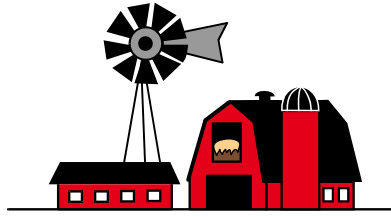


TOWNSHIP COOPERATIVE PLANNING ASSOCIATION

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-- TCPA --

Date: 8/27/2024

To: Oronoco Town Board

RE: Oronoco Township Zoning Text Amendment, Article 6

Meeting: Monday, September 9, 2024, after 5:30 pm - Oronoco Town Hall, 115 2nd St NW, Oronoco, MN 55960.

Request: The Oronoco Township Planning Commission recommends approval of a Text Amendment to Article 6 of their zoning ordinance to further define zoning regulations in Residential Districts.

Enclosures:

1. Resolution: _____ to adopt proposed text amendments.
2. Proposed Language of Article 6.

Background:

In a continued effort to update their zoning ordinance, the Oronoco Township Planning Commission has found a need to revise the establishment and location of newly created residential districts. The current version of Oronoco Township's Zoning Ordinance, updated May 19, 2022, permits residential districts to be created near agricultural operations. The current language has led to undesirable uses that do not meet the intent of the ordinance. Additionally, it was found the language describing allowed uses should be modernized.

The Oronoco Township Planning Commission held a public hearing on August 19, 2024 to address these concerns, revised Article 6 as appropriate, and recommends approval of the proposed text amendment.

Amendment Findings: (staff recommended findings in *italic*)

1. The proposal is consistent with the policies of the Olmsted County General Land Use Plan.

The proposed changes to the Ordinance are consistent with the goals and policies of the Olmsted County General Land Use Plan. The purpose of the text amendment is to allow for greater freedom of farming uses in the agricultural districts and restrict undesirable uses in the other mentioned zoning districts.

2. The amendment is in the public interest.

Amending the ordinance provides the township an opportunity to protect their constituents by restricting uses that may negatively impact the use and enjoyment of neighboring properties.

3. The proposed development is timely based on surrounding land uses, proximity to development, and the availability and adequacy of infrastructure.

This finding does not pertain to the specific text amendment.

4. Proximity to development, and the availability and adequacy of infrastructure.

This finding does not pertain to the specific text amendment.

5. The proposal permits land uses within the proposed district that are appropriate on the property and compatible with adjacent uses and the neighborhood.

This finding does not pertain to the specific text amendment.

6. The proposal does not result in spot zoning.

This finding does not pertain to the specific text amendment.

7. The proposal is consistent with a General Development Plan for the area, if one exists.

This finding does not pertain to the specific text amendment.

Conclusion:

TCPA staff considers the proposed changes consistent with County regulations and recommends consideration and adoption of said changes.

ARTICLE 6. RESIDENTIAL DISTRICTS

Section 6.00. RA RURAL RESIDENTIAL DISTRICT:

The purpose of this district is to provide suitable areas for low density residential development, not to exceed one (1) dwelling per five (5) acres of land, in areas within the county described as the "Suburban Subdivision Area" in the Comprehensive Plan.

Newly created RA Districts shall not be located within one-half (1/2) mile of an existing feedlot.

A. Permitted Uses:

1. One single-family detached dwelling per lot.
2. Keeping and raising of livestock and poultry for personal use only, provided they are housed and fenced so as not to become a nuisance and are clearly noncommercial in nature. The animal density shall not be greater than one (1) animal unit per acre of pasture land, except for the raising of poultry where the maximum number of chickens shall not exceed 50 chickens. In no case shall any structure used for housing poultry or livestock be located nearer than fifty (50) feet to any property line.
3. Home occupation as regulated in Section 10.02.
4. The following residential uses: State licensed residential facility serving six or fewer persons; Licensed family adult foster care home or foster care for adults with five or fewer beds as permitted in MS 245A.11, Subd. 2a. No more than one four (4) square foot sign advertising the facility shall be permitted at the primary driveway entrance.
5. The following non-residential uses: State licensed non-residential facility or day care facility serving 12 or fewer persons, and a group family day care facility serving 14 or fewer children. No more than one four (4) square foot sign advertising the facility shall be permitted at the primary driveway entrance.
6. Accessory structures and uses customarily incidental to any of the above permitted uses when located on the same property.
7. Small non-utility wind energy conversion system.

B. Conditional Uses: (Also see Section 4.02, Conditional Use.)

1. One mobile home as a second dwelling on a lot with a non-farm dwelling, under one or more of the following circumstances:
 - a. When there is a need to provide health care services to residents of either of the dwellings; or

- b. When all adult residents of either of the dwellings are sixty (60) years of age or older.
 2. Religious institutions (church, chapel, temple, etc.) and related structures.
 3. Public utility buildings such as substations, transformer stations, and regulator stations without service or storage yards.
 4. State licensed residential facility serving more than six persons, provided that the facility is family-like as determined by:
 - a. Family-style appearance of building;
 - b. Secure central housekeeping;
 - c. Designated adult(s) in charge at all times;
 - d. Maximum of sixteen (16) persons in residence.
 5. Accessory structures and uses customarily incidental to any of the above conditional uses when located on the same property.
- C. General District Regulations:
 1. Height Regulations:
 - a. No residential buildings used for dwellings shall hereafter be erected or structurally altered to exceed thirty-five (35) feet in height.
 - b. Public or semipublic buildings, Religious institutions (church, chapel, temple, etc.) and related structures or schools may be erected to a maximum height of fifty-five (55) feet. When such buildings exceed thirty-five (35) feet in height, the setback requirements shall increase at a rate of one (1) foot for each foot of height exceeding 35 feet.
 2. Front Yard Regulations:
 - a. A minimum front yard depth of not less than forty-five (45) feet shall be provided on all lots adjoining federal, state and county roads.
 - b. A minimum front yard depth of not less than thirty (30) feet shall be provided on lots adjoining local roads and streets.
 3. Side Yard Regulations:
 - a. A minimum side street yard width of not less than forty-five (45) feet shall be provided on all lots adjoining federal, state, and county roads.
 - b. A minimum side street yard width of not less than thirty (30) feet shall be provided on all lots adjoining local roads and streets.
 - c. A minimum interior side yard width of not less than twenty-five (25) feet shall be provided.
 4. Rear Yard Regulations:

- a. A minimum rear yard depth of not less than twenty-five (25) feet shall be provided.
5. Lot Area Regulations:
 - a. Each lot used for residential purposes shall have an area of not less than five (5) acres, except when additional lot area is required by the County Health Department to meet Board of Health regulations.
6. Lot Width Regulations:
 - a. Each lot shall have a minimum width of one hundred fifty (150) feet at the front building line.
- D. Wind Energy Conversion System Standards:
 1. The height of the WECS including the blades shall be limited to 120 feet.
 2. The setback is established in Section 10.50(C)(1). The wind turbine is not permitted to be located in a front or side street side yard.
 3. No lighting shall be permitted on the wind turbine, unless required by the Federal Aviation Administration.
 4. The wind turbine shall meet the standards set forth in Section 10.50(E).

Section 6.02. R-1 LOW DENSITY RESIDENTIAL DISTRICT:

The purpose of this district is to provide a limited amount of low-density residential development in those areas described as "Suburban Subdivision Area" within the Comprehensive Plan that have suitable soils for long-term private sewage systems and those areas classified Low Density Residential within the Urban Service Area served by Public or other centralized sewage collection and treatment system.

Newly created R-1 Districts shall not be located within one-half (1/2) mile of an existing feedlot.

- A. Permitted Uses:
 1. One single-family detached dwelling per lot.
 2. Home occupation as regulated in Section 10.02.
 3. The following residential uses: State licensed residential facility serving six or fewer persons; Licensed family adult foster care home or foster care for adults with five or fewer beds as permitted in MS 245A.11, Subd. 2a. No more than one four (4) square foot sign advertising the facility shall be permitted at the primary driveway entrance.
 4. The following non-residential uses: State licensed non-residential facility or day care facility serving 12 or fewer persons, and a group family day care facility

serving 14 or fewer children. No more than one four (4) square foot sign advertising the facility shall be permitted at the primary driveway entrance.

5. Accessory structures and uses customarily incidental to any of the above permitted uses when located on the same property.
 6. The raising of a maximum of ten (10) chickens as regulated in Section 10.52, as long as it is an accessory use to a single-family detached dwelling.
- B. Conditional Uses: (Also see Section 4.02, Conditional Uses.)
1. Religious institutions (church, chapel, temple, etc.) and related structures.
 2. Public utility buildings such as substations, transformer stations, and regulator stations without service or storage yards.
 3. State licensed residential facility serving more than six persons, provided that the facility is family-like as determined by:
 - a. Family-style appearance of building;
 - b. Secure central housekeeping;
 - c. Designated adult(s) in charge at all times;
 - d. Maximum of sixteen (16) persons in residence.
 4. Accessory structures and uses customarily incidental to any of the above conditional uses when located on the same property.
 5. Small non-utility wind energy conversion system.
- C. General District Regulations:
1. Height Regulations:
 - a. No residential buildings used for dwellings shall hereafter be erected or structurally altered to exceed thirty-five (35) feet in height.
 - b. Public or semipublic buildings, Religious institutions (church, chapel, temple, etc.) and related structures or schools may be erected to a maximum height of fifty-five (55) feet. When such buildings exceed thirty-five (35) feet in height, the setback requirements shall increase at a rate of one (1) foot for each foot of height exceeding 35 feet.
 2. Lot Area Regulations:
 - a. There shall be a minimum lot size of two (2) acres per new residential dwelling unit, except when additional lot area is required by the County Health Department to meet the Board of Health regulations.
 - b. When a new lot is proposed to be served by a public or other centralized sewage treatment system and is located within an area identified as Urban Service Area in the General Land Use Plan, the minimum lot area shall be determined by a special district established under the provisions of Section

8.10 in accordance with the standards in the General Land Use Plan for interim development.

- c. When a new lot is proposed to be served by a public or other centralized sewage treatment system and is located within an area identified as Suburban Development Area in the General Land Use Plan, the minimum lot area shall be determined by a special district established under the provisions of Section 8.10 in accordance with the standards in the General Land Use Plan for suburban development.

3. Front Yard Regulations:

- a. A minimum front yard depth of not less than forty-five (45) feet shall be provided on all lots adjoining federal, state, and county roads.
- b. A minimum front yard depth of not less than thirty (30) feet shall be provided on lots adjoining local roads and streets.

4. Side Yard Regulations:

- a. A minimum side street yard width of not less than forty-five (45) feet shall be provided on all lots adjoining federal, state, and county roads.
- b. A minimum side street yard width of not less than thirty (30) feet shall be provided on all lots adjoining local roads and streets.
- c. A minimum interior side yard width of not less than eight (10) feet shall be provided.

5. Rear Yard Regulations:

- a. A minimum rear yard depth of not less than twenty-five (25) feet shall be provided.

6. Lot Width Regulations:

- a. Each lot shall have a minimum width of one hundred (100) feet at the front building line, except when the lot is served by public or centralized sewage collection and treatment system, then sixty (60) feet shall be the minimum lot width at the front building line.

D. Wind Energy Conversion System Standards:

- 1. The height of the WECS including the blades shall be limited to 200 feet.
- 2. The setback is established in Section 10.50(C)(1). The wind turbine is not permitted to be located in a front or side street side yard.
- 3. No lighting shall be permitted on the wind turbine, unless required by the Federal Aviation Administration.
- 4. The wind turbine shall meet the standards set forth in Section 10.50(E).

Section 6.04. R-2 MIXED LOW DENSITY RESIDENTIAL DISTRICT:

The purpose of this district is to provide a limited amount of mixed low density residential development that would not exceed ten (10) dwelling units per acre in areas served by public or centralized sewage collection and treatment system and identified as "Mixed Use Residential" in the Comprehensive Plan.

Newly created R-2 Districts shall not be located within one-half (1/2) mile of an existing feedlot.

A. Permitted Uses:

1. One single-family detached dwelling.
2. Single family attached dwellings of two (2) dwelling units, i.e. duplex.
3. The following residential uses: State licensed residential facility serving six or fewer persons; Licensed family adult foster care home or foster care for adults with five or fewer beds as permitted in MS 245A.11, Subd. 2a. No more than one four (4) square foot sign advertising the facility shall be permitted at the primary driveway entrance.
4. The following non-residential uses: State licensed non-residential facility or day care facility serving 12 or fewer persons, and a group family day care facility serving 14 or fewer children. No more than one four (4) square foot sign advertising the facility shall be permitted at the primary driveway entrance.
5. A home occupation as regulated in Section 10.02.
6. Accessory structures and uses customarily incidental to any of the above permitted uses when located on the same property.
7. The raising of a maximum of ten (10) chickens as regulated in Section 10.52, as long as it is an accessory use to a single-family detached dwelling.

B. Conditional Uses: (Also see Section 4.02, Conditional Uses.)

1. Single family attached dwellings of over two (2) dwelling units.
2. Mobile home parks and subdivision as regulated in Section 10.42.
3. Multiple family dwellings.
4. Other state licensed group homes or supervised living facilities.
5. Accessory structures and uses customarily incidental to any of the above conditional uses when located on the same property.

C. General District Regulations:

1. Height Regulations: No building shall exceed thirty-five (35) feet in height.
2. Lot Regulations: For each lot to be developed for building purposes that is within an Urban Service Area as designated on the Olmsted County General Land Use

Plan proposed to be served by a public or centralized sewage collection and treatment system, development regulations shall be determined by a special district established under the provisions of Section 8.10 in accordance with the standards in the General Land Use Plan for interim development. For lots located outside Urban Service Areas as designated on the General Land Use Plan and proposed to be served by a public or centralized sewage collection and treatment, development regulations shall be determined by a special district established under the provisions of Section 8.10 in accordance with the standards in the General Land Use Plan for suburban development.

3. Lot Area Regulations: The minimum lot area for each type of residential dwelling is as follows:
 - a. 6,000 square feet-one family dwelling;
 - b. 9,000 square feet-two family dwelling;
 - c. 4,500 square feet-single family attached dwelling consisting of only two buildings;
 - d. The lot area for other single family attached dwellings and multiple family dwellings need not meet a specific minimum lot area, providing the following criteria are satisfied:
 - i. The density limit for the district is not exceeded.
 - ii. Land included in the development site that is not proposed to be included as a private lot area is preserved as open space, subject to Section 10.38.
 - iii. The maximum lot coverage of all structures does not exceed forty (40%) percent of the entire development site.
4. Density:
 - a. The density for any development in the district shall not exceed ten (10) dwelling units per acre. The density shall be a net density (gross acreage of the development site minus the road right of ways).
5. Front Yard Regulations:
 - a. A minimum front yard depth of not less than forty-five (45) feet shall be provided on all lots adjoining federal, state, and county roads.
 - b. A minimum front yard depth of not less than twenty-five (25) feet shall be provided on all lots adjoining local roads and streets.
6. Side Yard Regulations:
 - a. A minimum side street yard width of not less than forty-five (45) feet shall be provided on all lots adjoining federal, state, and county roads.
 - b. A minimum side street yard width of not less than twenty-five (25) feet shall be provided on all lots adjoining local roads and streets.

- c. A minimum interior side yard width of not less than ten (10) feet shall be provided.
7. Rear Yard Regulations:
- a. A minimum rear yard depth of not less than twenty-five (25) feet shall be provided.
8. Lot Width Regulations: The minimum lot width for each type of dwelling is as follows:
- a. 60 feet - one and two family
 - b. 45 feet - single family attached consisting of only two (2) buildings.
9. Lot Coverage Regulations:
- a. The maximum lot coverage of all structures does not exceed forty (40%) percent of the lot.
10. Development Site Regulations: The development site regulations for single family attached dwellings involving three or more buildings and for multiple family dwellings are regulated by the following:
- a. Minimum size of a development site - 13,000 square feet.
 - b. Minimum width of a development site - 80 feet.
 - c. Yards within a development site: The yard regulations established in Section 6.04 (C, 5, 6 & 7) shall apply to the outer boundaries of a development site and shall be applied within a development site 1) along any public or private road, and 2) along any lot line other than one which divides two attached dwellings.
- D. Wind Energy Conversion System Standards:
- 1. The height of the WECS including the blades shall be limited to 120 feet, except as specified in the RC district.
 - 2. The setback is established in Section 10.50(C)(1). The wind turbine is not permitted to be located in a front or side street side yard.
 - 3. No lighting shall be permitted on the wind turbine, unless required by the Federal Aviation Administration.
 - 4. The wind turbine shall meet the standards set forth in Section 10.50(E)

**ORONOCO TOWNSHIP
COUNTY OF OLMSTED
STATE OF MINNESOTA**

Resolution # _____

WHEREAS, the Oronoco Town Board directed their Planning Commission to review and revise the current Zoning Ordinance dated May 19, 2022 and

WHEREAS, the Oronoco Township Planning Commission reviewed Article 6: Residential Districts, received input from various stakeholders and revised the Zoning Ordinance as appropriate, and

WHEREAS, a notice of public hearing was published in the Township's official newspaper and a Public Hearing was held on August 19, 2024, in the Oronoco Town Hall, 115 2nd St NW, Oronoco, MN, and the Planning Commission took public input on the proposed changes to the Oronoco Township Zoning Ordinance; and recommended approval to their Town Board; and

WHEREAS, having heard the public and duly studied the proposed changes as listed below,

NOW, THEREFORE, BE IT RESOLVED that the Oronoco Town Board does hereby ordain and approve the proposed text amendments to the Oronoco Zoning Ordinance attached hereto. Amendments to the Oronoco Township Zoning Ordinance as shown herein shall take effect on September 9, 2024, following publication of a summary of the changes in the Township's official newspaper.

A motion was made and seconded to approve the text amendments to Article 6, as presented. The motion carried, all in favor.

Passed and adopted by the Oronoco Town Board this 9th day of September 2024.

Ken Mergen, Chair

Attest:

Jody Schroeder, Clerk

Distribution:
County Planning
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TCPA

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Drafted by: TCPA