



Meeting Agenda
City of Mora Planning Commission
Monday, May 9, 2022
5:30 PM Mora City Hall

Mora City Hall
101 Lake Street S
Mora, MN 55051
Kanabec County,
Minnesota

City of Mora Code of Ordinances, Chapter 32: The role of the Planning Commission is to serve the City Council in an advisory capacity on matters relating to citizen requests for action, zoning changes and review, Comprehensive Plan reviews, capital improvement reviews, and other actions as deemed necessary to carry out the functions of a pro-active Planning Commission.

1. Call to Order

2. Roll Call:

Jake Mathison
Sheldon Shepard
Sara Treiber
Lance Strande
VACANT

3. Adopt Agenda *(No item of business shall be considered unless it appears on the agenda for the meeting. Board members may add items to the agenda prior to adoption of the agenda.)*

4. Approval of Minutes

- a. Approval of Minutes from April 11, 2022

Public Hearing

- a. *Variance: 301 Grove St S – Applicant: Zach Smith/Yellow Lab Properties LLC
Property Owner: East Central Habitat for Humanity
Yellow Lab Properties is requesting to build a single family dwelling of approx. 800-1000 sq. ft. on a non-conforming lot (75 ft. frontage), but will meet all other building and zoning codes.*
- b. Ordinance 486 Amending Title XV Land Usage, Chapter 150 Zoning Related to Land Use Regulations in R-1 and R-3 Districts

5. Open Forum

6. Old Business: none

7. New Business

- a. Resolution PC2022-0501 Variance: 601 Central Ave W –Applicant: Zach Smith/Yellow Lab Properties, LLC and Owner: East Central Habitat for Humanity
- b. Ordinance 486: Recommend Council Approve
- c. Ordinance 487: Review, if approved hold public hearing at June meeting and advance to council in June

8. Verbal Reports *(In addition to the items listed below, each board and staff member will be given the opportunity to share information.)*

9. Adjournment

The next regular meeting is scheduled for **Monday, June 13, 2022** at 5:30 PM.

**City of Mora Planning Commission
Minutes
April 11, 2022 – 5:30 pm
Mora City Hall**

Mathieson called the meeting to order at 5:30 pm. Attendance was taken by roll call.
Members Present: Jake Mathison, Sheldon Shepard, Sara Treiber, and Lance Strande
Members Absent: none

Staff in Attendance: Angela Grafstrom, Glenn Anderson

Adopt Agenda

Motion made by Shepard to adopt the agenda of the April 11, 2022 Planning Commission Meeting as presented; seconded by Strande and carried unanimously.

Approval of Minutes

Motion made by Shepard to approve the minutes of the February 7, 2022 Planning Commission Meeting as presented; seconded by Strande and carried unanimously.

March meeting was cancelled due to no business.

Mathison closed the April 11, 2022 meeting for the public hearing at 5:38 pm.

Public Hearings: Conditional Use Permit: 601 Central Ave W – William and Marsha Everhardt

No one attended the public hearing and no one sent in any comments prior to the hearing.

Mathison closed the public hearing at 5:40 pm and reopened the regular meeting of the Planning Commission.

Open Forum: No comments

Old Business: None

New Business

Introduction: Glenn Anderson, City Administrator: Administrator Anderson attended the meeting to introduce himself to the committee.

Glenn Anderson took a few minutes to briefly introduce himself to the Planning Commission.

Resolution PC 2022-0401 Conditional Use Permit: 601 Central Ave W-William and Marsha Everhardt

**City of Mora Planning Commission
Minutes
April 11, 2022 – 5:30 pm
Mora City Hall**

The Commissioners reviewed Everhardt's request to add a prefab 12 X 20 lofted barn accessory outbuilding to provide shelter and security for personal equipment and belongings. The property is zoned R-3. The shed will conform to the City's building code which allows for cement or frost footings as a foundation, similar in style and color to the existing house, similar roof line.

Motion made by Treiber to approve Resolution PC 2022-0401 Recommending Approval of Conditional Use Permit to Allow Addition of an Accessory Structure to be located in R-3 District as Requested by William and Marsha Everhardt; seconded by Shepard and carried unanimously.

Ordinance Change: Frontage in R-1 and R-3 Zoning Districts:

Committee discussed and directed Grafstrom to proceed with review by City Attorney, Joel Jamnik and take steps towards council approval.

New Ordinance: Accessory Dwelling Units

Committee discussed and would like to review the ordinance again. Grafstrom will have Jamnik review and prepare a copy for the next meeting.

Commissioners discussed the importance of finding new ways to meet the challenges of the current housing market.

Verbal Reports

Grafstrom reported she has given notice to the City and her last day with the City of Mora will be May 6, 2022. She accepted a position with another City. Commissioners wished her well.

Adjournment

Motion made by Treiber to adjourn the April 11, 2022 meeting of the City of Mora Planning Commission; seconded by Strande and carried unanimously. Meeting adjourned at 6:10 pm.

The next regular meeting is scheduled for **Monday, May 9, 2022** at 5:30 PM.

Minutes prepared and submitted by Angela Grafstrom

Commission Chair

Attest: _____
City of Mora Staff

**CITY OF MORA
PUBLIC NOTICE**

**NOTICE OF A PUBLIC HEARING TO CONSIDER AN APPLICATION FOR A
VARIANCE TO ALLOW A SINGLE FAMILY HOME TO BE BUILT ON A
NONCONFORMING LOT LOCATED IN R-3 (MULTIPLE DWELLING RESIDENTIAL
DISTRICT)
AS REQUESTED BY ZACH SMITH, YELLOW LAB PROPERTIES, LLC**

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of Mora, Minnesota, will conduct a Public Hearing at 5:30 pm on Monday, May 9, 2022, at Mora City Hall located at 101 Lake Street South.

This public hearing is for the purpose of reviewing a request for a variance to allow the construction of an 800-1000 sq. ft. single family dwelling on a non-conforming lot (75 ft. frontage) located in the R-3 (MULTIPLE DWELLING RESIDENTIAL DISTRICT). The applicant is Zach Smith, Yellow Lab Properties and the property owner is East Central Habitat for Humanity. The subject site is approximately 10,500 sq. ft. in size, 75' x 140' and is located at 301 Grove St. S. The subject property is legally described as:

PID 22.01620.00
AUD. SUBD. #7 N 75' LOT 1 BLK 3
Section 14, Township 039 Range 024
Kanabec County, Minnesota

(Full legal description contained in Kanabec County Recorder's Office Document #14MN01719
and on file at Mora City Hall)

Any person may offer testimony, either orally at the meeting or by letter to the Mora Planning Commission, in support of or in opposition to the request. Questions about the request and/or review process should be directed to Angela Grafstrom at 320-225-4807.

For the City of Mora Planning Commission,

Angela M. Grafstrom
Community Development Director

Published in the Kanabec County times on April 28, 2022

**CITY OF MORA, MN
PUBLIC NOTICE**

**NOTICE OF A PUBLIC HEARING TO CONSIDER AMENDMENT TO THE CITY'S ZONING
ORDINANCE**

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of Mora, Minnesota, will conduct a Public Hearing at 5:30 p.m. on Monday, May 9, 2022, at Mora City Hall located at 101 Lake Street S., Mora, MN 55051.

This public hearing is for the purpose of considering Ordinance 486 which will amend the frontage requirements for single family homes from 80 ft. to 50 ft. and for two family dwellings with a zero lot line from 140 ft. to 50 ft. per unit in R-1 and R-3 districts. It will also eliminate the requirement to build a garage. The existing ordinances 150.60(g), 150.065, 150.090(g), and 150.095 were adopted by the City Council in July of 2010 and have become outdated. The existing and proposed ordinances are available for viewing on the city's website, www.ci.mora.mn.us (links provided on the homepage), and at City Hall during regular business hours.

Any person may offer testimony, either orally at the meeting or by letter to the City of Mora Planning Commission, in support of or in opposition to the subject matter. Written testimony should be addressed to the City of Mora Planning Commission and sent to 101 Lake Street S., Mora, MN 55051 or c.christenson@cityofmora.com and received no later than Friday, May 6, 2022.

Questions about the proposed Text Amendment should be directed to Angela Grafstrom at 320-225-4807 or a.grafstrom@cityofmora.com.

For the Mora Planning Commission

Angela Grafstrom
Community Development Director
City of Mora

Published in the Kanabec County Times on April 28 and May 5, 2022.



MEMORANDUM

Date May 9, 2022
To Mayor and City Council
From Angela Grafstrom, Community Development Director
RE Variance Request Resolution PC2022-0501

SUMMARY

Zach Smith of Yellow Lab Properties applied for a variance to build on a non-conforming lot. I had discussed with him I was trying to get the ordinance changed, but if he wanted to get going on this, I suggested he apply. As it works out, his request and the ordinance are on the same agenda and would be for council as well.

BACKGROUND INFORMATION

The lot Smit is interested in has a 75 ft. frontage when the City's current requirement is 80 ft. Next to the lot, the city has an easement with a sidewalk to the HRA. This lot is in a residential district, surrounded by other single family homes and I would suspect at one time had a single family home on it. The lot was purchased by Habitat for Humanity, but has not been a buildable lot because of the frontage requirement. Habitat would like to sell the lot to Yellow Lab Properties. Smith would build an 800 to 1000 sq. ft. single family home meeting all setbacks, building codes, and impermeable surface requirements.

OPTIONS & IMPACTS

The housing market across the state of Minnesota is extremely tight and people are looking for smaller starter or retirement homes. Allowing Yellow Lab Properties to build a single family dwelling on this vacant lot would help alleviate some of the housing needs in Mora. Plus, the City would get more tax dollars on a developed lot than a vacant lot.

Additionally, the City has already allowed the new Fox Run Development to do 60 ft. frontage lots and it could be considered discriminatory to not allow the older part of town with 50 and 75 ft. lots to build as well.

RECOMMENDATIONS

I recommend PC recommend, and City Council pass Ordinance 486 reducing the frontage requirements, which makes this variance request a moot point, and refund Zach Smith/Yellow Lab Properties his \$300.00 as the ordinance change would allow him to build anyway. He was being proactive and taking the correct steps in the process, so I think it would be decent on the city's part to give him a refund.

Attachments

Resolution PC2022-0501

**PLANNING COMMISSION RESOLUTION RECOMMENDING APPROVAL OF A VARIANCE
AS REQUESTED BY ZACH SMITH DBA YELLOW LAB PROPERTIES LLC.**

WHEREAS, the property owner and applicant, submitted an application dated received April 7, 2021 and considered complete April 18, 2021, for a Variance to allow a single family home to be built on a non-conforming lot in R-3 (Multiple Dwelling District); and

WHEREAS, the subject site is located at 301 Grove St S, and is legally described as:

PID 22.01620.00
North 75 feet of Lot One (1), Block Three (3), Auditor's Subdivision No. 7
Section 14, Township 039 Range 024
Kanabec County, Minnesota

(Full legal description contained in Kanabec County Recorder's Office Document #249067 and on file at Mora City Hall)

WHEREAS, notice was provided, and on May 9, 2022 the Planning Commission conducted a public hearing regarding this request, at which it heard from the Building Official and all interested parties wishing to be heard, and

WHEREAS, the Planning Commission has made the following findings as required by Zoning Code Section 150.095 and Zoning Code Section 150.035: the use is consistent with the purpose and intent of the Zoning Code and the purposes and intent of the zoning district in which the applicant intends to locate the proposed use allows for a variance when the application complies upon findings with the standards set forth:

Criteria #1: The proposed variance is consistent with goals, objectives, and policies of the Comprehensive Plan.

Findings #1: The R-3 district is intended to maintain existing residential areas and provide for the development of new residential areas served with public sanitary sewer, storm sewer, and water facilities. The proposed variance is in keeping with this purpose.

Criteria #2: Are there unique circumstances to the property not created by the landowner?

Findings #2: a unique and particular hardship has been created because the current owner is unable to build on the property or sell the property because the frontage is non-conforming (75 ft.) and this is not a self-created situation.

Criteria #3: Is this merely a special privilege?

Findings #3: This is not merely a special privilege as the Fox Run Addition is allowed to build homes on non-conforming lots with only a 60 ft. frontage

Criteria #4: Will the variance, if granted, alter the essential character of the locality?

Findings #4: The essential character of the area is maintained, and enhanced, by building a single family home. A single family home used to exist and was removed due to age or blight and is now a vacant lot in a single family neighborhood.

WHEREAS, the use is in keeping with the Comprehensive Plan and policies thereof as this residential property located along in an R-3 District.

Criteria #5: The proposed variance is consistent with the goals, objectives and policies of the Comprehensive Plan.

Findings #5: It is the goal of the Comprehensive Plan to encourage development and maintenance of a broad variety of housing types and a full range of housing opportunities in the city. The proposed single family dwelling in an R-3 district is in keeping with the Comprehensive Plan.

NOW THEREFORE BE IT RESOLVED, that the City of Mora Planning Commission recommends approval of the Variance to City Code 150.095 Area, Height, Lot Width, and Yard Requirements for the property located at 301 Grove St S, granting a 75 foot frontage instead of the required 80 feet for single family dwelling lots located in R-3 District in keeping with the building and zoning codes of the City of Mora and the State of Minnesota.

Passed and Adopted by the Planning Commission of Mora, Minnesota, this 9 day of May, 2022.

By _____
Planning Commission Chair

ATTEST:

Caleb Christenson, Building Official



CITY OF MORA
 101 Lake Street South
 Mora, MN 55051-1588

Angela Grafstrom, Community Development Director
 Phone: 320-225-4807 | Fax: 320-679-3862 Email:
 a.grafstrom@cityofmora.com

Land Use Application

Type of Request	Fee
<input checked="" type="checkbox"/> Variance *	\$300
<input type="checkbox"/> Conditional Use Permit (CUP) *	\$300
<input type="checkbox"/> Interim Use Permit (IUP) *	\$300
<input type="checkbox"/> CUP or IUP Amendment	\$300
<input type="checkbox"/> Minor Subdivision	\$200
Text Amendment and Map Amendment	\$300
Rezoning *	\$325
PUD Concept Plan Review	\$100
<input type="checkbox"/> Public R-O-W or Easement Vacation	\$275
<input type="checkbox"/> Well and/or Septic Exemption Permit	\$250
<input type="checkbox"/> Preliminary Plat / PUD General Development Plan *	\$400 plus \$10/lot and \$3,000 deposit
<input type="checkbox"/> Final Plat / PUD Final Development Plan	\$350
<input type="checkbox"/> Other _____	\$ _____

* For those requests followed by an asterisk (*), the applicant MUST provide a list of property owner names and mailing addresses within 350 feet of the subject property(ies). It is highly recommended that the list be obtained from the Kanabec County Assessor's Office. Allow 10 days for the list to be processed.

In addition to the application fees and deposits listed above, the applicant is responsible for actual costs of outside consulting services incurred by the City of Mora during the review of this land use request, including but not limited to legal and engineering services.

Subject Property Information

Street Address 301 Grove St S Mora, MN 55051

Legal Description Lot 1 Block 3 Subdivision #7

If the property has a metes and bounds description, attach a copy of the full legal description.

Current Zoning R-3 Current Use Vacant Land

Parcel Identification Number (PID) 22.01620.00

Property Owner Name(s) East Central MN Habitat for Humanity

Property Owner Phone Number (daytime) 651-485-4960

Property Owner Mailing Address Po Box 529 Cambridge MN 55008

Property Owner Email Address chabitat@ecenet.com
net

Applicant Information (only if different from Property Owner)

Applicant Name(s) Zachary Smith on behalf of Yellow Lab Properties LLC

Applicant Phone Number (daytime) 218-260-0754

Applicant Mailing Address Yellow Lab Properties LLC @ gmail.com

Applicant Email Address PO Box 93 Mar, MN 55051

Important: The Property Owner MUST sign the application or provide written authorization.

Description of Land Use Request (attach additional pages if necessary)

I would like to build a single family home 800-1000 sq ft on the property. I would also build a garage due to the requirement of the zoning. The house would be slab on grade & one level.

Notes to Applicant

- A site plan may be required with this application. The following information is required on the site plan and the city may require additional information as necessary to process the application: north arrow, adjacent street names, all property and structure dimensions, property or subject site acreage, location of existing and proposed structures, and setbacks of all structures from property boundaries.
- A survey may be required with this application. The survey must be prepared by a Registered Land Surveyor. In the case of a Minor Subdivision request, the survey must show the original parcel boundaries, the proposed parcel boundaries, and the proposed legal descriptions of all parcels involved in the request.
- The Community Development Director shall determine if the application and required application materials are complete within 15 days of application submittal. Applications will not be processed until they are considered complete.

I hereby certify that the above information and accompanying documents are true and correct to the best of my knowledge.

Applicant's Signature [Signature] Date 03/29/2022

Property Owner's Signature Wayne Elly Executive Director - BCM Habitat for Humanity Date 4-6-2022

FOR CITY USE ONLY	
Date Application Received	<u>4/7/22</u>
Date Fee Paid	<u>4/18/22</u>
Date Application Considered Complete	<u>4/18/22</u>
60-Day Review Deadline	<u>6/6/22</u>
120-Day Review Deadline	

CITY OF MORA, MN

Community Development Department | 101 Lake Street South | Mora, MN 55051

Angela Grafstrom | Community Development Director | a.grafstrom@cityofmora.com | 320-225-4807

REQUEST FOR COMMENTS

Please return comments to Angela Grafstrom no later than **Thursday, May 5, 2022.**

TODAY'S DATE: April 18, 2022
PC MEETING DATE: May 9, 2022
PROPERTY OWNER(S): Habitat for Humanity
APPLICANT(S): Zach, Yellow Lab Properties, LLC
SITE ADDRESS/LOCATION: 301 Grove St. S
DESCRIPTION OF REQUEST: Yellow Lab Properties would like to purchase the property from Habitat for Humanity and construct a new, single family home of about 800 to 1000 sq. feet. The lot is currently vacant and abuts the sidewalk easement for the HRA. The property is zoned R-3.

The Planning Commission will conduct a public hearing to consider the request at its May 9, 2022 meeting. Project details - including a location map are attached for reference. Please provide any comments or concerns you may have about the proposed *new single family dwelling*.

Contact Angela Grafstrom at 320-225-4807 or agrafstrom@cityofmora.com if you have any questions about the project or require additional information.

COMMENTS:

For several reasons, I have no issue with this project in terms of zoning:

1. Zoning in part of the Fox Run addition has a frontage of only 60 'and this is 75'.
2. This property size was reduced due to a sidewalk easement for the HRA. The easement has ample green space on either side of the sidewalk.
3. There is a housing shortage and we have a builder willing to build smaller, affordable homes and this should be encouraged, not discouraged.
4. The property value will increase with a developed property as opposed to a vacant lot, which translates into more tax dollars for the City. The lot is 75 x 136, (or 10,200 sq ft.). With a 1000 sq ft house as he has proposed, he will still be able to meet the City's setback requirements.
5. And, finally, the PC is recommending to council that they should reduce the lot size back to the 50 ft,
For all of these reasons, I see no issue with granting this permit so the builder can purchase the property and get started on the house as long as he meets required building codes and zoning setbacks.

Please attach additional comments if necessary.

City Administrator
 Building Official
 Public Works Director
 Chief Law Enforcement Officer
 City Engineer
 Fire Chief
 Electrical Engineer

City Attorney
 Mora School District
 MnDOT
 DNR
 SWCD
 Arthur Township
 Knife Lake Township
 Comfort Township

Kanabec County Coordinator
 Kanabec County Engineer
 ECE
 CenturyLink
 NorthStar Access
 Midco
 U.S. Cable
 MERC

Community Development Director Comments on Zoning

CITY OF MORA, MN

Community Development Department | 101 Lake Street South | Mora, MN 55051

Angela Grafstrom | Community Development Director | a.grafstrom@cityofmora.com | 320-225-4807

REQUEST FOR COMMENTS

Please return comments to Angela Grafstrom no later than **Thursday, May 5, 2022.**

TODAY'S DATE: April 18, 2022
PC MEETING DATE: May 9, 2022
PROPERTY OWNER(S): Habitat for Humanity
APPLICANT(S): Zach, Yellow Lab Properties, LLC
SITE ADDRESS/LOCATION:
DESCRIPTION OF REQUEST:

Yellow Lab Properties would like to purchase the property from Habitat for Humanity and construct a new, single family home of about 800 to 1000 sq. feet. The lot is currently vacant and abuts the sidewalk easement for the HRA. The property is zoned R-3.

The Planning Commission will conduct a public hearing to consider the request at its May 9, 2022 meeting. Project details - including a location map are attached for reference. Please provide any comments or concerns you may have about the proposed new single family dwelling.

Contact Angela Grafstrom at 320-225-4807 or agrafstrom@cityofmora.com if you have any questions about the project or require additional information.

COMMENTS:

No concerns as long as setbacks and impervious ground standards are met.

Handwritten signature and date: Cabt Clint 4-18-22

Please attach additional comments if necessary.

- City Administrator, Building Official, Public Works Director, Chief Law Enforcement Officer, City Engineer, Fire Chief, Electrical Engineer, City Attorney, Mora School District, MnDOT, DNR, SWCD, Arthur Township, Knife Lake Township, Comfort Township, Kanabec County Coordinator, Kanabec County Engineer, ECE, CenturyLink, NorthStar Access, Midco, U.S. Cable, MERC



22.01260.00

22.01620.00

22.01630.00

SOUTH GROVE STREET



MEMORANDUM

Date 5/9/22
To Planning Commission
From Angela Grafstrom, Community Development Director
RE: Ordinance Amendment 486

SUMMARY

At the April 11, 2022 Planning Commission meeting, this committee directed me to get a final draft of the amendments to Ordinance 150 for changes to the frontage and garage requirement ready for council approval. This ordinance was sent to the City Attorney who prepared it in proper format and is now ready for public hearing and Planning Commission recommendation for Council approval

BACKGROUND INFORMATION

The Community Development Director and Building Official have been contacted by developers interested in putting in housing on non-conforming lots around the City. Minnesota is in the throes of a housing shortage so it is time to consider options to get houses built. PC discussed the changes at the April 11 meeting. Zoning, building, and utilities see no issue with reducing the frontage for building from 80 ft. to 50 ft. on single family lots and from 140 ft., to 50 ft. per unit on two family dwelling with a zero lot line in R-1 and R-3 districts. The amendment also does away with forcing people to build a garage immediately, or ever. Many parts of the City have smaller frontage lots, 50 and 75 ft., so this will again make these lots, some of which are vacant, available for housing projects. Additionally, when the Fox Run Addition was approved, some lots were allowed to only have 60 ft. of frontage, but existing 50 and 75 ft. lots are considered unbuildable. Ordinance 486 amends the requirement and makes the frontage requirement more uniform for all parts of the City.

OPTIONS & IMPACTS

This is a positive change as it will allow more single family and two family homes to be built in the City and backfill lots where houses used to be, but are now considered too small. All houses will still meet impermeable surface, building regulations, and zoning codes. It will allow builders to purchase smaller, cheaper individual lots around the City so they can construct more affordable homes to help alleviate the housing shortage.

RECOMMENDATIONS

I recommend the Planning Commission recommend to City Council to Adopt Ordinance 486 an Ordinance Amending Title XV Land Usage, Chapter 150 Zoning, Related to Land Use Regulations in R-1 and R-3 Districts.

Attachments: Final draft of Ordinance 486

ORDINANCE NO. 486

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORA, MINNESOTA,
AMENDING TITLE XV LAND USAGE, CHAPTER 150 ZONING, RELATED TO
LAND USE REGULATIONS IN R-1 AND R-3 DISTRICTS**

THE CITY COUNCIL OF MORA, KANABEC COUNTY, MINNESOTA ORDAINS:

Section 1. That Title XV Land Usage, Chapter 150 Zoning Code, Section 150.060 (G) is amended by adding the underlined language and deleting the strikethrough language as follows:

(G) Every new single-family dwelling ~~must~~ may construct a garage with a minimum size of two hundred forty (240) square feet. Every new two-family dwelling ~~must~~ may construct one (1) or two (2) garages with a total minimum size of four hundred eighty (480) square feet. ~~The garage(s) must be constructed before a final certificate of occupancy will be granted.~~

Section 2. That Title XV Land Usage, Chapter 150 Zoning Code, Section 150.065(C) is amended by adding the underlined language and deleting the strikethrough language as follows:

(C) *Area, frontage, and yard requirements.* The following requirements shall be the minimum permitted in this district:

<i>Area (ft.)</i>	<i>Frontage (ft.)</i>	<i>Height (ft.)</i>	<i>Front Yard Setback (ft.)</i>	<i>Side Yard Setback (ft.)</i>	<i>Rear Yard Setback (ft.)</i>
Single family dwelling lots with public sewer:					
10,000	80 <u>50</u>	30 or 2½ stories, whichever is lesser	30	8	30
Two-family dwelling lots with public sewer:					
12,500	100	30 or 2½ stories, whichever is lesser	30	8	30
Single family dwelling lots without public sewer and water if allowed:					
1 acre	150	30 or 2½ stories, whichever is lesser	30	8	30
Dwellings with zero lot lines with public sewer:					
8,750	70 <u>50</u> per unit	30 or 2½ stories, whichever is lesser	30	8	30
Utility/storage structures: see § 150.011					
		15 or 2 stories, whichever is lesser		5	10
Detached garages: see § 150.011					
				5	10
See subdivision § 153.057 for corner lot widths.					

Section 3. That Title XV Land Usage, Chapter 150 Zoning Code, Section 150.090 (G) is amended by adding the underlined language and deleting the strikethrough language as follows:

(G) Every new single-family dwelling ~~must~~ may construct a garage with a minimum size of two hundred forty (240) square feet. Every new two-family dwelling ~~must~~ may construct one (1) or two (2) garages with a total minimum size of four hundred eighty (480) square feet. ~~The garage(s) must be constructed before a final certificate of occupancy will be granted.~~

Section 4. That Title XV Land Usage, Chapter 150 Zoning Code, Section 150.095(B) is amended by adding the underlined language and deleting the strikethrough language as follows:

(B) Area, frontage, and yard requirements. The following requirements shall be the minimum permitted in this district:

<i>Area (sq. ft.)</i>	<i>Area Per Unit (sq. ft.)</i>	<i>Frontage (ft.)</i>	<i>Height (ft.)</i>	<i>Front Yard Setback (ft.)</i>	<i>Side Yard Setback (ft.)</i>	<i>Rear Yard Setback (ft.)</i>	<i>Depth (ft.)</i>
Single family dwelling lots:							
10,000	10,000	80 <u>50</u>	35 or 3 stories, whichever is lesser	30	8	20	125
Two-family dwelling lots:							
12,500	6,250	100	35 or 3 stories, whichever is lesser	30	8	20	125
Two-family dwelling lots with zero lot lines:							
17,500	8,750	140 <u>50 per unit</u>	35 or 3 stories, whichever is lesser	30	8	20	125
Multiple family dwellings:							
As required below		100	35 or 3 stories, whichever is lesser	20	10	20	
Utility/storage structures: see § 150.011							
			20		5	10	
Detached garages: see § 150.011							
			20		5	10	

Section 2. Summary Publication. At least four-fifths of the City Council’s members direct the City Clerk to publish only the title and a summary of this ordinance as follows:

“AN ORDINANCE ADOPTING A TEXT AMENDMENT TO CITY OF MORA CODE OF ORDINANCES, THAT TITLE XV LAND USAGE, CHAPTER 150 ZONING CODE SECTION RELATING TO DISTRICTS R-1 AND R-3 PERTAINING TO MANDATORY GARAGES AND LOT FRONTAGES. It is the intent and effect of this Ordinance to no longer require garages and to reduce the frontage needed to have a buildable lot.”

A printed copy of the ordinance is available for inspection by any person during regular office hours at City Hall.

Section 3. This ordinance becomes effective from and after its passage and publication.

The foregoing ordinance was introduced and moved adoption by Council Member _____ and seconded by Council Member _____.

- Voting for ordinance
- Voting against the ordinance
- Abstained from voting
- Absent

Motion carried and ordinance adopted this _____ day of _____, 2022.

Alan Skramstad, Mayor

Attest:

Glenn Anderson, City Administrator



MEMORANDUM

Date 5/9/22
To Planning Commission
From Angela Grafstrom, Community Development Director
RE: Ordinance Amendment 487

SUMMARY

At the April 11, 2022 Planning Commission meeting, this committee requested a review copy of an ordinance allowing Accessory Dwelling Units. I got a copy of what Isanti County had done and requested the City Attorney update it for the City of Mora's Code.

BACKGROUND INFORMATION

The state of Minnesota has been hit very hard by the current housing crisis and we need to be creative in providing housing for citizens. This ordinance would allow single family dwellings to construct an accessory dwelling unit (ADU) on their homesteaded property to provide housing for adult children or a parent in a semi-independent living arrangement. The parcel would not be allowed to be split into 2 separate parcels and the ADU would have to comply with the Minnesota State Building Code

OPTIONS & IMPACTS

This is a positive change as it will allow more single family and two family homes to be built in the City and backfill lots where houses used to be, but are now considered too small. All houses will still meet impermeable surface, building regulations, and zoning codes. It will allow builders to purchase smaller, cheaper individual lots around the City so they can construct more affordable homes to help alleviate the housing shortage.

RECOMMENDATIONS

I recommend the Planning Commission proceed with scheduling a public hearing at their June 2022 meeting regarding Ordinance 487. Amending Title XV Land Usage Chapter 150 Zoning by Adding this Section Regarding Accessory Dwelling Units and then, recommend City Council adopt Ordinance 487 Regarding Accessory Dwelling Units.

Attachments: Final draft of Ordinance 487

ORDINANCE NO. 487

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORA, MINNESOTA,
AMENDING TITLE XV LAND USAGE, CHAPTER 150 ZONING BY ADDING
SECTION 150.020 REGARDING ACCESSORY DWELLING UNITS**

THE CITY COUNCIL OF MORA, KANABEC COUNTY, MINNESOTA ORDAINS:

Section 1. That Title XV Land Usage, Chapter 150 Zoning Code, Section 150.020 is created to read as follows:

150.020 Accessory Dwelling Units

(A) General

- (1) Findings. There are many benefits associated with the creation of legal accessory dwelling units (ADUs) on parcels that are otherwise limited to single-family dwellings. Those benefits include:
 - (a) Providing a means for adult children to give care and support to a parent in a semi-independent living arrangement;
 - (b) Increasing the supply of affordable housing without government subsidies;
 - (c) Providing a cost-effective means of accommodating development by making better use of existing infrastructure and reducing the need to provide new infrastructure;
 - (d) Benefiting older homeowners, single parents, young home buyers, and the disabled;
 - (e) Integrating affordable housing uniformly within the community;
 - (f) Providing homeowners with extra income to help meet rising home ownership costs;
 - (g) Reducing the incidence of housing deterioration and community blight by preventing absentee ownership of properties; and
 - (h) ADUs provide the opportunity for increased security and companionship for older and other homeowners who fear crime and personal accidents.

- (2) Purposes and Intent. It is the policy of the City of Mora to promote and encourage the creation of ADUs in a manner that enhances residential areas in order for the people of Mora to meet their housing needs and to realize the benefits of ADUs. It is not the purpose of this ordinance to alter the density restrictions outlined in the City's Comprehensive Plan and implemented in the City of Mora Zoning Ordinance. It is the intent of the City that a principal dwelling unit accompanied by an accessory dwelling unit shall be deemed to constitute a single dwelling unit for the purposes of provisions in the Comprehensive Plan and the Zoning Ordinance that address density. In addition, it is the intent of the City that it shall not require an additional building right for a property-owner to add an accessory dwelling unit to their property in conformity with the requirements for such an addition given below.

(3) Definitions.

“Accessory dwelling unit” (ADU) means a residential living unit on the same parcel as a single-family dwelling. The ADU provides complete independent living facilities for one or more persons. It may take various forms: a detached unit; a unit that is part of an accessory structure, such as a detached garage; or a unit that is part of an expanded or remodeled primary dwelling.

“Detached ADU” means a type of ADU that is a house built or placed permanently on the same parcel as a single-family house. An accessory detached ADU is not built within the existing house.

“Accessory” means that the ADU serves single-family dwelling purposes, rather than meaning that an ADU must necessarily be subordinate to or smaller than the principal dwelling unit on a single-family parcel, other than as set forth in the additional requirements for ADU’s given in the City of Mora Zoning Ordinance.

“Dwelling unit” means a residential living unit that provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation.

“Living Area” means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.

“Zoning Administrator” means the local official who is responsible for processing and approving or denying applications to develop or legalize ADUs.

(B) Permits: Eligibility and Application

(1) Authorization for ADUs by Zoning District. An ADU may be permitted in any Residential zoning district if it meets all the requirements of this ordinance.

(2) Approval Process.

(a) A total of one ADU is permitted per parcel.

(b) An ADU may be permitted in any residential district, provided the Zoning Administrator first approves the proposed ADU as complying with the standards of the City’s Zoning Ordinance.

(c) An ADU shall require a building permit that may either be applied for concurrently with the application for a building permit for construction of the principal structure on the parcel, or after construction of the principal structure.

(3) Continuing Authorization. Authorization for an ADU shall expire if the ADU does not conform to the Zoning Ordinance or the performance standards.

(C) ADU Performance Standards.

(1) Homestead Status. The parcel on which the ADU is located must have received and maintain homestead status.

(2) Parcel Standards – Minimum Size. ADUs may be developed on parcels meeting the minimum parcel size in the residential district where it is located. A property may not be subdivided or otherwise segregated to provide separate ownership of an ADU.

- (3) Parcel Standards – Setbacks. The setbacks applicable to ADU’s shall be the same as those applicable to single-family dwelling units in the residential zoning district where the ADU is located. A detached ADU shall be located at least 10 feet from the principal dwelling on the lot.
- (4) Unit Building Standards – Existing Dwelling Unit, Existing Structure, or New Dwelling Unit. An ADU may be incorporated in an existing dwelling unit, an existing structure, or a new dwelling unit.
- (5) Unit Buildings Standards – Size of Detached ADU. The living area within a detached ADU may not be larger than the living area within the associated principal dwelling unit. Tiny homes will be allowed as an ADU as long as they meet the requirements of the Minnesota State Building Code.
- (6) Unit Building Standards – Compliance with the Building Code. The ADU must satisfy the requirements of the Minnesota State Building Code.
- (7) Parking and Traffic. In order for an ADU to be approved, an applicant must demonstrate to the Zoning Administrator that there are sufficient parking spaces available on the parcel to prevent the need for residents to park on adjacent streets. One driveway access allowed per parcel for the ADU and principal dwelling on the parcel, unless otherwise approved by the road authority.
- (8) Public Health. ADU applicants must demonstrate to the Zoning Administrator that the water supply and sewage disposal facilities are adequate to satisfy all state laws and applicable Minnesota Pollution Control Agency regulations.
- (9) An ADU will be issued an address in accordance with the enhanced emergency 911 system to provide for emergency vehicles, and the address will be issued by the City Building Official.

Section 2. Summary Publication. At least four-fifths of the City Council’s members direct the City Clerk to publish only the title and a summary of this ordinance as follows:

“AN ORDINANCE ADOPTING A TEXT AMENDMENT TO CITY OF MORA CODE OF ORDINANCES, THAT TITLE XV LAND USAGE, CHAPTER 150 ZONING CODE, SECTION 150.020 IS CREATED PERMIT ACCESSORY DWELLING UNITS. It is the intent and effect of this Ordinance to define the requirements and limitations of accessory dwelling units and to encourage such units within the city.”

A printed copy of the ordinance is available for inspection by any person during regular office hours at City Hall.

Section 3. This ordinance becomes effective from and after its passage and publication.

The foregoing ordinance was introduced and moved adoption by Council Member _____ and seconded by Council Member _____.

- Voting for ordinance
- Voting against the ordinance
- Abstained from voting
- Absent

Motion carried and ordinance adopted this _____ day of _____, 2022.

Alan Skramstad, Mayor

Attest:

Glenn Anderson, City Administrator