

Zoning Ordinance Advisory Committee Meeting
May 18, 2006
8:30 to 11:15 a.m.

Members Present: Jerome Flottesch, John Postovit, Ray Stordahl, Jerry Schutz, Harry Johnston, Ken Christensen, and Don Lefebvre.

Agency Representatives: Dave Barsness, DNR; Patty Johnson, BCP&Z.

Conservation Design Development Seminar Review. Patty Johnson.

Becker County sponsored 8 people to attend a Conservation Design Workshop where Randall Arendt, landscape planner, site designer, author, lecturer and an advocate of "conservation planning." Arendt has designed conservation subdivisions for a wide variety of clients in 21 states. He emphasized the need for flexibility of lot sizing and setbacks for site design which are not currently available in present ordinances. He stressed comprehensive planning and implementation of those plans. Typical subdivision ordinances use arbitrary numbers (lot and road sizing) that are not applicable to the land that's being developed – Nature is not geometrically laid out – "one size fits all" does not relate to the land or the outcome of a comprehensive plan. Mr. Arendt pointed out that comprehensive plans usually don't state that all the land developed will be in "geometric grid development layouts", yet, that is what we end up with. He stated that current subdivision ordinances and procedures are "flawed processes which produce flawed results" – the "clueless cluster".

So how do we control density? He stated that minimum density should not be used rather, maximum lot size which gives developers more choices.

Another point Mr. Arendt reiterated throughout the workshop is that conservation-type subdivisions should be PERMITTED USES and not conditional uses. Currently permitted conventional plans should be by conditional use and then only approved if they are better than a conservation-type design. Mr. Arendt has designed a number of neighborhoods in Minnesota, most notably the North Oaks area. He also stated this type of subdivision is appropriate for all types of development from low-income, multi-family, single family to high end.

Patty will send out a copy of the seminar packet to the Committee. The members that attended the seminar found the information very beneficial and suggested that the Committee explore the conservation design concept. Chair Flottesch suggested a subcommittee. Ray Stordahl, John Postovit and Patty Johnson will coordinate a meeting. It was suggested that Roy Smith and a local Developer be involved in the preliminary discussion.

**Shoreland Development Index and State Alternative Standards Review.
Dave Barsness.**

Dave noted that the alternative shoreland standards do incorporate conservation subdivision lot size standards.

Dave provided the Committee with the chart he completed comparing the original Shoreland Development Index, the State Alternative Standards (Minor 2-3 lots, Conventional Subdivision and Conservation Subdivision) and a revised Shoreland Development Index using 2,2.5 and 3 surface acres (the original Index used 2,3 and 4 surface acres for lot size calculation). The Committee reviewed the chart. The chart will be mailed to the absent members for their comments. No action was taken – future discussion will take place.

Accessory Structure Subcommittee Report. Subcommittee - John Postovit, Harry Johnston, Roy Smith, Jerry Schutz.

John Postovit reported on the Subcommittee findings (Report attached). Pete Theilen, Foltz Buildings, met and consulted the Subcommittee and supports the following amendments.

Accessory Structure Use - If any portion of the floor space is equipped with the three key elements; 1) Cooking/kitchen facilities 2) Water supply and/or sanitary disposal facilities 3) Sleeping accommodations; providing the capability of independent, continuous human habitation, the building or structure is considered equivalent to a guest cottage and must be located on a property that meets or exceeds duplex lot area and width dimensions as listed in Section 6, Subdivision 4 of the ordinance. Jerry Schutz made a motion to approve. Second by Ray Stordahl. All in favor. Motion carried.

Accessory Structure Height – 22 feet to peak and 1.5 story. Don Lefebvre made a motion to approve. Harry Johnston second. All in favor. Motion carried.

Accessory Structure Size – Accessory structures on a lake frontage lot or within 200 feet of a lake are allowed to be 480 square feet or 5% of that portion of the lot (within 200 feet) whichever is least restrictive. In all cases, the accessory structure must be located within the setback lines and cannot exceed 1200 square feet.

Accessory structures located over 200 feet from a lake and accessory structures located across the road from the lakeshore tract are allowed to be 2400 square feet if it does not exceed 15% of the buildable area. This recommendation is applicable in a residential use area. Impervious surface standards must also be met.

Jerry Schutz made a motion to approve the Accessory structure size and location. Ken Christensen second. All in favor. Motion carried.

Accessory Structure Road Setback – Many of the requests for construction of accessory structures is involved with road setback issues and in addition the

recent approved non conforming lot mitigation provision encourage increasing setback from the lake further involving road setback issues. Therefore, in conjunction with update of the accessory structure subdivision, it is recommended that the ordinance standard be changed to: The building setback line is 20 feet from the right of way of a township dedicated road and 53 feet from the centerline of a non dedicated road. This recommendation does not apply to County or State Highways.

The Committee discussed the setbacks and would like to have input from the County Engineer. Ken Christensen will contact the County Engineer and report in June.

June Meeting. The consensus of the Committee is to meet in June and finalize the 3rd ordinance revision proposal. The Committee will propose to “take a break” until fall. Patty will be scheduling a meeting in the State Forest Areas for the Conservation Overlay District proposal in the next 2 months. The Shoreland Development Index will be tabled for further discussion.

ZSOAC Meeting
June 6th, 2006
8:30 a.m.

Commissioner’s Room – Courthouse

1. Accessory Structure Road Setback Report
2. ISTS Certification
3. Other Business