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REDWOOD COUNTY
ENVIRONMENTAL OFFICE

O&E Properties, LLC request to allow for Planned Unit Developments
(PUDs)

I, Eric Linsmeier on behalf of O&E Properties, LLC am making a request that the Redwood County Environmental Office, Redwood County Planning Commission and Redwood County Board of Commissioners add Planned Unit Developments/(PUDS) into the Redwood County Zoning ordinances as section 153.700. Minnesota State Statute 6120.3800 states local governments must consider allowing for Planned Unit Developments. Planned Unit Developments are also referenced in the Redwood County Comprehensive Plan as "Clustered Development" which states this could be used for additional ways of developing smaller tracts of land within the county.

I am making this request for the addition of Planned Unit Developments into Redwood County Zoning for a 4-acre storage shed development project on parcel # 62-540-2040 in Paxton Township. This parcel is in the Redwood County Future Development Zone defined by the Redwood County Comprehensive Plan. This area is designated as land compatible for future commercial development between two cultural groups. These two groups being Redwood County Residents and the Lower Sioux Indian Community. I have reached out to the Lower Sioux Indian Community about developing with in the County Future Development Zone with the Lower Sioux Indian Community giving a letter of support for the project and for any rezoning that is needed.

I feel the PUD ordinance was developed for area's just like the County Future Development Zone which is just under 5000 acres and 38% of those acres are in the flood plain. The PUD allows for flexibility and diversified development in these smaller designated areas with specific design standards to not diminish current county development standards. This would also give an additional opportunity for all county residents with smaller tracts of land they might want to develop with in the county as well.

Thank You for your consideration.

Eric Linsmeier 2-26-2024

507-829-9043

O&E Properties, LLC

Application: 1-24a

Receipt: 344994 (\$700-)

c) d)

Planned Unit Development 153.700

153.700 Purpose

This chapter is established to provide comprehensive procedures and standards designed to allow the development of neighborhoods or portions thereof incorporating a variety of residential types and non-residential uses. Recognizing that traditional density, bulk, setbacks, use and subdivision regulations which may be useful in protecting the character of substantially developed areas, may be inappropriate to control development in less developed areas.

153.701 Identified Objectives

When reviewing requests for approval of a planned unit development, the Redwood County Planning Commission shall consider whether one or more of the objectives listed below are served or achieved. It is not the intent of this chapter to allow for reductions or waivers to standard zoning requirements solely for the purpose of increasing overall density or allowing development that otherwise could not be approved.

- (A) Accommodation of the growing demand for housing of all types and for commercial facilities conveniently located to such housing.
- (B) Promotion of integrated land uses, allowing for a mixture of residential, business, and public facilities along corridors and in transitional areas.
- (C) More convenience in location of accessory commercial and service areas.
- (D) The preservation and enhancement of desirable site characteristics such as natural topography and geologic features and the prevention of soil erosion.
- (E) Higher standards of site and building design for residential developments through the use of trained and experienced land planners, architects and landscape architects.
- (F) An efficient use of land resulting in smaller networks of utilities and streets thereby lowering housing costs and public investments and the promotion of energy resource conservation.
- (G) A development pattern in harmony with the objectives of the Redwood County Comprehensive Plan.
- (H) A more desirable environment than would be possible through the strict application of zoning and subdivision regulations of the county.

153.703 Relationship to Other Applicable Regulations

A planned unit development shall be subject to all applicable standards, procedures, and regulations of this ordinance and the zoning district in which it is located.

153.704 Platting Requirement

All land proposed for planned unit development shall be platted or replatted into one or more lots, in compliance with the applicable requirements of the current County Subdivision guidelines. For the purposes of this chapter, the development plan shall include the necessary information to serve as a preliminary plat for the development.

153.705 Allowed Uses

Any use allowed within the zoning district in which the planned unit development is located may be included as part of the development plan. In addition, other uses of land may be permitted within the planned unit development upon approval by the Redwood County Planning Commission. The development plan shall identify all proposed land uses and those uses shall become permitted uses with the acceptance of the development plan.

153.706 Minimum Project Size

There shall be no required minimum or maximum area size for planned unit developments.

153.707 Phasing of Development

Phasing of the planned unit development shall be permitted, provided that each individual phase shall be designed and developed according to the development plan. Additionally, the construction and provision of all common open space and site amenities that are shown on the development plan must proceed at the same rate as the construction of dwelling units, if any. Any violation of this provision shall authorize the Redwood County Planning Commission to hold a public hearing to review compliance of the planned unit development.

153.708 Procedure for Planned Unit Development Approval

Prior to the issuance of any building permits for development within a Planned Unit Development District, the following approvals are required:

- (A) Approval of a development plan and Planned Unit Development District designation as described in this chapter.
- (B) Final plat approval in accordance with Chapter 152, Subdivision Regulations.
- (C) Site plan approval, if necessary.

153.709 Concept Plan Required

The developer of a planned unit development project shall meet with the Redwood County Land Use and Zoning Supervisor prior to submittal of an application for development plan approval to review a concept plan for the project. Such plan shall include the following minimum information:

- (A) Property boundary.
- (B) North arrow.
- (C) Scale.
- (D) Proposed density of development.
- (E) General location of major streets and pedestrian ways.
- (F) General location and extent of public and common open space.
- (G) General location of residential and non-residential land uses with approximate type and intensities of development.
- (H) Proposed development schedule.

ARTICLE 2. DEVELOPMENT PLAN

153.710 Purpose

The development plan is intended to illustrate the basic intent and general nature of the proposed planned unit development and to establish the requirements and standards that will apply to the project. Approval of the development plan shall authorize the applicant to seek approval of any required final development plans.

153.711 Application Procedure

Any person having a legal or equitable interest in a property may file a development plan application for a planned unit development. An application for development plan approval shall be filed with the Redwood County Land Use and Zoning Supervisor on an approved form and shall be accompanied by the materials identified elsewhere in this chapter.

153.712 Approval of Planned Unit Development

The Redwood County Planning Commission shall hold a public hearing on each completed application for a planned unit development. After the closing of the hearing on a proposed development, the Planning Commission shall make findings, pursuant to Section 157.14 before final approval.

153.713 Action by Redwood County Commissioners on Planned Unit Development

The Redwood County Board of Commissioners shall make the final decision regarding all applications for planned unit development approval. Such approval shall require a two-thirds (2/3) vote of the County Commissioners. Upon approval of the development plan, the official zoning map shall be amended to designate the property as a "PUD- Planned Unit Development" overlay district.

153.714 Required Findings

The Redwood County Planning Commission shall make each of the following findings before granting approval of a planned unit development:

- (A) Adequate property control is established and provided to protect the individual owner's rights and property values and to define legal responsibilities for maintenance and upkeep.
- (B) The interior circulation plan and access from and onto public right-of-way does not create congestion or dangers and is adequate for the safety of the project residents and general public.
- (C) A sufficient amount of usable open space is provided.
- (D) The arrangement of buildings, structures, and accessory uses does not unreasonably disturb the privacy of surrounding property owners or reduce the value of adjacent properties.
- (E) The architectural design of the project is compatible with the surrounding area.
- (F) The project will not place a burden on existing municipal infrastructure, including utility and drainage systems.
- (G) The development schedule insures a logical development of the site, protecting the interests of project residents and the general public.
- (H) The planned unit development is in reasonable compliance with the intent and purpose of the Redwood County Comprehensive Plan.

153.715 Established Conditions of Approval

The Redwood County Planning Commission may establish any reasonable conditions of approval that are deemed necessary to mitigate adverse impacts associated with the planned unit development, to protect

neighboring properties, and to achieve the objectives identified within this chapter and elsewhere in this ordinance.

153.716 Expiration of Planned Unit Development Approval

The planned unit development shall remain valid for a period of 3 years from the date of approval, unless a longer time period has been agreed to by the Planning Commission. If an application for final plan approval has not been submitted within such period, the planned unit development shall be considered void unless a petition for a time extension has been granted by the Planning Commission. Such extension request shall be submitted in writing at least thirty (30) days prior to expiration of the approval and shall state facts showing a good faith effort to initiate final development plans for the project. In the event that a planned unit development is allowed to expire, the Planning Commission shall hold a public hearing to remove the planned unit development designation from the property.

153.717 Submittal Requirements for Development Plan

- (A) *In general.* Required submittal materials include a narrative statement, site plan, architectural elevation plans, and any other information requested by the Land Zoning Supervisor and/or Planning Commission
- (B) *Narrative statement.* A written narrative of the proposed development shall be provided, indicating, at a minimum, the information listed below:
 - (1) A statement providing evidence that the applicant has sufficient property control to effectuate the planned unit development.
 - (2) Development schedule showing the time and sequence of proposed development.
 - (3) A summary of the total number of units of each type of use, number of dwelling units, the acreage devoted to all land uses, and the overall net density of the development.
 - (4) A statement as to the character and size of all proposed structures, including the use, height, and gross floor area of the buildings.
 - (5) A description of architectural design standards that will be implemented as part of the development.
 - (6) A description of the anticipated market which the development is intended to serve.
 - (7) A statement presenting the applicant's justifications for approval of the planned unit development and how the identified objectives of this chapter are being satisfied.
 - (8) A statement describing the form of ownership and maintenance of all common open space, recreational facilities, and other commonly held area intended for the exclusive benefit of the residents.
 - (9) A description of proposed protective covenants, easements, or restrictions to be imposed upon the use of the land, buildings, and structures.
 - (10) A statement identifying, and providing justification for, any variances, modifications, or waivers from the development standards specified in this chapter.
- (C) *Site plan information and contents.* The site plan submitted in support of a development plan shall include the information listed below, unless specifically waived by the Zoning Administrator prior to submittal:
 - (1) Proposed name of development; names shall not duplicate or too closely resemble names of existing subdivisions or developments.

- (2) Location of boundary lines in relation to known section, quarter-section or quarter-quarter section lines comprising a legal description of the property.
- (3) Vicinity sketch, at a legible scale, illustrating the relation of the plan to its surroundings.
- (4) Names and addresses of all persons having property interest, the developer, designer, and surveyor together with his registration number.
- (5) Graphic scale of plat, not less than one (1) inch to one hundred (100) feet.
- (6) Date and north arrow.
- (7) Boundary line and total acreage of proposed plan, clearly indicated.
- (8) Designation of existing zoning classifications for land within one hundred (100) feet of the proposed development.
- (9) Location, widths, and names of all existing or previously platted streets or other public ways, showing type, width, and condition of improvements, if any, railroad and utility rights-of-way, parks and other public open spaces, permanent buildings and structures, easements and section and corporate lines within the tract and to a distance of one hundred (100) feet beyond the tract.
- (10) Location and size of existing sewers, water mains, culverts, or other underground facilities within the tract and to a distance of one hundred (100) feet beyond the tract. Such data as grades, invert elevations, and locations of catch basins, manholes and hydrants shall also be shown.
- (11) Boundary lines of adjoining unsubdivided or subdivided land, within three hundred fifty (350) feet, identified by name and ownership, including all contiguous land owned or controlled by the subdivider.
- (12) Topographic data of the site and area within one hundred (100) feet, including contours at vertical intervals of not more than two (2) feet. Watercourses, floodplain areas, wetlands, rock outcrops, power transmission poles and lines, and other significant features shall also be shown. U.S.G.S. data shall be used for all topographic mapping and such preliminary plat shall also show the location of all open public or private drainage ditches and tile branches or laterals thereof, and all storm sewers and sanitary sewers.
- (13) Location and type of land uses to be developed including a summary of the number of residential dwellings by building type and gross floor areas of both residential and nonresidential buildings.
- (14) Layout of proposed streets showing the right-of-way widths, centerline gradients, typical crosssections, and proposed names of streets. The name of any street heretofore used in the county or its environs shall not be used unless the proposed street is a logical extension of an already named street, in which event the same name shall be used.
- (15) Locations and widths of proposed alleys and pedestrian ways.
- (16) Locations and size of proposed sewer lines and water mains.
- (17) Location, dimension, and purpose of all easements.
- (18) Layout, numbers, lot areas, and preliminary dimensions of lots and blocks.

- (19) Minimum front and side street building setback lines to illustrate compliance with development standards of this chapter. When lots are located on a curve, the width of the lot at the building setback line shall be shown.
 - (20) Areas, other than streets, alleys, pedestrian ways and utility easements, intended to be dedicated or reserved for public or private use, including the size of such area or areas in acres.
 - (21) Location of parking areas, including the number of stalls required and the number provided, loading facilities, and proposed vehicular driveways and aisles.
 - (22) Location, general exterior dimensions, and approximate gross floor areas of all proposed buildings, along with a description of the proposed use and, if applicable, approximate amount of floor area devoted to each separate use.
 - (23) The location, type, and size of proposed landscape and screening plantings, signs, or other site enhancements.
- (D) *Building plans and elevations.* Drawings shall be submitted indicating use and illustrating typical floor plans, elevations, and exterior building materials.

ARTICLE 3. FINAL DEVELOPMENT PLANS

153.718 Procedure for Approval of Final Development Plans

Approval of the development plan shall authorize the applicant to proceed with final plans, including any necessary final plat, site plan, and building permit approvals. All such plans shall be reviewed in accordance with the procedures established elsewhere in this ordinance.

153.719 Plan Consistency

The Redwood County Environmental Office shall withhold approval of any final plat, site plan, or building permit required for a planned unit development if the proposal is inconsistent with the development plan as approved, except as provided below:

- (A) *Minor revisions.* Minor changes, such as the location, placement, and height of structures may be authorized by the Zoning Administrator if required by engineering or other circumstances not foreseen at the time the development plan was approved.
- (B) *Major revisions.* Changes in use, any rearrangement of lots, blocks, and building tracts, changes in the provision of common open spaces, and all other changes shall require approval of a revised development plan, in accordance with the procedures established in Section 157.12.

ARTICLE 4. DEVELOPMENT STANDARDS

153.720 Exceptions to Ordinance Standards

As part of planned unit development approval, the Redwood County Planning Commission shall be authorized to approve exceptions to the zoning controls applicable to the zoning district in which the planned unit development is located. Such exceptions shall only be granted, however, when it is clearly warranted to achieve the objectives identified in Section 157.02. Nothing in this chapter, however, shall be construed to provide a property owner any right to compel the Planning Commission to grant such exceptions.

153.721 Placement of Structures

More than one principal building may be placed on a platted lot within a planned unit development. The appearance and compatibility of individual buildings to other site elements and to surrounding development shall be given primary consideration in reviewing and approving the placement and spacing of structures.

153.722 Bulk Regulations

- (A) *Floor area.* The Redwood County Planning Commission may authorize an increase in the maximum gross floor area allowed by right in the base zoning district by not more than twenty (20) percent for the purpose of promoting project integration and additional site amenities.
- (B) *Building height.* The Redwood County Planning Commission may authorize an increase in building height for the purpose of promoting project integration and additional site amenities.
- (C) *Building setbacks.* The Redwood County Planning Commission may authorize a reduction in or elimination of required yards provided that a landscaped yard of the minimum width established for the base zoning district is maintained along the periphery of the planned unit development.

153.723 Lot Requirements

- (A) *In general.* The Redwood County Planning Commission may authorize reductions in the area and width of individual lots within a planned unit development from that required for the base zoning district, provided that such reductions are compensated for by an equivalent amount of open space elsewhere in the planned unit development. Such open space shall not include areas designated as public or private streets.
- (B) *Density bonus.* The Redwood County Planning Commission may authorize a reduction in the minimum lot area per dwelling unit required by the zoning district regulations by not more than twenty (20) percent for the purpose of promoting an integrated project with a variety of housing types and additional site amenities.

153.724 Residential Open Space

For all residential planned unit developments, at least twenty (20) percent of the project area not within street right-of-way must be devoted to open space. Such open space must be available to the residents or tenants of the planned unit development for recreational purposes or other similar benefit. Land reserved for stormwater detention facilities and other required site improvements, private yards and required or proposed setback areas, and areas not accessible by those living in the development, shall not be applied toward satisfaction of open space requirements. Such open space must be suitably improved for its intended use, and plans for such improvements shall be submitted and approved as part of the planned unit development approval process. Areas containing natural features worthy of preservation or excessive areas of public or private utility easements may, at the Planning Commission discretion, be counted as open space, and may, at the Planning Commission discretion, be left unimproved. The development plan must coordinate improvements to open space areas concurrent with construction of permitted structures and other required improvements within their respective phase of the planned unit development.

153.725 Parking

- (A) *In general.* Parking requirements for all uses within the planned development for on and off-Street Parking and Loading. When private streets are proposed as part of a residential planned development, additional common area off-street parking will be required in accordance with Table 15-1 below. Such parking areas shall be dispersed throughout the planned development and shall not be located directly in front of any residential unit.

Table 15-1. Additional parking requirements, residential planned development.			
On-street parking	No garages	Single garages1 stall / unit	Double garages

None	1½ stalls / unit	1 stall / unit	½ stall / unit
1-side of street	1 stall / unit	½ stall / unit	none
2-sides of street	½ stall/ unit	none	none

- (B) *Effect of on-street parking for residential planned unit developments.* At least fifty (50) percent of the curb frontage on the designated parking side or sides of a street must be available for parking. Available parking frontage shall not include driveways, three (3) feet either side of a driveway, the frontage within twenty-five (25) feet of an intersection, and ten (10) feet either side of a fire hydrant. A length of twenty (20) feet shall be used as a parking space length along the available curb frontage. When less than fifty (50) percent of the curb frontage is available for on-street parking, off-street parking, in addition to that required in Table 15-1, shall be provided. The amount of additional parking provided shall be the difference between the amount of on-street parking that would be available if fifty (50) percent of the curb frontage was available for parking and the amount actually being provided based on the development plan.

153.726 Private Streets

- (A) *When permitted.* Private streets will be allowed when the pattern of development does not lend itself to through streets, taking into consideration existing properties, buildings, or topographical features that make construction of a public street unfeasible or inappropriate.

Private streets will not be permitted in the following instances:

- (1) When a street serves as an extension of an existing public street.
 - (2) When a future extension of the street will serve as access to adjacent properties.
 - (3) When the street is, or will be, part of a larger neighborhood traffic system or is part of the county wide comprehensive street system.
- (B) *Design standards.* Private Residential streets shall be located within a dedicated easement and shall be equivalent to public streets in construction design, as determined by the County Engineer. Streets shall include concrete curb and gutter, with surmountable style curbing permitted, and street lighting equivalent to standards for installation along public streets. Minimum street width, as measured from face-to-face of curb, along with the minimum easement width to allow for utility installations, is indicated in Table 15-2.

Proposed on-street parking	Minimum street width	Minimum easement width
None	24 feet	50 feet
1-side of street	28 feet	50 feet
2-sides of street	32 feet	60 feet

- (C) *Maintenance.* Maintenance of private streets and street lighting shall be the responsibility of the developer or homeowner's association formed as part of the planned development. Requests for dedication of private streets as public streets shall only be considered if streets are constructed to county standards.

ARTICLE 5. ENFORCEMENT OF TERMS OF PLANNED UNIT DEVELOPMENT APPROVAL

153.727 Recording of Documents

Upon approval of the development plan, it shall be filed with the Redwood County Recorder's office to serve as notice that the property is being developed under the terms and conditions agreed to by the applicant and the Redwood County Planning Commission. Upon approval of a final plat, said plat shall be filed along with a development agreement, executed by both the applicant and Redwood County Planning Commission, and any necessary restrictions or homeowner's association documents governing the planned unit development.

153.728 Performance Guarantee

A cash escrow or letter of credit may be required by the Redwood County Planning Commission to guarantee performance by the developer. The amount of said cash escrow or letter of credit, and the specific elements of the development that it is intended to guarantee, will be stipulated in the development agreement.

153.729 Control of planned development following completion

- (A) *In general.* After a certificate of occupancy has been issued, no changes shall be made in the use or configuration of any buildings or structures within the planned unit development, except as permitted below. All other modifications shall require approval of a revised development plan in accordance with the procedures specified in Section 157.12.
- (B) *Permitted amendments.* The Redwood County Planning Commission may authorize any minor extensions, alterations, or modifications to existing buildings or structures if they are consistent with the purpose and intent of the development plan. No change authorized by this section may increase the size of any building or structure by more than ten percent (10%).

153.730 Violations

Any violation of the conditions established with approval of the planned unit development will be subject to review by the Redwood County Planning Commission.