

Planning Commission Meeting Agenda,

Monday June 5, 2023 - 6:00 PM
Cologne Community Center, 1211 Village Parkway

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 Szaroletta
Commissioner: Kevin Fafinski

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. May 1, 2023 Planning Commission Meeting Minutes
 - b. Accessory Structure Ordinance Amendment
 - i. Collaborative Planning Memo
 - ii. Ordinance 150-Y Amending Zoning Ordinance

5. BOARD REPORTS

6. ANNOUNCEMENTS

7. ADJOURN

Planning Commission Meeting Minutes

Monday May 1, 2023 - 6:00 PM
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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, and Szaroletta present. Also present were City Administrator – Jesse Dickson and City Clerk – Michelle Morrison. Commissioner Selness.

2. PLEDGE OF ALLEGIANCE

3. ADOPT AGENDA

Motion by Commissioner Brewington to adopt the agenda as presented, second by Commissioner Fafinski. Motion carried unanimously.

4. PLANNING COMMISSION BUSINESS

April 3, 2023 Planning Commission Meeting Minutes

Motion by Commissioner Brewington to approve the April 3rd, 2023 Planning Commission Minutes, second by Commissioner Szaroletta. Motion carried 4-0.

a. PUBLIC HEARING: Accessory Structure Ordinance Amendment

Motion by Commissioner Szaroletta to open the Public Hearing, second by Commissioner Brewington. Motion carried 4-0.

The chairperson asked the only attendee in the audience, Scott Meuwissen, if he wished to share any comments. Mr. Meuwissen said he had no comments. Motion by Commissioner Brewington to close the Public Hearing, second by Commissioner Szaroletta. Motion carried 4-0.

b. Accessory Structure Ordinance Amendment

The commissioners discussed the memo from City Planner Cindy Nash describing the proposed changes and the proposed Ordinance Amendment as presented. Discussion focused on clarifications to the table on page 2. After discussion, Commissioner Brewington made a motion to recommend that the City Council approve the Accessory Structure Ordinance Amendment with the clarifications discussed added to the table on page 2, second by Commissioner Szaroletta. Motion carried 4-0.

c. Planning Commission Review of Farm Animals Ordinance

Commissioners discussed the existing City ordinance 92.01 thru 92.04 pertaining to farm animals and the definition of farm animals, focusing on the possibility of allowing chickens in city limits. Topics discussed included a limit on the number to be allowed, fencing and/or pen requirements, noise restrictions, upkeep of yards if chickens were allowed, impact on home values, positive or negative impact on community and impact on city staff for enforcement of any changes. Discussion was had on how many in the community asked for the review and a minimum threshold of interest levels was discussed before staff time and taxpayer dollars were committed to researching and changing existing ordinances. After discussion, the consensus was that commissioners could do their own informal research into the topic and that there was not sufficient demand from residents to warrant pursuing the topic further.

5. BOARD REPORTS

6. ANNOUNCEMENTS

Administrator Dickson provided an update on the downtown improvement project.

7. ADJOURN

Motion by Commissioner Szaroletta to adjourn at 7:50 PM, second by Commissioner Brewington. Motion carried 4-0.

Respectfully Submitted:

Attest:

Michelle M Morrison, City Clerk

Bernie Shambour, Chairperson

Collaborative Planning, LLC

Memorandum

To: Planning Commission
From: Cindy Nash, AICP, EDFP
Date: April 27, 2023
Subject: Accessory Structures Ordinance

Following the February and March Planning Commission meeting, a draft ordinance has been prepared for public hearing. Included in the packet is that proposed ordinance to consider for a recommendation to the City Council. A redline that compares just the accessory structure section to the current ordinance is also included.

There was discussion on items that carry through other locations of the Zoning Ordinance. I have not prepared redlines for these but instead note them below.

1. **Impervious Surface.** Based on previous discussion, the lot coverage (impervious surface coverage) limit of the R-1 District would be increased from 25% to 35%. The exception to this is the shoreland overlay where more restrictive requirements would continue to apply.
2. **Existing Downtown Accessory Provision.** The draft ordinance removes the existing carve-outs for the downtown area so that anyone, regardless of whether they already have an attached garage, can construct an accessory building. With that was also removed all of the discussion about the need to convert an attached garage to living space, etc.

**CITY OF COLOGNE
CARVER COUNTY
STATE OF MINNESOTA**

ORDINANCE NO. 150-Y

**AN ORDINANCE AMENDING THE CITY OF COLOGNE ZONING ORDINANCE
RELATED TO ACCESSORY STRUCTURES AND IMPERVIOUS SURFACE**

The City Council of Cologne, Minnesota ordains:

SECTION 1. RESCIND AND REPLACE SECTION. Section 153.016 of the Cologne Zoning Ordinance is hereby rescinded and a new Section 153.016 is added as follows:

153.016 ACCESSORY STRUCTURES.

(A) General. No accessory structure may be permitted on any parcel without a principal structure. Accessory structures and driveways 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) Structures 200 square feet and less. 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) Structures over 200 square feet. An administrative site plan review and building permit application is required for all detached accessory structures exceeding 200 square feet in area. A certificate of survey, including the location of the principal structure and proposed location of the accessory structure along with other information included on the checklist for a certificate of survey, shall be submitted with the application.

(C) Size limitations. In the R-1, R-2, R-3, and residential Planned Unit Developments, the sum of the building area of all 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 |
|--------------------------------------|------------------------------------------------------------------|------------------------------------------------------------|
| 10,500 and smaller | 1,000 square feet | 2 |
| 10,501 to 21,780 | 1,200 square feet | 2 |
| 21,781 to 43,560 | 1,400 square feet | 2 |
| 43,561 and larger | 1,600 square feet | 2 |

1) Subject to maximum lot coverage limit contained in the underlying zoning district as shown in Section 153.043 or the shoreland overlay district provisions in Section 153.046, whichever is more restrictive .

2) 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 PUD District exceed forty (40) percent of the combined ground floor area of the principal and accessory structure.

(D) Size Limitations in Non-Residential Zoning Districts. Structures accessory to the principal use shall not exceed thirty (30) percent of the gross floor area of the principal use.

(E) 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

(F) Design considerations. All detached accessory structures in excess of 200 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.

(G) Driveways. A building permit for any accessory structure with garage doors or other openings to facilitate the storage of motor vehicle as defined by Minn. Stat. 169.011 or trailers shall include a driveway extension that meets the following requirements:

(1) 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. An exception to this requirement is if the accessory structure can be accessed from a driveway connecting to a public alley that is paved and maintained by the city.

(2) A driveway extension servicing an accessory structure will be no greater than eight feet in width and shall be paved.

(3) A driveway extension requires landscaping and/or screening along the portion of the driveway which abuts any adjacent properties.

(4) A driveway extension may not be located in any public easements or within the required side or rear yard setback except that a driveway extension may cross the side or rear yard setback when connecting the accessory structure to a public alley.

SECTION 2. AMEND A PORTION OF A SECTION. The table of Dimensional Standards in Section 153.043 is hereby amended to change the Lot Coverage requirement in the R-1 Zoning District to 35%.

SECTION 3. EFFECTIVE DATE

This ordinance becomes effective on the date of its publication, or upon the publication of a summary of the ordinance as provided by Minn. Stat. § 412.191, subd. 4, as it may be amended from time to time, which meets the requirements of Minn. Stat. § 331A.01, subd. 10, as it may be amended from time to time.

SECTION 4. REPEALER

All prior ordinances to the extent that they are inconsistent with the terms and provisions of this Ordinance, shall be deemed repealed after the effective date of this Ordinance with regard to those inconsistent terms and provisions.

Passed by the City Council of Cologne this 5th day of June, 2023.

Approved:

Matt Lein
Mayor

Attested:

Michelle Morrison
City Clerk