | | | | | | |
| Cemetery | C | | | | | | | | P |
| Community Center | | | | | | | | | |
| Government Offices, Administrative Cultural Centers or Meeting Spaces | | | | | | | | | |
| Event Centers | C | | | | | | | | |
| Hospitals, clinics, medical offices, dental and chiropractic offices and clinics, | | | | | | | | | |
| Nursing Homes | | | | | | | | | |
| Campgrounds and RV Parks | PS | PS | PS | PS | | PS | | | |
| Churches | | | | | | | | | |
| Commercial | | | | | | | | | |
| Food or Beverage Services | | | | | | | | | |

Tiny Homes
Barndominiums/Shouses

Ag RR R-1 R-2 RS C-1 C-2 I-1 P

| | | | | | | | | | |
|---|--|--|--|--|--|--|--|--|--|
| Food Trucks, Mobile Food Units | | | | | | | | | |
| Restaurants with drive-up or drive-in | | | | | | | | | |
| Restaurant without drive-in or drive-up | | | | | | | | | |
| Restaurants within a building devoted to a permitted principal use and consisting of no more than 20% of the building footprint | | | | | | | | | |
| Breweries | | | | | | | | | |
| Breweries with Taprooms | | | | | | | | | |
| Specialty food or coffee shop | | | | | | | | | |
| Retail Sales or Services | | | | | | | | | |
| Automotive Sales | | | | | | | | | |
| Convenience Store | | | | | | | | | |
| Convenience Store with gas and/or car wash | | | | | | | | | |
| Craft shops, hobby shops and similar uses | | | | | | | | | |
| Drug Stores | | | | | | | | | |
| Grocery Stores | | | | | | | | | |
| Liquor Store, off sale | | | | | | | | | |
| Liquor Store, on sale | | | | | | | | | |
| Hardware Stores | | | | | | | | | |
| Pharmacies | | | | | | | | | |
| Retail and Services Businesses | | | | | | | | | |
| Seasonal Sales/promotional event sales | | | | | | | | | |
| Seasonal produce stands | | | | | | | | | |
| Seasonal sales/promotional event sales uses/open sale lots/outdoor display | | | | | | | | | |
| Warehouse with storefront | | | | | | | | | |
| Personal Services | | | | | | | | | |

THC-Retail
THC

Ag
RR
R-1
R-2
RS
C-1
C-2
I-1
P

| | | | | | | | | | |
|---|--|--|--|--|--|--|--|--|--|
| Stormwater ponding | | | | | | | | | |
| Telecommunication Tower or structure | | | | | | | | | |
| Waste collection, storage or processing | | | | | | | | | |
| Water reservoir or water tower | | | | | | | | | |
| Other | | | | | | | | | |
| Adult Use | | | | | | | | | |
| Manufactured/Mobil Home Park | | | | | | | | | |
| Temporary Use | | | | | | | | | |
| TV and Radio Stations | | | | | | | | | |

SAMPLE



PLANNING AND ZONING ADMINISTRATOR'S REPORT

1. **Permits:** The following permits have been issued since the last meeting:
 - a. Sean Smuda, Shiners LLP, 34174 2nd Ave, Commercial Sign Permit
 - b. Jon Lubke, 34013 N. Oak Dr. Land Use Permit-Construction of a 24ft x 30ft pole shed

2. **Code Enforcement:** Staff has sent the following correspondence for potential violations: **NONE**