

ORDINANCE NO. 138
STILLWATER TOWNSHIP
WASHINGTON COUNTY, MINNESOTA

AN ORDINANCE REGULATING ACCESSORY STRUCTURES/ATTACHED GARAGES
AMENDING CHAPTER ONE, SECTION 2.1 AND
CHAPTER TWO, PART THREE, SECTION 1.2 OF THE
STILLWATER TOWNSHIP ZONING ORDINANCE

THE BOARD OF SUPERVISORS OF STILLWATER TOWNSHIP ORDAINS:

SECTION 1. Chapter One, Section 2, Definitions is amended as follows:

2.1(2) Accessory Building shall be defined as “A detached one-story or two-story building greater than 160 square feet in size used or intended to be used for non-storage uses or any combinations of storage and non-storage uses. Accessory building is defined as an adjunct unit, which is detached from the main single-family residence on the same lot.”

SECTION 2. Chapter Two, Part Three, Section 1.2 is amended in its entirety to read as follows:

1.1 Accessory Structures/Attached Garages

- (1) Required Permits. A building permit is required for all accessory structures except agricultural buildings on a farm as defined in Minnesota Statute 16B.61. A certificate of compliance is required for all agricultural buildings and accessory structures over 1,000 square feet in size.
- (2) Performance Standards. The following standards apply in all districts.
 - (A) No accessory structure shall be constructed on a lot prior to construction of the principal structure unless the property is a rural farm containing forty (40) acres or more.

(B) The following standards must be met on any lot or parcel with an existing or proposed accessory building larger than 160 square feet:

1. Stormwater Best Management Practices: Use gutters, rain gardens, rain barrels, swales and other techniques to best manage stormwater and to mitigate the effects of impervious surfaces.
2. Screening and Landscaping: Provide landscaping and trees to screen the building or buildings from the road and neighboring properties, per the Township Screening Policy.
3. Environmental Impact: Plan the structure or structures on the site to preserve plant communities, woods, prairie, animal habitat or other natural resources which are not protected by existing requirements (i.e., protected wetlands and waters).
4. In all cases, the total amount of impervious surface, including but not limited to the primary structure, driveways, tennis courts, parking areas, and existing and proposed accessory structures shall not exceed 10% of the lot or parcel area. (The applicant must provide calculations of existing and proposed impervious surfaces.)

(3) Reference Guidelines:

(A) The following are guidelines or suggestions to be considered when planning an accessory building.

1. Architectural Character: Design the structure for architectural interest, including the use of windows, shutters, gambrel roof, cupolas, or other features; architectural quality elevations/pictures/site plans; and/or building

with non-metal siding and concrete or other hard-surface floor.

2. Agricultural or Equestrian Use: Show that the use of the structure contributes to Stillwater Township's rural character.
 3. Unique Design Features: Utilize design elements related to the history of Stillwater Township.
 4. Renewable Energy: Use of proven wind, solar, or other non-petroleum based energy sources.
- (B) No detached accessory structure shall be located closer to the road right-of-way than the principal building on a lot unless all of the following conditions are met:
1. All setbacks are met
 2. Township screening policies are applied, where appropriate.
- (C) For attached garages, the maximum footprint of the attached garage shall not be more than 100% of the footprint of the primary structure. (This limit shall not apply to "bonus rooms" or "underground garages.")
- (4) In Agricultural (A-4), Conservancy (C), St. Croix River (SCR) and Transitional (TZ) districts, the following additional standards apply to all land within these districts:
- (A) Storage, boat or tool sheds are defined as 160 maximum square feet, 12 feet maximum roof height, maximum door opening area of 28 square feet and maximum one story. Structures defined in this section shall count towards the square footage referenced in Section 4(B)1.
- (B) Detached accessory buildings are allowed.
1. Detached accessory buildings are allowed. For buildings larger than 160 square feet, a building permit is required. For buildings larger than 1,000

square feet, a building permit and a Certificate of Compliance is required.

The permitted size and number of accessory buildings are as follows:

Acres	No. of buildings allowed	Maximum sq. ft. (footprint)
less than 5	1	1,600
5 to less than 8	2	2,400
8 to less than 11	2	2,600
11 to less than 14	2	2,900
14 to less than 17	2	3,200
17 to less than 20	2	3,600
20 or greater	unlimited*	unlimited*

** provided they are agricultural buildings*

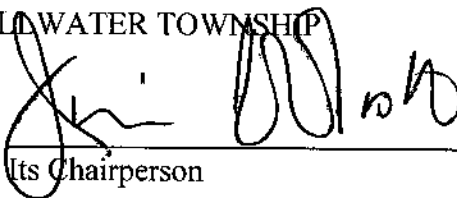
2. Accessory Buildings may not include kitchen facilities or full bathrooms. Accessory buildings used for non-storage use must comply with all rules and regulations, including related building codes, of federal, state, county, and local government agencies. They may not be rented, leased or sold separately from the rental, lease or sale of the main single-family dwelling unit on the lot. The accessory structure may be no more than two (2) stories and may not exceed 35 feet in height.
- (C) All detached accessory structures are to be used for personal use or agricultural use only. No commercial use or commercial-related storage is allowed in these structures.
- (D) On parcels of 20,000 square feet in area or less, no detached garages shall exceed 720 square feet in floor area.

(E) No land shall be subdivided so as to have a larger structure and/or exceed the total number of structures as permitted by this Zoning Ordinance. In the event that a landowner wishes to subdivide a parcel, the accessory building or buildings must be removed or reduced in size to comply with Section 1.2 of the Zoning Ordinance.

SECTION 3. Effective Date. This ordinance shall be effective immediately upon its passage and publication.

ADOPTED this 13th day of July, 2006, by the Board of Supervisors of Stillwater Township.

STILLWATER TOWNSHIP

BY: 

Its Chairperson

ATTEST:


Pat Bantli, Stillwater Town Clerk