



## REQUEST FOR ACTION CITY COUNCIL

Agenda Date: 7/1/2024  
Agenda Section: New Business

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**Department:** Planning and Zoning

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**Agenda Item:** Ordinance Amendment 24-03 regarding accessory structure and guest quarter size restrictions, and the keeping of chickens in the Urban Residential (UR) Zone.

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**Approval Required:** 4/5 vote

### **BACKGROUND**

The following outlines the proposal to modify the existing performance standards, size maximums, and provisions of guest quarters, guest cottages, accessory dwelling units, and the keeping of chickens within the UR Zone. The Planning Commission has motioned to approve the Ordinance amendments as presented to remove the existing sizing maximums for accessory structures, revise performance standards for guest quarters and guest cottages, and provide performance standards for the keeping of chickens on residential parcels in the Urban Residential Zone.

### **FINANCIAL IMPLICATIONS**

### **STAFF RECOMMENDATIONS**

Planning Commission recommends approval of Ordinance 24-03.

### **COUNCIL ACTION REQUESTED**

- A. Council motion to approve Ordinance Number 24-03, Second Series, regarding accessory structure and guest quarter size restrictions & the keeping of chickens in the Urban Residential Zone.
- B. Council motion to approve summary publication of Ordinance Amendment 24-03 as presented. (4/5 vote required)

**ORDINANCE NUMBER 24-03, SECOND SERIES  
AN ORDINANCE AMENDING CHAPTER 17 OF THE CITY CODE  
REGARDING ACCESSORY STRUCTURE AND GUEST QUARTER  
SIZE RESTRICTIONS IN THE URBAN RESIDENTIAL ZONE  
CITY OF PEQUOT LAKES  
COUNTY OF CROW WING  
STATE OF MINNESOTA**

The City Council of the City of Pequot Lakes does ordain as follows:

**Purpose and Intent:** The purpose and intent of this ordinance is to amend Chapter 17 of the Pequot Lakes City Code regarding the maximum accessory structure size & performance standards for guest quarters, and the keeping of chickens in the Urban Residential Zone.

**Amendment:** Chapter 17, Article 5.9 shall be amended as follows:

**Section 17-5.9 URBAN RESIDENTIAL (UR)**

1. **Purpose and Intent:** To provide a residential zoning classification that contains an urban development pattern characterized by traditional grid-style lot block layouts. Parcels are either served by or designed for municipal sewer and water utilities, an urban road section with sidewalks and a boulevard and are generally within walking distance of the Downtown Mixed-Use District.
2. **Compatibility:** The Urban Residential zone is compatible with and must be established next to the Downtown Mixed-Use zone or the Shoreline Residential zone. The Urban Residential zone may be established in areas abutting Transition Residential, Commercial or Light Industrial zones.
3. **Lot, Use and Density Requirements.**

Lot Width - feet, minimum.....	50
Buildable Lot Area (sewered) – square feet, minimum .....	6,250
Buildable Lot Area (unsewered) – square feet, minimum .....	20,000
Residential PUD Maximum Density (sewered).....	
.....	2 units per 6,250 square feet
Residential PUD Maximum Density (unsewered).....	
.....	2 units per 20,000 square feet
Setback, right-of-way, local streets - feet, minimum.....	10
Setback, right-of-way, collector and arterial streets	
- feet, minimum.....	30
Setback, side - feet, minimum.....	10
Setback, corner side - feet, minimum.....	30
Setback, sign - feet, minimum.....	1
Setback, wetland – feet, minimum... ..	30

Maximum impervious coverage.....	40%
Maximum Building Height - feet.....	25
Maximum Flag Pole Height – feet... ..	30
<del>Accessory Structure Size – square feet, max, cumulative.....</del>	<del>1,280</del>

4. Performance Standards. The following performance standards shall apply to all development in this zone:

A. Dwelling, Guest Quarters. Guest quarters must meet the following restrictions:

- ~~(1) Shall be located along with the principal structure on the smallest lot meeting the above requirements.~~
- ~~(2) Shall be a minimum of 400 square feet and a maximum of 600 square feet and shall not exceed 15 feet in height.~~

(1) Guest quarters within accessory structures are limited to 900 square feet of living space.

(2) Guest cottages are limited to a 900 square feet of footprint & maximum building height of 15’.

B. Outside Storage. Storage of a fish house and a recreational vehicle is allowed if stored not less than 10 feet distance from any property line and not within the OHW setback.

C. Fences. Fences not exceeding 48 inches may be constructed between the dwelling façade and the front property line. Dwelling façade shall not include decks, entry ways, porches, and other building projections from the principal face of the dwelling. Fences not exceeding 72 inches in height may be constructed from the dwelling façade to the side yard and to the rear yard of a property. Under no circumstances shall a fence be constructed closer than 10 feet from the surface of a public road and in all cases not within the public right-of-way. Materials shall consist of usual fencing materials with posts and fence of metal, wood, concrete, brick or smooth wire. Barbed or electrified wire is prohibited, except where specific approval has been given by the Planning Commission.

D. Impervious Coverage. Impervious coverage may be increased by 20% through a conditional use permit if the following is provided:

- (1) A storm water retention plan showing containment of the 5-year, 24-hour storm event of the parcel.
  - (2) Direct runoff of stormwater to adjacent water bodies, including wetlands and adjacent parcels, shall be eliminated through the use of berms or other permanent means.
- E. Sidewalks. Properties shall accommodate the safe and comfortable sidewalks, paths, and resting areas for pedestrians. Sidewalks and paths shall connect the development to adjacent land uses and provide connections through the development to the public street right-of-way.
- F. Accessory Structure<sup>5</sup>. A permit shall not be required for up to two accessory structures totaling no more than 160 square feet. Ground-mounted solar panel installations shall not count towards this limit.
- G. Chickens. The keeping of chickens may be allowed in the Urban Residential zone provided that the following performance standards are met:
- (1) Keeping of chickens on an unimproved parcel is prohibited.
  - (2) The residential parcel must be of a size and configuration to allow full compliance with all of the terms, limitations, and conditions noted hereafter.
  - (3) No more than five (5) chickens may be maintained on a residential parcel of less than one (1) acre in size. For city parcels of one (1) acre or more, up to five (5) additional chickens may be maintained on that parcel. Two or more contiguous or non-contiguous parcels may not be combined for the purpose of complying with this condition. Under no circumstances shall the total number of chickens on a residential city parcel exceed ten (10).
  - (4) Chickens shall not be kept in a dwelling or garage, nor in a porch, patio, or similar extension of a dwelling.
  - (5) No roosters or adult male chickens shall be maintained on a city parcel. In the case of a delayed discovery that a chicken is a rooster or adult male chicken, the chicken shall be removed from the parcel within seven (7) days of discovery.
  - (6) Chicken coops not exceeding the allowed accessory structure size (160 square feet) shall not require a permit but shall count towards the cumulative total of allowed accessory structures on a parcel. Chicken coops exceeding 160 square feet shall require a land use permit.

- (7) Coops and runs must meet structural setbacks and are not allowed within the shoreland impact zone (SIZ).
- (8) Coops shall be elevated or rodent proof.
- (9) Accumulation of animal wastes or manure shall not be allowed.
- (10) Animal husbandry is prohibited.

**Effective Date:** This ordinance amendment shall be in full force and effect from and after passage and publication according to state law.

**Repeal:** This ordinance shall repeal all ordinances inconsistent herewith.

Passed by the Pequot Lakes City Council this 1<sup>st</sup> day of July, 2024.

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Tyler Gardner, Mayor

ATTEST:

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Angie Duus, City Administrator

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Tyler Gardner, Mayor

ATTEST:

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Angie Duus, City Administrator

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KEEPING OF CHICKENS IN THE URBAN RESIDENTIAL ZONE  
CITY OF PEQUOT LAKES  
COUNTY OF CROW WING  
STATE OF MINNESOTA**

The following is the official summary of Ordinance No. 24-03, Second Series, approved by the City Council of the City of Pequot Lakes, on the 1<sup>st</sup> Day of July 2024.

The purpose and intent of this ordinance is to amend Chapter 17 of the City Code regarding the performance standards, size maximums, and provisions of guest quarters, guest cottages, accessory dwelling units, & the keeping of chickens within the Urban Residential zone.

A printed copy of this ordinance is available for inspection by any person at City Hall.

Passed by the Pequot Lakes City Council this 1<sup>st</sup> Day of July 2024.

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Tyler Gardner  
Mayor

ATTEST:

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Angie Duus  
City Administrator