

ORDINANCE NO. 2012-01

AN ORDINANCE OF THE CITY OF GRAND MARAIS, MINNESOTA, AMENDING GRAND MARAIS CODE, CHAPTER 62, SUBDIVISIONS

THE CITY COUNCIL OF THE CITY OF GRAND MARAIS DOES ORDAIN (deleted material is lined out; new material is underlined; subsections which are not being amended are omitted):

Section 1. That Chapter 62 of the City Code of Grand Marias, Minnesota, which chapter is entitled "Subdivisions", Article V. Improvements be amended as follows:

Secs. 62-133--62-150. Reserved.

Section 2. That Chapter 62 of the City Code of Grand Marais, Minnesota, which chapter is entitled "Subdivisions", be amended as follows:

ARTICLE VI. PLANNED UNIT DEVELOPMENT IN UNINCORPORATED AREAS

Sec. 62-151. Goal.

It is the goal of these standards and criteria to provide uniform standards for the optimization of development opportunities and maximum environmental protection on any given planned unit development site in an unincorporated area.

Sec. 62-152. Definition.

For the purpose of this Article VI., a planned unit development will be defined as: multiple residential or commercial dwelling units including but not limited to townhomes, condominiums, and related commercial activities, consisting of five or more units with a maximum density of four units per acre, and located within an unincorporated area.

Sec. 62-153. Applicability.

- a. Planned unit developments within unincorporated areas. The regulations contained in this Article VI. shall be applicable only to the unincorporated area described in Grand Marais Code Section 62-3 to which these subdivision regulations are applicable pursuant to Minn. Stat. 462.358, subd. 1a. These Article VI. requirements for planned unit developments in unincorporated areas shall be in addition to any other requirements of Grand Marais Code Chapter 62 that are applicable.
- b. Planned unit developments within City corporate limits. Planned unit developments within City corporate limits are subject to Grand Marais Code Chapter 19 and are otherwise subject to this Chapter 62, as applicable, with the exception of this Article VI.

Sec. 62-154. Design Criteria.

- a. Structures, parking areas, and other facilities must be designed and placed to reduce visibility as viewed from Lake Superior, roads and adjacent shorelands by vegetation, topography, increased setbacks, color, or other means acceptable to the local unit of government, assuming summer, leaf-on conditions.
- b. Units, recreation facilities, and commercial uses must be clustered into one or more groups and located on suitable areas of the development site.
- c. At least 50% of the development area must be provided for open space for the users and residents of the development. Road right-of-ways, land covered by road surfaces, parking areas, units, structures, except water-oriented accessory structures or facilities are considered developed areas

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and should not be included in the computation of minimum open space. This 50% open space dedication must be filed as a restriction against the property. At least 25% of the lot width at the structure setback line should be left as open space.

- d. The appearance of open space areas, including topography, vegetation and allowable uses must be preserved by the use of restrictive deed covenants, permanent easements, public dedication and acceptance, or other equally effective and permanent means.
- e. Areas with physical characteristics unsuitable for development in their natural state, such as wetlands or areas containing significant historical sites shall be considered open space.
- f. Each development shall be no less than five units and a lot area of three acres.
- g. The development shall have no more than four units per acre.
- h. The development shall provide at least one and one-half parking spaces per unit and one parking space for each non-resident employee, and for each five seats of seating capacity for restaurants and bars. Space for loading and unloading vehicles shall be provided for buildings used for commercial purposes.
- i. The development must also provide access to developed public roads.

Sec. 62-155. Sewage Disposal Standards

- a. On-site water supply and sewage treatment systems must be centralized and designed, installed and operated to meet or exceed applicable standards or regulations of the Minnesota Pollution Control Agency (MPCA) and the local unit of government.
- b. On-site sewage treatment systems must be located on the most suitable areas of the development.
- c. Public water and sewage service must be used where available.
- d. Developments which produce 5,000 gallons of sewage per day or contain more than 15 units require a MPCA State Disposal System Permit. This would result in an average flow rate of 333 gallons per unit per day.
- e. The potential person capacity of a dwelling shall be used to determine the potential gallons generated which in turn shall dictate the appropriate system(s) that should be utilized by the proposed development. Local and state standards and regulations apply and should be consulted.
- f. All new units must utilize water conserving plumbing fixtures and have water meters installed and accessible which serve all sewage generating appliances.
- g. No occupancy of any unit or use of any commercial structure of any planned unit development shall be allowed until the appropriate sewage disposal system is in place and fully operational.

Sec. 62-156. Plan approval.

At the time of application, planning, and scheduled development, the proposed facility shall be under unified control or ownership. The applicant will provide a detailed development plan which shall include a description of:

- a. The property under consideration, including property boundaries, contours, on-site features, roads, lakes, rivers and other relevant features.
- b. Building elevations, location on site, proposed uses, number of units and commercial operations.
- c. A concept statement describing the project.

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Nays: _____ Kennedy _____
Absent: _____
Abstain _____

Second Reading:

Date: April 25, 2012

Ayes: _____ Carlson, Kennedy, Lenz, Sivertson, Spry _____
Nays: _____
Absent: _____
Abstain _____

Publication:

Date: _____