

# Planning Commission Special Meeting Agenda

Monday February 6, 2023 - 6:00 PM  
Cologne Community Center, 1211 Village Parkway

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## Vision Statement

*The City of Cologne is a vibrant small town that respects its heritage, embraces its future and offers a high quality of life for all who live, work and visit our community.*

Chairperson: Bernie Shambour  
Commissioner: Vickie Selness  
Commissioner: Jenn Brewington  
City Council Liaison: Carol Szarolletta  
Commissioner: Kevin Fafinski

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NOTE: AGENDA ITEMS ARE APPROXIMATE AND SUBJECT TO CHANGE ACCORDING TO LENGTH OF DISCUSSION. TO ENSURE THAT YOU ARE PRESENT FOR ITEMS OF INTEREST, PLEASE ARRIVE AT 6:00 PM.

1. CALL MEETING TO ORDER & ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. ADOPT AGENDA
4. PLANNING COMMISSION BUSINESS
  - a. January 9, 2023 Planning Commission Meeting Minutes
  - b. Accessory Structures Ordinance Amendment Consideration
    - i. Surrounding Cities Ordinance Examples
    - ii. Current Cologne Ordinance
    - iii. Accessory Structure Ordinance Comparisons
  - c. Downtown Redevelopment Plan Proposal
5. BOARD REPORTS
6. ANNOUNCEMENTS
7. ADJOURN

# Planning Commission Special Meeting Minutes

Monday January 9, 2023 - 6:00 PM  
Cologne Community Center, 1211 Village Parkway

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## **1. CALL MEETING TO ORDER & ROLL CALL**

Chairperson Shambour called the meeting to order at 6:00 PM with Commissioners Brewington, Fafinski, Selness, and Szaroletta present. Also present were City Administrator – Jesse Dickson and City Clerk – Michelle Morrison.

## **2. PLEDGE OF ALLEGIANCE**

## **3. ADOPT AGENDA**

Motion by Commissioner Brewington to adopt the agenda as presented, second by Commissioner Szaroletta. Motion carried 5-0.

## **4. PLANNING COMMISSION BUSINESS**

### **a. November 7, 2022 Planning Commission Meeting Minutes**

Motion by Commissioner Selness to adopt the November 7, 2022 Planning Commission Minutes, second by Commissioner Brewington. Motion carried 5-0.

### **b. Accessory Structures Ordinance Amendment Consideration**

Chair Shambour reviewed the Existing Ordinance #153.016 and recapped the December 5<sup>th</sup> City Council meeting where the Council upheld the Planning Commission's denial of a variance for 310 Park St and asked the planning commission to review the existing ordinance to determine if it needs to be updated to current best practice. After discussion, Commissioner Brewington made a motion directing the City Administrator to engage the help of City Planner Cindy Nash in benchmarking the

existing Accessory Structure Ordinance with neighboring cities to determine if it needs to be updated to current best practice, second by Commissioner Selness. Motion carried 5-0.

**5. BOARD REPORTS**

**6. ANNOUNCEMENTS**

**7. ADJOURN**

Motion by Commissioner Brewington to adjourn at 6:25PM, second by Commissioner Szaroletta. Motion carried unanimously.

Respectfully Submitted:

Attest:

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Michelle M Morrison, City Clerk

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Bernie Shambour, Chairperson

### **15.28.230 Residential Accessory Buildings**

This section permits certain accessory buildings in residential districts and sets forth minimum setbacks for such buildings. The following additional regulations shall apply to accessory buildings in the single family residential districts: R1, R1-A, R1-B, R2, and PRD.

- A. The State Building Code requires a building permit for accessory buildings in excess of 120 square feet floor area, or for buildings that are permanently affixed to the ground by a concrete slab or foundation.
- B. No accessory buildings shall be constructed prior to construction of the principal building to which it is accessory.
- C. Pole buildings shall be prohibited in residential districts.
- D. No accessory building shall be located closer than six (6) feet to the principal building.
- E. No accessory building shall be located in a front or side yard, except that a detached garage may be located in a side yard if it meets the required setbacks for an attached garage.
- F. Accessory building material shall be the same as or of similar quality as that of the principal building. Accessory buildings shall be compatible with the principal buildings with respect to building materials, design and character.
- G. No lot shall contain more than two accessory buildings.
- H. One accessory building shall not exceed 768 square feet in floor area on lots of 7,200 square feet in size or greater, or 624 square feet on lots of less than 7,200 square feet in size and shall not exceed 15 feet in height. The garage door opening shall be limited in height to eight feet as measured from the driveway apron or grade at the door opening.
- I. A second accessory building shall not exceed 256 square feet in floor area, nor shall exceed 12 feet in height.
- J. No attached garage shall exceed 1000 square feet or 75% of the square footage of the footprint of the principal dwelling, whichever is less. The garage door opening shall be limited in height to eight feet as measured from the driveway apron or grade at the door opening.
- K. Attached garages, for the purpose of this section, shall not be counted toward the allowable accessory structures as defined in paragraphs H, nor I.  
(Ord. No. 787, 7/17/2006)

1. An intermediate cornice line
  2. A sign band
  3. An awning arcade or portico
  4. A change in the building materials, texture or detailing
  5. A change in window shape or treatment
- E. *Entries.* The main entrance should always face the primary street and shall be placed at grade. Main entries shall be designed with one or more of the following:
1. Canopy, portico, overhang or arch above the entrance
  2. Recesses or projections in the building façade surrounding the entrance
  3. Peaked roof or raised parapet over the door
  4. Display windows surrounding the entrance
  5. Architectural detailing such as tile work or ornamental moldings
- F. *Building Placement.* All buildings in the General Commercial District shall be located as close as possible to the front yard setback line and building entrances shall be as close as possible to abutting streets. Parking shall be to the rear or side of the building to the greatest extent possible.
- G. Pre-fabricated and/or pre-engineered buildings are prohibited in the C-2 and B-I Districts, except as provided under 1245.03, Subd. 3, A, 10. Pre-fabricated buildings are those primarily built in a factory off-site and then shipped to and assembled on site. Pre-engineered buildings are products generally designed by manufacturers according to standard design models as opposed to buildings designed by a stand-alone architect and project engineer who select/employ materials from a variety of independent sources for the specific needs of the property and building.

**Subd. 4 Loading and Refuse Areas.** Screening of service yards, refuse, and waste-removal areas, loading docks, truck parking areas, and other areas which tend to be unsightly shall be accomplished by use of walls, privacy fencing, dense planting, or any combination of these elements. Screening shall block views from public right-of-way.

**Subd. 5 Lot Frontage and Parking Location.**

- A. *Highway 212 and Highway 5 Corridor.*
1. In any lot that abuts Highway 212 or Highway 5, directly, the lot line abutting the highway shall be considered the front lot line.
  2. In any lot that abuts either an access boulevard parallel to Highway 212 or Highway 5, the lot line abutting the boulevard shall be considered the front lot line.
  3. The majority of parking shall be located to the side or rear yards of the building.
- B. *All other non-commercial districts listed under the provisions of this section.* Parking areas should be distributed around large buildings in order to shorten the distance to the entrance and to other buildings and reduce the overall scale of the paved surface. No more than 50 percent of the parking area for the site shall be located between the front façade of the principal building and the primary abutting street.

**Subd. 6 Franchise Architecture.** Franchise architecture (building design that is trademarked or identified with a particular chain or corporation and is generic in nature) shall be incorporated in such a manner to comply with the design standards of this Section.

**1245.04 Accessory Structures**

**Subd. 1 Purpose.** The intent of this section is to establish the minimum regulations for accessory structures in order to protect the public health, safety and welfare; to protect use areas; to promote orderly development; to provide adequate light, air, and convenience of access to property; to provide for compatibility of different uses; to prevent overcrowding of land and undue concentration of structures.

**Subd. 2 General Provisions.**

- A. *Setbacks.* Detached accessory structures shall be located in the side or rear buildable lot area subject to meeting the setback requirements. Unenclosed Decks, Porches, and Patios are permissible in the front yard subject to meeting the setback requirements.
- B. *Aggregate Coverage Limitation.* In the R-1, R-2, R-3, R-4 and RC-1 Districts, the sum of the building area of all garages, utility buildings and other detached accessory structures shall not exceed a total of:

Lot Area (in square feet)	Maximum Total Floor Area of all Accessory Structures*	Maximum Number of Detached Accessory Structures
10500 and smaller	1,000 square feet	Two
10,501 to 21,780	1,200 square feet	Two
21,781 to 43,560	1,400 square feet	Two
43,561 and larger	1,600 square feet	Two, unless variance granted

- (1) Subject to maximum lot coverage limit contained in the underlying zoning district.
- (2) Commercial, industrial, or business buildings and structures for a use accessory to the principal use shall not exceed thirty (30) percent of the gross floor area of the principal use.
- (3) At no time shall the ground floor area of a detached residential accessory structure within an R-1, R-2, R-3, R-4, or RC-1 District exceed forty (40) percent of the combined ground floor area of the principal and accessory structure.
- (4) Notwithstanding the provisions of Section 1245.04, Subd. 2(B)(2) or Section 1245.04, Subd 2 (B)(3) of the City Code, Single-family residential properties located in the C-3 (Downtown) and C-2 (General Business) Districts shall be allowed one (1) accessory structure up to 1,000 square feet in gross floor area.
- C. *Design characteristics.* Detached accessory structures shall be constructed of material similar to the principal structure, and in character with the surrounding built environment. Design characteristics shall include, but not be limited to, the following:
  - 1. Roof type (e.g. gabled, hipped, mansard), roof orientation, and roof pitch
  - 2. Eave, overhang depth, and fascia/soffit type and appearance.
  - 3. Exterior building material, and,
  - 4. Exterior color.
- D. *Minimum Roof Pitch.* The minimum accessory structure roof pitch shall be 4:12ths
- E. *Prohibited Roof Types.* Rolled roofs and mono-sloped roofs are prohibited
- F. *Prohibited Exterior Materials.* Galvanized and unpainted metal are prohibited as exterior building materials.
- G. *Exceptions.* Agricultural buildings on agricultural lots shall be exempt from this Section.
- H. *Attachment Required.* In cases where an accessory building is attached to the principal structure, it shall be made structurally part of the principal structure and shall comply in all respects with the requirements for principal structures.
- I. *Principal Structure Required.* No accessory structure or building shall be constructed on any lot prior to the time of construction of the principal building to which it is accessory.
- J. *Front Yard Placement Prohibited.* No accessory structure shall be place in the front yard.
- K. *Structures 120 Square Feet or Less.* Structures sized 120 square feet or less are exempt from this Section, except those standards relating to required setbacks and number of total detached structures allowed.
- L. *Accessory Structures Must Be Subordinate Structures.* Detached accessory structures shall be clearly and reasonable subordinate to the principal structure in terms of height, footprint, and total square footage.
- M. *Maximum Height.* Standards pertaining to accessory structure height contained in individual zoning districts shall apply.
- N. *Setbacks.* Setbacks established in the underlying zoning district classification shall apply as indicated for accessory structures. (Amended by Ord. 258; 2-23-2015)

## **Sec 18-10 Accessory Structures**

- A. No accessory structure will be constructed on any lot prior to the time of construction of the principal building to which it is accessory. Demolition of a principal structure which leaves an accessory structure as the only structure on the property is not permitted.
- B. An accessory structure in the R-1 and R-2 districts can be a maximum of 900 square feet and will not consume greater than ten percent of the buildable rear yard area. A conditional use permit is required for an accessory structure exceeding 900 square feet. The maximum size of a detached accessory structure with approval of a conditional use permit shall be one and one-half times the maximum allowable size. Pole buildings are not permitted in residential districts.
- C. An accessory structure is permitted within the rear yard of a property. A detached garage may be located in a side yard if it meets the required setbacks for an attached garage.
- D. No accessory structure, with the exception of a patio or detached deck, will be located within ten feet of a principal structure or other accessory building.
- E. No accessory structure shall be located within any public easement or other easement dedicated to the city without written approval from the city.
- F. Temporary buildings incidental to construction work are required to be located entirely on private property and must be removed upon the completion or abandonment of the construction work.
- G. Temporary accessory storage structures not affixed to a foundation or not permanent in nature may be used for three months of a calendar year.
- H. No lot shall contain an attached garage together with a detached garage, detached accessory dwelling unit, and storage shed. A lot may contain a maximum of two of the four.
- I. The state building code requires a building permit for accessory structures in excess of 200 square feet floor area.
  - 1. Electronic copy of plans must be submitted with the application.
  - 2. Electronic copy of a survey is required as part of the application which must show the location of the accessory structure drawn to scale.
- J. The following accessory structures require a zoning permit, even if a building permit is not applicable. The permit application must include a survey showing the location of the accessory structure drawn to scale as part of the zoning permit application.
  - 1. Patio or detached deck
  - 2. Any accessory structure 200 square feet or less
- K. Accessory structures will be constructed of the same as or similar quality as that of the principal building. Accessory buildings shall be compatible with the principal building in materials, design, and character.
- L. No additional or separate driveway entrances are permitted for access to an accessory structure. An accessory structure may be accessed from an extension of the existing driveway but an additional curb cut to access an accessory structure is not permitted.
- M. A driveway extension servicing an accessory garage will be no greater than eight feet in width.
- N. A driveway extension requires landscaping and/or screening along the portion of the driveway which abuts any adjacent properties.

(Ord. No. 420, § 1, 7-24-2017)

HISTORY

Amended by Ord. [447 ZC, Zoning Code Amendments](#) on 11/9/2020



# Waconia Accessory Structure Ordinance

## C. Accessory Structures, Recreational Vehicles and Other Matters:

### 1. Accessory Structures: In the R-1, R-2 and R-4 Residential Districts:

- a. Aggregate Coverage Limitation: The sum of the building area of all garages, utility buildings and other accessory structures shall not exceed a total of:

<b>Lot Area</b>	<b>Maximum Total Floor Area of all Accessory Structures</b>
10,500 square feet and smaller	1,000 square feet
10,501 to 21,780 square feet (half acre)	1,200 square feet
21,781 square feet to 43,560 square feet (Half acre to one acre)	1,400 square feet
43,561 square feet and larger	1,600 square feet

\*\* Total maximum hardcover surface of the lot shall not exceed 35%.

- b. Height Limitation: No accessory structure detached from the principal structure shall exceed 20 feet in height.
- c. Location Limitation: Accessory structures detached from the principal structure shall not be located in any front or side yard, except that a detached garage may be located in a side yard if it meets required setbacks.
- d. Utility Buildings: Utility buildings shall not exceed 144 square feet.
- e. Access: Any accessory structure in excess of 144 square feet that is detached from the principal structure shall provide driveway access to a public street. Any such driveway shall: 1) be no less than 10 feet wide and made from a bituminous, concrete or other driveway surface approved by the City; 2) not closer than the required setbacks for such structure to any property line at any given point; and 3) screened or landscaped from neighboring structures as required by the City, in its discretion, if such structure is located in a side yard.

## § 153.016 ACCESSORY STRUCTURES.

(A) *General.* No accessory structure may be permitted on any parcel without a principal structure. Accessory structures may not be located within any public easement areas. No accessory structures may be located in the required front yard (the area between the principal structure and the public right-of-way). Corner lots have front yard areas abutting both public rights-of-way.

(B) *Site plan review and permit requirements.*

(1) An administrative site plan review is required for the construction, erection, or placement of all detached accessory structures not exceeding 200 square feet in area. Any party intending to construct, erect, or place such a structure on any property must present a sketch plan of the property, including location of the principal structure and proposed location of the accessory structure, to the City Clerk. The City Clerk or designee shall promptly verify whether the proposed accessory structure meets the requirements of this chapter, or whether additional review or permitting is required. No site plan may be approved and no structure may be constructed unless in conformity with the requirements of this chapter.

(2) A building permit application and approval is required for all detached accessory structures exceeding 200 square feet in area. A sketch plan, including the location of the principal structure and proposed location of the accessory structure, shall be attached to the application. The Building Official shall review and approve the permit application before construction and shall inspect the construction according to established procedures.

(C) *Size limitations.*

(1) Detached accessory structures shall not exceed an aggregate total of 200 square feet; except, when no attached or detached accessory structure exists on the property, or when only a single car attached or detached accessory structure exists on property within the Downtown Overlay District, the aggregate total of detached accessory structures shall not exceed 1,000 square feet. No detached accessory structure shall exceed 20 feet in height or contain more than one story.

(2) If an attached accessory structure is being removed or converted to living space in order to construct a new accessory structure, a building permit is required. Any conversion of an accessory structure to living space shall include the removal of overhead doors, the replacement of siding to match the principal structure, interior improvements that are compatible with the principal structure, and the realignment of the existing driveway when necessary and appropriate to serve a new accessory structure and when such realignment is necessary aesthetically to be compatible with the conversion of accessory space to living space.

(D) *Setback requirements* No accessory structure may be located in the required front yard in any zoning district. Accessory structures with permanent foundations must meet the setback requirements of the principal structure. Accessory structures built directly on the ground or without any permanent foundation shall meet the following minimum setback requirements:

Residential Districts	Side yard: 5 feet
	Rear yard: 10 feet
Non-residential Districts	Side/Rear yard: 1/2 the principal structure setback

(E) *Design considerations.* All detached accessory structures in excess of 150 square feet shall be compatible with the principal structure in appearance, architectural style and building materials. A determination shall be made during the site plan review process whether a new or realigned driveway to the accessory structure is necessary and appropriate.

(Ord. 150, passed 2-22-2000; Ord. passed 3- -2007; Ord. 150-V, passed 7-18-2016)

## Accessory Structure Ordinance Comparison

	Cologne Downtown Overlay District	Rest of Cologne	Waconia	Carver	NYA	Chaska	Victoria
Size for detached	Not to exceed 1,000 square feet when they only have a single car garage currently	Not to exceed aggregate total of 200 square feet	Varies based on size of parcel, but impervious cannot exceed 35%	800 square feet	varies based on size or parcel	768 sf or 624 sf depending on lot size	900 sf but also not take up more than 10% of the buildable area of the rear yard
Side setback	5 feet		10 feet	10 feet	5 feet	5 feet	6 feet
Rear setback	10 feet		10 feet	6 feet	5 feet, if alley then 10 feet	5 feet	10 feet
Architecture	Compatible with principal structure if 150 square feet or larger					compatible with principal	compatible
Need to have driveway? Any limitations?			Yes, if over 144 sf in size				no additional driveway is permitted to access an accessory....must use principal driveway
Height limitation			20 feet	17 feet	25 feet or lower by formula	15 feet	24 feet
Impervious Maximum			35%		30%		35%