

# Planning Commission Meeting Agenda

Monday March 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 Szaroletta  
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. February 6, 2023 Planning Commission Meeting Minutes
  - b. Accessory Structures Ordinance
    - i. Collaborative Planning Memo
    - ii. Accessory Structure Redline Draft
5. BOARD REPORTS
6. ANNOUNCEMENTS
7. ADJOURN

# Planning Commission Meeting Minutes

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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, City Clerk – Michelle Morrison and City Planner – Cindy Nash. Commissioner Selness was absent.

## **2. PLEDGE OF ALLEGIANCE**

## **3. ADOPT AGENDA**

Motion by Commissioner Szaroletta to adopt the agenda as presented, second by Commissioner Brewington. Motion carried 4-0.

## **4. PLANNING COMMISSION BUSINESS**

### **a. January 9, 2023 Planning Commission Meeting Minutes**

Motion by Commissioner Fafinski to approve the January 9, 2023 Planning Commission Minutes, second by Commissioner Szaroletta. Motion carried 4-0.

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

- i. Surrounding Cities Ordinance Examples**
- ii. Current Cologne Ordinance**
- iii. Accessory Structure Ordinance Comparisons**

The planning commission spent a great deal of time reviewing surrounding city ordinances for accessory structures preferring those that have language tied to specific lot size, limiting height and no separate driveways. City Planner Cindy Nash will be drafting changes to the existing ordinance and bring it back to the Planning Commission for further discussion.

**c. Downtown Redevelopment Plan Proposal**

The Commissioners discussed the HKGi proposal for a Downtown Redevelopment Plan and all look forward to working with the City Council on the project over the next year.

**5. BOARD REPORTS**

**6. ANNOUNCEMENTS**

**7. ADJOURN**

Motion by Commissioner Szaroletta to adjourn at 6:55 PM, second by Commissioner Brewington. Motion carried 4-0.

Respectfully Submitted:

Attest:

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Michelle M Morrison, City Clerk

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Bernie Shambour, Chairperson

# Collaborative Planning, LLC

## Memorandum

To: Planning Commission  
From: Cindy Nash, AICP, EDFP  
Date: March 2, 2023  
Subject: Accessory Structures Ordinance – Draft Redline

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Following the February Planning Commission meeting, I've prepared a proposed draft ordinance for consideration. The draft ordinance is a redline version that compares to the existing Ordinance (Section 153.016).

There was discussion on items that carry through other locations of the Zoning Ordinance. I did not carry some of this discussion through the rest of the ordinance, but instead have included more information within this memo and attachments explaining these other related topic areas.

1. **Impervious Surface.** Attached is a copy of the existing dimensional standards in Cologne that include impervious surface in general, except that impervious surface in shoreland is contained within that ordinance section. Although there was some discussion regarding setting a standard level of impervious surface to perhaps 35%, the underlying zoning districts already have that information and they vary by zoning district. The only district that you could change and allow for an increase is the R-1 zoning district. The amount of impervious surface has an impact on the amount of runoff, so in certain areas there may be either 1) not sufficient capacity in stormwater holding ponds to contain an increase in runoff, or 2) stormwater pipes may not be sized adequately for an increase in runoff. No draft changes have been made to this table at this time.
2. **Reference requirements from other ordinance sections.** Rather than re-stating the specific requirements from other sections of the zoning ordinance related to setbacks, impervious coverage, etc., I simply provided the citation section of the ordinance.
3. **Existing Downtown Accessory Provision.** I proposed to delete the existing carve-out 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.

## § 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) 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 administrative site plan review approval is required for all detached accessory structures exceeding 200 square feet in area. A sketch plan 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 attached-submitted with 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. In the R-1, R-2, R-3, and residential Planned Unit Developments, the sum of the building area of all garages, utility buildings, and other detached accessory structures shall not exceed a total of:

| Lot Area<br>(in square feet) | Maximum Total Floor Area of all<br>Accessory Structures* | Maximum Number of Detached<br>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) Commercial, industrial, or business buildings and structures for a use accessory to 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 2, R-3, R-4, or PUD District exceed forty (40) percent of the combined ground floor area of the principal and accessory structure.

~~(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 150-200 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.

(F) Driveways. A building permit for any accessory structure with garage doors or other openings to facilitate the storage of motor vehicle equipment or trailers shall meet 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 an alley that has been constructed to city standards and is maintained by the city.

(2) A driveway extension servicing an accessory structure will be no greater than eight feet in width and shall be constructed of either bituminous, concrete or decorative pavers.

(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 (unless accessing from a public alley on the rear side of the lot).

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

**§ 153.043 DIMENSIONAL STANDARDS.**

Minimum lot area, width, and setbacks, and maximum density, height, and lot coverage are listed for all zoning districts below. Front yards exist on both sides of corner lots that abut public rights-of-way. Special requirements for accessory structures are included in § 153.016. Special requirements for fencing are included in §153.076. Special requirements for signs are located in § 153.077. Special requirements for structures located within State shoreland areas are included in § 153.046.

| <i>District</i> | <i>Lot Area</i>       | <i>Lot Width<sup>2</sup></i> | <i>Max. Density<sup>3</sup></i> | <i>Front Yard<sup>4</sup></i> | <i>Side Yard<sup>5</sup></i> | <i>Rear Yard<sup>6</sup></i> | <i>Max. Height</i> | <i>Lot Coverage<sup>7</sup></i> |
|-----------------|-----------------------|------------------------------|---------------------------------|-------------------------------|------------------------------|------------------------------|--------------------|---------------------------------|
| A               | 40 acre               | 300 ft                       | 1/40 acre                       | 50 ft                         | 50 ft                        | 50 ft                        | 50 ft              | N/A                             |
| R-1             | 10,000 sf             | 90 ft                        | 3/acre                          | 30 ft                         | 10 ft                        | 30 ft                        | 30 ft              | 25%                             |
| R-2             | 6,000 sf <sup>1</sup> | 100 ft                       | 6/acre                          | 30 ft                         | 10 ft                        | 30 ft                        | 35 ft              | 50%                             |
| R-3             | 2,720 sf <sup>1</sup> | 120 ft                       | 16/acre                         | 30 ft                         | 10 ft                        | 30 ft                        | 40 ft              | 75%                             |
| PUD             | Varies                | Varies                       | Varies                          | 30 ft                         | 10 ft                        | 30 ft                        | 40 ft              | Varies                          |
| C-1             | 20,000 sf             | 120 ft                       | N/A                             | 30 ft                         | 30 ft                        | 30 ft                        | 40 ft              | 75%                             |
| C-2             | 7,500 sf              | 50 ft                        | N/A                             | N/A                           | N/A                          | N/A                          | 40 ft              | N/A                             |
| C-3             | 20,000 sf             | 120 ft                       | N/A                             | 30 ft                         | 30 ft                        | 30 ft                        | 40 ft <sup>9</sup> | 75%                             |
| I-1             | 20,000 sf             | 120 ft                       | N/A                             | 30 ft                         | 30 ft                        | 30 ft                        | 40 ft <sup>8</sup> | 75%                             |
| P/I             | 20,000 sf             | 120 ft                       | N/A                             | 30 ft                         | 30 ft                        | 30 ft                        | 40 ft              | 50%                             |

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| Notes to table:  |
| 1. Minimum lot area per dwelling unit.   |
| 2. Corner lots for all uses must be 15 feet wider to accommodate double setback requirements; lot width averaging is permitted in the R-1 District, provided no lot is less than 75 feet in width and the number of lots less than 90 feet and the degree of deviation from 90 feet is commensurate with the number of lots greater than 90 feet and the degree of deviation from 90 feet (corner lots, if averaged, must include the additional 15 feet lot width). For determining consistency with ordinance requirements, 75 feet and greater lot widths shall be considered conforming. |
| 3. Units per net acreage (net acreage equals gross acreage less wetlands, surface water, floodplain, and existing road easements or rights-of-way).  |
| 4. Parking and loading areas may occupy one-half of the required yard area.  |
| 5. Yards with street frontage in residential districts shall be 30 feet. The yard areas opposite corner lot street frontages shall be considered side yards. Parking and loading areas may occupy one-half of the required yard area.  |
| 6. Parking and loading areas may occupy one-half of the required yard area.  |
| 7. Relationship of impervious surface area to total site area.   |
| 8. The maximum height for accessory structures in the I-1 District, as described in §153.041(C)(3), is 90 feet.  |
| 9. The maximum height for agricultural service business principal structures is 75 feet and the maximum height for agricultural service business accessory structures, such as agricultural elevators, towers, spires, blending equipment, and similar accessory structures, is 160 feet.  |

(Ord. 150, passed 2-22-2000; Ord. passed 3- -2007; Ord. 150-S, passed 8-16-2010; Ord. 150-U, passed 3-17-2014)