

**MINUTES OF A JOINT CITY COUNCIL/PLANNING COMMISSION MEETING HELD
TUESDAY, APRIL 6, 2011 – 6:00 P.M. – ROCKVILLE CITY HALL**

The meeting was called to order by Mayor Jeff Hagen. Roll Call was taken and the following members were found to be present: Mayor Hagen, Council Members: Bill Becker, Jeff Howe, Don Simon, Duane Willenbring & Jerry Schmitt. Absent: Randy Volkmuth.

Planning Commission members present were: Chair Toni Honer, Jerry Bechtold, Dale Borgmann, Jerry Tippelt and Susan Palmer. Absent: None

Staff present was: Rena Weber-Administrator/Clerk & Judy Neu Billing Clerk/Administrative Asst.

Mayor Hagen announced that the joint meeting had been called for the purpose of reviewing the proposed Right to Farm and Rural Residential Ordinance and to compare it with the current zoning ordinance.

DISCUSSION QUESTIONS – RURAL RESIDENTIAL ZONING:

1. The right to farm ordinance was adapted from another agency. It sets the stage for adoption of the rural residential zoning ordinance in that it tells the farmer that they are very much an integral part of our community and that they have a right to farm – they come first.

Any concerns with the verbiage?

RIGHT TO FARM ORDINANCE #2011- 69:

Section 1- Finding of Fact: The Rockville City Council finds that the encroachment of non-agricultural land uses into rural areas ~~does~~ **may** interfere with efficient agricultural production by encouraging unnecessary local regulation of agricultural practices and/or private litigation against farmers.

Section 3. - Definitions: The following words or phrases as used in this ordinance shall have the meanings given them in this section.

- A. **Agricultural District:** Lands found in ~~the unincorporated~~ areas of City of Rockville classified as "A-40" Agricultural District and "R-R" Rural Residential District as specified upon the official Rockville zoning maps, adopted April 16, 2003 and as subsequently amended.

COMPARISON TO OTHER DISTRICTS:

SECTION 16A:RURAL RESIDENTIAL DISTRICT “R-R DISTRICT”:

1. Section 16A – Rural Residential as proposed

Subdivision 2 – Should below b, c, d, l, j, k, l & m be permitted uses or CUP?

- b. Bed and breakfast inns
- c. Outdoor recreational facilities-golf courses
- d. Churches, cemeteries
- i. Governmental buildings and structures
- j. Horticultural uses and structures designed for storage of products and machinery pertaining and necessary thereto.
- k. Schools – private and public
- l. Storage building as a principal use on a parcel of 10 acres or more.
- m. Wastewater treatment facilities

Move to Subdivision 4 - Conditional Uses

Subdivision 2 - Permitted Uses:

- f. Single Family residential (**Add dwelling unit**)
- g. Farming, general and dairy, providing animal unit density is not greater than 3 units per acre for parcels ~~20~~ 10 acres and greater. (**How does the 700 foot setback come into play?**) Rena will check with Stearns County Environmental Service.

Subdivision 3 - Permitted Accessory Uses:

- a. Accessory buildings (**add Residential**) & **located in the rear yard –Remove located rear yard**
- b. Allowing Accessory Structures with-out principal structure. **Under Interim Use**

SECTION 9 GENERAL REQUIREMENTS:

- A. **Accessory Structure as an Interim Use.** In all zoning districts, the use of a building for a use permitted as an accessory use is allowed as an interim use, notwithstanding the absence of a principal structure, subject to the procedures, and performance and general development standards, set forth in this Ordinance. In addition, the City Council shall impose the following conditions in granting any interim use under this subdivision:
 - 1. An interim use permit under this subdivision shall expire within one year. At the expiration of the permit, the property owner may apply for a second interim use permit for up to one year. No additional interim use permits shall be issued for the same use or structure, under this subdivision.
 - 2. An appropriate principal structure is planned for the site. A plan requires approval of any site plan necessary under the Zoning Code and proof that a valid building permit has been applied for the principal structure. The building permit must be maintained and renewed for the full term of the interim use permit.
 - 3. Upon expiration of the interim use permit, if a structure is not converted into a principal structure, or is not a permitted accessory use to an existing principal structure, the use must be discontinued and any structure or improvement that does not have a permitted use must be removed or demolished, immediately.

Subdivision 4 - Conditional Uses:

- g. Towers– personal wireless, microwave (**change to Commercial Wireless Towers-personal wireless, microwave**)(**relook at Tower Ordinance**)
- j. **Add event centers – what we are saying here is that everything that is either currently permitted, accessory or CUP in AG-40 should be the same in RR. (Yes under Subdivision 4 – Conditional Uses)**

Subdivision 8 – Setback Requirements:

- a. Residential structures setbacks from all roads: 150 feet from the centerline. (**Delete – covered under Sub 27 General Requirements**)
- c. Setbacks from feedlots: 1,000 feet (**covered under General Requirements**)

SECTION 16 A-40

Subdivision 6: RESIDENTIAL DENSITY REQUIREMENTS:

1. Except as otherwise provided in this Ordinance, only one (1) Single Family Residential Dwelling unit shall be allowed per forty (40) acres. **Keep**
- ~~2. Residential Development Rights may be transferred from one forty (40) acre tract to another forty (40) acre tract. The Planned Unit Development standards of this Ordinance must be met if any transfer results in the transfer of two (2) or more residential dwelling sites.~~
- ~~3. The City will not accept transfers of Residential Development Rights from any other city or town into the City.~~

Should we delete 2 & 3? Yes

SECTION 24 SP-1 SPECIAL PROTECTION AG-DISTRICT:

~~The Planning Commission will recommend for approval no more than four (4) residential construction site permits per annum in the SP 1 zone. Platted lots of record as of 4/16/03 are exempt from this restriction. The Planning Commission to decide site approval by ballot.~~

Should this be removed? remove

How about deleting the SP-1 entirely? remove

Public land Dedication – if there are more than 2 lots created – then park land dedication comes into play – Need to add.

Subdivision 3: CONDITIONAL USES

1. New single family dwellings as provided for below:

This is permitted in RR, but not in SP-1

- ~~2. Setback Regulations:~~

~~A. Required Setbacks from Road Right-of-Way in the A-40 District of this Ordinance.~~

~~B. (Minimum setback from property lines of fifty (50) feet.)~~

~~C. (Minimum setback from a ditch of one hundred (100) feet.)~~

-RR has under general requirements subdivision 27

SECTION 26 PUD PLANNED UNIT DEVELOPMENT:

~~In no event will a planned unit development be approved which allows for increased development within a SP 1 District.~~

Under purpose and intent this would be removed? Remove

SECTION 9 GENERAL REQUIREMENTS:

- B. **Location on Property.** Accessory structures must be located on the property as provided in this paragraph:

1. In all Residential Districts (i.e. R-1, R-2 and R-3) detached accessory buildings may only be located in the rear yard of the lot, except as required by Section 9, subd. 2(D)(2) or allowed by Section 9, subd. 2(D)(3)

The RR District should be added after R-3? Note the building to be located in the rear yard unless otherwise stated. No, RR & AG will not be required to build detached accessory building in rear yard.

- K. **Hoop Structures.** Hoop structure are prohibited
Are they allowed in RR District? No

A-40 District Exemptions:

1. Subdivisions 2(G), 2(H), 2(I) and 2(J) do not apply to structures built within the A-40 Agricultural District where the structure is built at least 100 feet from a residential or commercial zoning district.
2. Subdivision 2(K) does not apply to the A-40 Agricultural District.

Subdivision 6: DWELLING UNIT RESTRICTIONS:

- F. Except and in the case of Planned Unit Development Districts and R-2 and R-3 and **Rural Residential** Districts, no more than one (1) principal building may be located on a lot. In the A-40 District a second dwelling may be located on the Lot by conditional use permit.
Should we add RR? Yes add Rural Residential

Subdivision 25: FEEDLOTS:

Section 6.7 of the Stearns County, Minnesota Zoning Ordinance (as amended) relating to feedlots is hereby adopted by reference in its entirety except for setback requirements.
New residential dwelling units need to be 700 feet from feed lots RR is proposing 1000' (Change to 700 feet). Add Existing Feedlots can not sub-divide their property and be closer than 700' from a new sub-divided lot.

Subdivision 27: SETBACK REQUIREMENTS:

Except where more strict standards are provided in this Ordinance, the following setback requirements shall apply:

1. Minimum Building Setbacks
 - A. Roadway:

Classified Roads	Setback from Road Centerline*	Setback from Road Right-of-Way*
Principal Arterial	150	75
Minor Arterial	120	60
Major Collector	100	50
Minor Collector	100	50
Un-Classified Roads	Setback from Road Centerline*	Setback from Road Right-of-Way*
County Road	100	50
City Road	63	30
Private Road Easement	63	30

*THE MORE RESTRICTIVE SETBACK SHALL APPLY

RR should use the same setbacks as the other zones use. Yes

SECTION 29: AMENDMENTS/REZONING:

- A. **Petition.** The owner of the subject property ~~or ten (10) or more owners of property~~ in the City may propose a zoning amendment or change, including a rezoning, by submitting fifteen (15) copies of a verified petition to the Zoning Administrator.

Should we remove the ten or more owners? Yes

SECTION 9 GENERAL REQUIREMENTS:

- H. **Design and Appearance of Exterior:** All accessory buildings greater than 120 square feet shall be constructed so that the appearance of its exterior is uniform and resembles the color and material of the principal structure. For purposes of this Subdivision 2(G):

1. Appearance is measured when viewed from adjacent property, or from water bodies, streams, rivers, roads, parks, or other facilities open to the public.
2. Identical material is not required, but the following characteristics should be the same or similar:
 - a. Orientation of boards, grooves, grains, shingles and other exterior characteristics;
 - b. Color of siding
 - c. Color of roofing;
 - d. Style of siding (including, but not limited to, the apparent length and width of boards, shakes or panels and the texture, reflectivity, or gloss of materials); and
 - e. Style of roofing (including, but not limited to, the apparent length and width of shingles, shakes, boards, or panels and the texture, reflectivity, or gloss of materials).
3. Notwithstanding this subdivision, an accessory structure is not required to match granite, brick, stone, concrete masonry or other similar stone-like material used on the principal structure. However, the material used must resemble the color and material of the principal structure, and should, at a minimum, match non-stone-like materials of the principal structure.

REVIEW POTENTIAL LAND USE MAP: A guide map & potential land use map.

ADJOURNMENT – *Motion by Member Becker, second by Member Willenbring, to adjourn the meeting at 7:38 p.m. Motion carried unanimously.*

JUDY NEU
BILLING CLERK/ADMINISTRATIVE ASST

JEFF HAGEN
MAYOR

(This page left blank intentionally)