



POPE COUNTY RESOLUTION 202431

APPROVING AMENDMENTS TO THE POPE COUNTY LAND USE CONTROLS ORDINANCE SECTIONS 4.6.13 ACCESSORY STRUCTURES, 5.6.1 ACCESSORY STRUCTURES, 5.6.3 IMPERVIOUS SURFACE

WHEREAS, Pope County is authorized to carry on county planning and zoning activities in the unincorporated areas of the County pursuant to Minnesota Statute Chapter 394; and

WHEREAS, the Pope County Comprehensive Plan identifies that land use regulations are to be clear, promote greater certainty in the land development process, and be consistent with the goals of the Comprehensive Plan; and

WHEREAS, the Pope County Comprehensive Plan states that there is to be a thorough review of the County's zoning and subdivision ordinances to identify those parts that are unclear or inconsistent with the Comprehensive Plan or other county policies and make the appropriate amendments; and

WHEREAS, the Pope County Shoreland Ordinance (Ordinance #1) was adopted in 1972 and after multiple amendments and additions has subsequently (1999) become known as the Pope County Land Use Controls Ordinance; and

WHEREAS, after a thorough review of the Land Use Controls Ordinance, it was determined that certain edits, modifications and amendments were necessary for consistency, clarity, an in recognition of changing land use habits and structural preferences; and

WHEREAS, the Land & Resource Management staff has identified the need to amend the development standard in regard to accessory structures in shoreland and residential zoned districts; and

WHEREAS, the Land & Resource Management staff has identified the need to add an impervious surface standard in the Residential (R) zoning district; and

WHEREAS, these requested amendments, initiated by Land & Resource Management staff, to amend the Land Use Controls Ordinance was considered by the Pope County Planning Advisory Commission, which after holding a public hearing on 28 September 2023, 26 October 2023 and 27 June 2024, did recommend approval of the requests to the Pope County Board of Commissioners; and

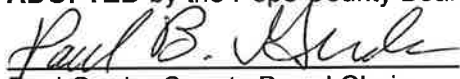
WHEREAS, the record of the public hearing includes the minutes of the Pope County Planning Advisory Commission, presentations by staff of Pope County Land & Resource Management and any comments or input as may have been offered from members of the public; and

WHEREAS, on 15 October 2024, the Pope County Board of Commissioners, pursuant to a Notice of Intent to amend the Pope County Land Use Controls Ordinance did consider the matter; and

NOW, THEREFORE, BE IT RESOLVED, that the Pope County Board of Commissioners hereby amends Sections 4.6.13, 5.6.1, and 5.6.3 of the Pope County Land Use Controls Ordinance; and

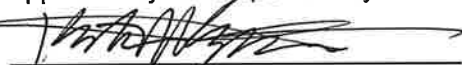
BE IT FURTHER RESOLVED, that the Director of the Pope County Land & Resource Management department is directed to make the changes set forth in the Pope County Land Use Controls Ordinance as follows and cause the same to be published and codified according to law.

ADOPTED by the Pope County Board of Commissioners this 15th day of October, 2024.


Paul Gerde, County Board Chair

CERTIFICATION

I hereby certify that the above is a true and correct copy of the Resolution duly passed, adopted, and approved by the Pope County Board of Commissioners on the 15th day of October, 2024.


Kersten Kappmeyer, County Administrator
Pope County, Minnesota



Seal

4.6.13 Accessory Structures

The purpose of this section is to provide a higher development standard and to control the size and location of accessory buildings in the Shoreland zoning districts. Accessory structures meeting the below indicated performance standards may be administratively permitted.

- A. The following table provides dimension and location requirements per range as demarcated below, for accessory structures to be located in a Shoreland zoning district.

Table 1: Accessory Structure Performance Standards

		1 st Range	2 nd Range	3 rd Range	4 th Range
Required OHWL Setbacks per zone (ft)	S-GD	75-149 ft	150-224 ft	225-499 ft	500+ ft
	S-RD	100-199 ft	200-299 ft	300-499 ft	500+ ft
	S-NE	200-399 ft	400-499 ft	500+ ft	
	S-RS	150-299 ft	300-500 ft	*	*
Maximum Footprint (sq ft)		1,000 sq ft	2,000 sq ft	3,000 sq ft	4,000 sq ft
Maximum Sidewall Height (ft)		12 ft	14 ft	14 ft	14 ft

*Outside of the shoreland zoning district boundary (1,000 ft from OHWL in S-GD, S-RD, S-NE and 500 ft from OHWL in S-RS), structure size is limited by the applicable zoning district performance standards.

- B. Accessory structures associated with an agricultural farm operation are exempted from the limitations identified in section 4.6.13.A.
- C. In allowing the types of structures regulated by this section, the Administrator shall make the following findings:
1. The proposed structure will not look out-of-place in comparison with other structures of the same neighborhood (within 500 feet),
 2. The proposed structure will not create a use that is incompatible with existing uses of the neighborhood.
 3. The proposed location of the structure does not impact or create a non-conformity with regard to an existing on-site septic system or its components.
 4. The proposed location of the structure does not encroach on or into area(s) set aside or designated for the primary or backup (secondary) septic system locations.

4.6.14 Reserved for Future Use

5.6 RESIDENTIAL DISTRICT REGULATIONS:

5.6.1 Accessory Structures

The purpose of this section is to provide a higher development standard and to control the size and location of accessory buildings in the Residential zoning district. Accessory structures meeting the below indicated performance standards may be administratively permitted.

- A. The following table provides dimension and location requirements for accessory structures to be located in the Residential zoning district.

Table 2: Accessory Structure Performance Standards

	Standard
<i>Maximum Footprint (sq ft)</i>	4,000 sq ft
<i>Maximum Sidewall Height (ft)</i>	14 ft

- B. Accessory structures associated with an agricultural farm operation are exempted from the limitations identified in section 5.6.1.A.
- C. In allowing the types of structures regulated by this section, the Administrator shall make the following findings:
1. The proposed structure will not look out-of-place in comparison with other structures of the same neighborhood (within 500 feet),
 2. The proposed structure will not create a use that is incompatible with existing uses of the neighborhood.
 3. The proposed location of the structure does not impact or create a non-conformity with regard to an existing on-site septic system or its components.
 4. The proposed location of the structure does not encroach on or into area(s) set aside or designated for the primary or backup (secondary) septic system locations.

5.6.2 Height of Structures

5.6.3 Impervious Surface

No lot shall be covered by more impervious surface than is shown in the table in Section 10.24.2 of this Ordinance.