

**CITY OF ST. AUGUSTA  
STEARNS COUNTY, MINNESOTA  
ORDINANCE NO. 2005-09**

**AN ORDINANCE AMENDING SECTIONS 15.04, 23.07, 45.06, 45.09, 46.06, 48.01,  
51.01, 52.01 OF THE ZONING ORDINANCE RELATED TO URBAN AND RURAL  
SERVICE AREAS**

THE CITY COUNCIL OF ST. AUGUSTA, MINNESOTA HEREBY ORDAINS:

**Section 1.** Section 15.04.B.5 (Accessory Buildings, Uses and Equipment) of the Zoning Ordinance is hereby amended to read as follows:

5. The combined total floor area of a detached accessory building or buildings or detached garages shall not exceed the following maximum area requirements:

a. Within the urban service area designated by the Comprehensive Plan:

Lot Area	Maximum Total Floor Area of All Detached Accessory Structures
1/3 acre or smaller	480 square feet
1/3 acre to 1/2 acre	624 square feet
1/2 acre to 2/3 acre	816 square feet
2/3 acre to 1 acre	1,250 square feet
1.01 acre to 2.00 acres	1,500 square feet
2.01 to 4.99 acres	2,000 square feet
5.00 to 6.99 acres	2,500 square feet
7.00 acres or larger	4,000 square feet

c. Within the rural service area designated by the Comprehensive Plan:

Lot Area	Maximum Total Floor Area of All Detached Accessory Structures
1.00 acre or smaller	1,250 square feet
1.01 to 2.00 acres	1,500 square feet
2.01 to 4.99 acres	2,000 square feet
5.00 to 6.99 acres	2,500 square feet
7.00 to 9.99 acres	4,000 square feet
10.00 acres or larger	No Limit

**Section 2.** Section 15.04.G.2.a (Building Types and Standards) of the Zoning Ordinance is hereby amended to read as follows:

- a. The lot is within the urban service area or rural service area designated by the Comprehensive Plan.

**Section 3.** Section 23.07.D (Prohibited Feedlots) of the Zoning Ordinance is hereby amended to read as follows:

D. Prohibited Feedlots:

- 1 New feedlots or expansions of existing feedlots that exceed the following cumulative number of animal units:

	<u>District Designation</u>	<u>Maximum Number of Animal Units</u>
a.	Urban Service Area	140
b.	Rural Service Area	350

NOTE: See St. Augusta Comprehensive Plan for District Boundary Designations. Expansions over the maximum number of animal units shall require a permit from the Minnesota Pollution Control Agency and a conditional use permit.

**Section 4.** Section 23.07.J.b (Feedlots - Conditional Use Permits) of the Zoning Ordinance is hereby amended to read as follows:

- b. Feedlot expansions that exceed the following cumulative number of animal units:

	<u>District Designation</u>	<u>Animal Units</u>
1)	Urban Service Area	140
2)	Rural Service Area	350

NOTE: See St. Augusta Comprehensive Plan for district boundary designations.

**Section 5.** Section 45.06.H (A-1 Conditional Uses) of the Zoning Ordinance is hereby amended to read as follows:

- H. As an exception to the standard density, the City will accommodate an urban subdivision provided that utilities would be extended from the urban service area at one hundred (100) percent of the cost being borne by the developer. Utility costs would include trunk and lateral sanitary sewer, water, and any street improvements that are necessary. This type of development would be evaluated against the following criteria:
1. A Comprehensive Plan amendment would be required for development outside of the urban service area. This will allow the Planning Commission and City Council to review each proposed residential, commercial, or industrial plat against the long term goals of the City.
  2. The City shall make a determination if they have adequate sewer and water capacity to accommodate the proposed development.
  3. The proposed development shall be responsible for one hundred (100) percent of the cost of extending utilities to and through the proposed subdivision area.
  4. The development shall be served by adequate streets and highways.
  5. The proposed density shall be determined to be acceptable as a long range land use for the City as evaluated against the land use policies of the Comprehensive Plan.
  6. The proposed development shall not adversely impact environmentally sensitive areas or result in the disruption of wetlands, drainageways, or other environmental features.
  7. It will be the responsibility of any landowner or development within the rural service area to demonstrate that their subdivision is not premature on the basis of the aforementioned criteria and that the proposed land use and density is appropriate for the location being proposed based on the policies of the Comprehensive Plan. Without this demonstration, the City would make a determination that the plat is premature and the four (4) per forty (40) would apply.
  8. Generally, rural residential subdivisions include a rural section street. To make accommodation for pedestrian movements, the rural street section shall include a four (4) foot paved shoulder for walking and bicycles, exclusive of the drive lanes of the street.

**Section 6.** Section 45.09.H (A-1 Residential Divisions) of the Zoning Ordinance is hereby amended to read as follows:

H. Maximum Density: Not greater than four (4) units per forty (40) acres. In anticipation of future urban development, the City shall allow interim densities of 4 units per 40 acres with a minimum lot size of 1 acre. Clustering of developable lots shall be mandatory to ensure that future City Services can be accommodated. Transfer of development rights shall be allowed provided the properties upon which the transfer area occurs is contiguous and of common ownership. A minimum of 40 acres shall be required to split off 10 developable acres. A minimum of 30 acres shall be necessary to split off 7.5 developable acres. A minimum of 20 acres shall be required to split off 5 developable acres. One lot, not to exceed 2.5 acres in size, may be split from an existing parcel of less than 20 acres if it is demonstrated that the minimum developable area satisfies the requirements of the Zoning Ordinance and that there is sufficient area identified for the establishment of existing or future City services. Below is a table that represents the requirements per acre.

<b>Total Acres</b>	<b>Maximum allowed for a lot split</b>
40 acres	10 developable acres
30 acres	7.5 developable acres
20 acres	5 developable acres
Less than 20 acres	2.5 developable acres

**Section 7.** Section 46.06.G (A-2 Conditional Uses) of the Zoning Ordinance is hereby amended to read as follows:

G. Maximum Density: Not greater than four (4) units per forty (40) acres. In anticipation of future urban development, the City shall allow interim densities of 4 units per 40 acres with a minimum lot size of 1 acre. Clustering of developable lots shall be mandatory to ensure that future City Services can be accommodated. Transfer of development rights shall be allowed provided the properties upon which the transfer area occurs is contiguous and of common ownership. A minimum of 40 acres shall be required to split off 10 developable acres. A minimum of 30 acres shall be necessary to split off 7.5 developable acres. A minimum of 20 acres shall be required to split off 5 developable acres. One lot, not to exceed 2.5 acres in size, may be split from an existing parcel of less than 20 acres if it is demonstrated that the minimum developable area satisfies the requirements of the Zoning Ordinance and that there is sufficient area identified for the establishment of existing or future City services. Below is a table that represents the requirements per acre.

<b>Total Acres</b>	<b>Maximum allowed for a lot split</b>
40 acres	10 developable acres
30 acres	7.5 developable acres
20 acres	5 developable acres
Less than 20 acres	2.5 developable acres

**Section 8.** Section 46.07.B (A-2 Maximum Density) of the Zoning Ordinance is hereby amended to read as follows:

B. Maximum Density: Not greater than four (4) units per forty (40) acres. In anticipation of future urban development, the City shall allow interim densities of 4 units per 40 acres with a minimum lot size of 1 acre. Clustering of developable lots shall be mandatory to ensure that future City Services can be accommodated. Transfer of development rights shall be allowed provided the properties upon which the transfer area occurs is contiguous and of common ownership. A minimum of 40 acres shall be required to split off 10 developable acres. A minimum of 30 acres shall be necessary to split off 7.5 developable acres. A minimum of 20 acres shall be required to split off 5 developable acres. One lot, not to exceed 2.5 acres in size, may be split from an existing parcel of less than 20 acres if it is demonstrated that the minimum developable area satisfies the requirements of the Zoning Ordinance and that there is sufficient area identified for the establishment of existing or future City services. Below is a table that represents the requirements per acre.

<b>Total Acres</b>	<b>Maximum allowed for a lot split</b>
40 acres	10 developable acres
30 acres	7.5 developable acres
20 acres	5 developable acres
Less than 20 acres	2.5 developable acres

**Section 9.** Section 48.01 (R-1 Purpose) of the Zoning Ordinance is hereby amended to read as follows:

**48.01 PURPOSE:** The purpose of the R-1, Suburban Residential District is to provide for low to medium density single family detached dwelling units and directly related, complementary uses in areas designated as the rural service area by the Comprehensive Plan.

**Section 10.** Section 48.06.D (Conditional Uses) of the Zoning Ordinance is deleted in its entirety.

**Section 11.** Section 48.07.B (Density). Not greater than one (1) dwelling unit per forty-five thousand (45,000) square feet. In anticipation of future urban development, the City shall allow interim densities of 4 units per 40 acres with a minimum lot size of 1 acre. Clustering of developable lots shall be mandatory to ensure that future City Services can be accommodated. Transfer of development rights shall be allowed provided the properties upon which the transfer area occurs is contiguous and of common ownership. A minimum of 40 acres shall be required to split off 10 developable acres. A minimum of 30 acres shall be necessary to split off 7.5 developable acres. A minimum of 20 acres shall be required to split off 5 developable acres. One lot, not to exceed 2.5 acres in size, may be split from an existing parcel of less than 20 acres if it is demonstrated that the minimum developable area satisfies the

requirements of the Zoning Ordinance and that there is sufficient area identified for the establishment of existing or future City services. Below is a table that represents the requirements per acre.

Total Acres	Maximum allowed for a lot split
40 acres	10 developable acres
30 acres	7.5 developable acres
20 acres	5 developable acres
Less than 20 acres	2.5 developable acres

**Section 12.** Section 48.08.D (R-1 Lot Coverage and Height) of the Zoning Ordinance is hereby amended to read as follows:

- a. Within the urban service area designated by the Comprehensive Plan.

Lot Area	Maximum Total Floor Area of All Detached Accessory Structures
1.00 acre or smaller	1,250 square feet
1.01 to 2.00 acres	1,500 square feet
2.01 to 4.99 acres	2,000 square feet
5.00 to 6.99 acres	2,500 square feet
7.00 acres or larger	4,000 square feet

- b. Within the rural service area designated by the Comprehensive Plan.

Lot Area	Maximum Total Floor Area of All Detached Accessory Structures
1.00 acre or smaller	1,250 square feet
1.01 to 2.00 acres	1,500 square feet
2.01 to 4.99 acres	2,000 square feet
5.00 to 6.99 acres	2,500 square feet
7.00 to 9.99 acres	4,000 square feet
10.00 acres or larger	No Limit

**Section 13.** 48.08 E. Density. In anticipation of future urban development, the City shall allow interim densities of 4 units per 40 acres with a minimum lot size of 1 acre. Clustering of developable lots shall be mandatory to ensure that future City Services can be accommodated. Transfer of development rights shall be allowed provided the properties upon which the transfer area occurs is contiguous and of common ownership. A minimum of 40 acres shall be required to split off 10 developable acres. A minimum of 30 acres shall be necessary to split off 7.5 developable acres. A minimum of 20 acres shall be required to split off 5 developable acres. One lot, not to exceed 2.5 acres in size, may be split from an existing parcel of less than 20 acres if it is demonstrated that the minimum developable area satisfies the requirements of the Zoning Ordinance and that there is sufficient area identified for the

establishment of existing or future City services. Below is a table that represents the requirements per acre.

Total Acres	Maximum allowed for a lot split
40 acres	10 developable acres
30 acres	7.5 developable acres
20 acres	5 developable acres
Less than 20 acres	2.5 developable acres

**Section 14.** Section 50.07 Lot Area and Setback Requirements. In anticipation of future urban development, the City shall allow interim densities of 4 units per 40 acres with a minimum lot size of 1 acre. Clustering of developable lots shall be mandatory to ensure that future City Services can be accommodated. Transfer of development rights shall be allowed provided the properties upon which the transfer area occurs is contiguous and of common ownership. A minimum of 40 acres shall be required to split off 10 developable acres. A minimum of 30 acres shall be necessary to split off 7.5 developable acres. A minimum of 20 acres shall be required to split off 5 developable acres. One lot, not to exceed 2.5 acres in size, may be split from an existing parcel of less than 20 acres if it is demonstrated that the minimum developable area satisfies the requirements of the Zoning Ordinance and that there is sufficient area identified for the establishment of existing or future City services. Below is a table that represents the requirements per acre.

Total Acres	Maximum allowed for a lot split
40 acres	10 developable acres
30 acres	7.5 developable acres
20 acres	5 developable acres
Less than 20 acres	2.5 developable acres

**Section 15.** Section 51.01 (R-4 Purpose) of the Zoning Ordinance is thereby amended to read as follows:

**51.01 PURPOSE:** The purpose of the R-4, Medium Density Residential District is to provide for low to moderate density through the mixture of one and two unit medium density dwellings and directly related complementary uses. The allowance of such uses and establishment of the district is dependent upon the availability of publicly controlled sanitary sewer service and only within portions of the City which have been designated as urban service areas by the Comprehensive Plan.

**Section 16. 51.07.D Lot Area and Setback Requirements** In anticipation of future urban development, the City shall allow interim densities of 4 units per 40 acres with a minimum lot size of 1 acre. Clustering of developable lots shall be mandatory to ensure that future City Services can be accommodated. Transfer of development rights shall be allowed provided the properties upon which the transfer area occurs is

contiguous and of common ownership. A minimum of 40 acres shall be required to split off 10 developable acres. A minimum of 30 acres shall be necessary to split off 7.5 developable acres. A minimum of 20 acres shall be required to split off 5 developable acres. One lot, not to exceed 2.5 acres in size, may be split from an existing parcel of less than 20 acres if it is demonstrated that the minimum developable area satisfies the requirements of the Zoning Ordinance and that there is sufficient area identified for the establishment of existing or future City services. Below is a table that represents the requirements per acre.

Total Acres	Maximum allowed for a lot split
40 acres	10 developable acres
30 acres	7.5 developable acres
20 acres	5 developable acres
Less than 20 acres	2.5 developable acres

**Section 17.** Section 52.01 (R-5 Purpose) of the Zoning Ordinance is hereby amended to read as follows:

**52.01 PURPOSE:** The purpose of the R-5, High Density Residential District is to provide for high density housing and directly related complementary uses. The allowance of such uses are dependent upon the availability of publicly controlled sanitary sewer service and only within portions of the City which have been designated as urban service areas by the Comprehensive Plan.

**Section 18.** Section 52.07 D Lot Area and Setback Requirements: In anticipation of future urban development, the City shall allow interim densities of 4 units per 40 acres with a minimum lot size of 1 acre. Clustering of developable lots shall be mandatory to ensure that future City Services can be accommodated. Transfer of development rights shall be allowed provided the properties upon which the transfer area occurs is contiguous and of common ownership. A minimum of 40 acres shall be required to split off 10 developable acres. A minimum of 30 acres shall be necessary to split off 7.5 developable acres. A minimum of 20 acres shall be required to split off 5 developable acres. One lot, not to exceed 2.5 acres in size, may be split from an existing parcel of less than 20 acres if it is demonstrated that the minimum developable area satisfies the requirements of the Zoning Ordinance and that there is sufficient area identified for the establishment of existing or future City services. Below is a table that represents the requirements per acre.

Total Acres	Maximum allowed for a lot split
40 acres	10 developable acres
30 acres	7.5 developable acres
20 acres	5 developable acres
Less than 20 acres	2.5 developable acres



**Section 19.** Enactment. This ordinance shall be in full force and effect upon its passage and publication.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_ 2005.

CITY OF ST. AUGUSTA

By: \_\_\_\_\_  
B. J. Kroll, Mayor

ATTEST:

By: \_\_\_\_\_  
William R. McCabe, City Administrator