



PLANNING & ZONING COMMISSION

Agenda
July 15, 2025
7:00 PM

- 1. ROLL CALL**
- 2. APPROVAL OF AGENDA**
- 3. APPROVAL OF MINUTES**
 - 3A. June 17, 2025 regular meeting.
- 4. PUBLIC DISCUSSION** – Public comment on any item not otherwise listed on the agenda.
- 5. PUBLIC HEARINGS**
 - 5A. An application for a Special Use Permit by Daniel Urshan (Urshan Family Trust) for grading and filling in a Natural Environment Shoreland Area for the purpose of installing fill in a basement of a demolished structure and build a new residential structure. The property is located at 5577 Hermantown Road and is located in a S-1, Residential zoning district.
 - 5B. An application by Barton Porter for the rezoning of 0.65 acres of land associated with Sunrise Funeral Home, Cremation Services & Cemetery at the SE intersection of Arrowhead Road and Stebner Road from P - Public to C – Commercial.
- 6. CONTINUING BUSINESS**
 - 6A. A discussion on Accessory Dwelling Units (ADU) in the City
- 7. NEW BUSINESS**
- 8. COMMUNICATIONS**
- 9. COMMISSION MEMBER REPORTS**
 - Joe Peterson
 - Corey Kolquist
 - Beth Wentzlaff
 - Kevin Hagen
 - Matthew Fournier
 - John Stauber
 - Amanda Radzak
 - Ryan Johnson

ADJOURN



PLANNING & ZONING COMMISSION

June 17, 2025 Meeting Summary

7:00 PM

1. ROLL CALL

Members Present: Joe Peterson; Corey Kolquist; Beth Wentzlaff; John Stauber; Matthew Fournier; Amanda Radzak; and Ryan Johnson

Members Absent: Kevin Hagen

Others Present: Eric Johnson, Community Development Director; Joe Wicklund, Asst. City Administrator/Communications; Shannon Proulx, 4905 Wildrose Tr.; Matt Butorac, 4089 Lavaque Rd.; Jen Monkman, 5398 Miller Trunk Hwy.; Anne Peterson, 5080 Maple Grove Rd.; Elizabeth Ames, 5842 Morris Thomas Rd.; and Chris Dixon, 4271 Lavaque Rd.

2. APPROVAL OF AGENDA

Motion made by Corey Kolquist to approve the June 17, 2025 agenda as presented. Seconded by Matthew Fournier. Motion carried 6-0.

3. APPROVAL OF MINUTES

Motion made by Corey Kolquist to approve the May 20, 2025 minutes as presented. Seconded by John Stauber. Motion carried 6-0

4. PUBLIC DISCUSSION

None.

5. PUBLIC HEARING

5A. An application by Oppidan for a Final Planned Unit Development for a 10 twinhome (20 units total) development on a 10 -acre site located at 4110 Lavaque Road. The property is located in an R-3 zoning district.

Eric presented the proposal, which includes 2-bedroom units of approximately 1,400 square feet with 400 square foot garages, and discussed stormwater management, utilities, and landscape plans. The applicant, Eric Martin from Oppidan, introduced himself and emphasized the need for this type of housing in the area. The Commission raised concerns about the 20-foot setback from Maple Grove Road, potential future traffic improvements, and construction traffic management.

Anne Peterson– 5080 Maple Grove Road and Matt Butorac – 4089 Lavaque Road both spoke and expressed concerns about traffic and the future of the Maple Grove/Lavaque Road intersection.

The next step is for the application to go to the July 7th City Council meeting for action.

Motion made by Corey Kolquist to approve the application by Oppidan for a Final Planned Unit Development for a 10 twinhome (20 units total) development on a 10 -acre site located at 4110 Lavaque Road. Seconded by Ryan Johnson. Motion carried. 6-0.

5B. An application for a Special Use Permit by Steven Maki for the purpose of constructing a 1,728 square foot accessory structure. The property is located at 4890 Adrian Lane and is located in a R-3, Residential zoning district.

The applicant, Steven Maki, desires to build an 1,728 square foot accessory structure on a property at 4890 Adrian Lane. Construction of an accessory structure over 1,200 square feet in size is permitted with a Special Use Permit per Section 535.06.5 of the Zoning Ordinance. The applicant is requesting approval for construction of a 1,728 square foot accessory structure.

Motion made by Matthew Fournier to approve the application for a Special Use Permit by Steven Maki for the purpose of constructing a 1,728 square foot accessory structure. The property is located at 4890 Adrian Lane. Seconded by Amanda Radczak. Motion carried. 6-0.

5C. An application by Chris and Eileen Dixon for a Subdivision to create a 128-foot-wide parcel of 0.77 acres and a 3.87-acre lot accessed by way of a flag lot of 80-foot width at 4271 Lavaque Road. The property is located in an R-3 zoning district.

The applicants, Chris and Eileen Dixon, own a 4.64 acre property at 4271 Lavaque Road. The property has a general lot dimensions of 208' x 971'. There is an existing home and two outbuildings located on the northeastern portion of the property.

The applicants propose to create a new flag lot along the south border of the existing property. The applicants are proposing a 80 foot 'pole/driveway' connection to Lavaque Road for a distance of 260 feet with the 'flag' portion of the lot being approximately 208' x 711'.

Motion made by Corey Kolquist to approve the application by Chris and Eileen Dixon for a Subdivision to create a 128-foot-wide parcel of 0.77 acres and a 3.87-acre lot accessed by way of a flag lot of 80-foot width at 4271 Lavaque Road. Seconded by John Stauber. Motion carried. 6-0.

5D. An application by Dan and Jeff Miller for a Commercial Industrial Development Permit for the construction of a 32,580 square foot multi-tenant, office/contractor shop with associated site and stormwater improvements. The property is located at 5400 Miller Trunk Highway and is located in a C-1, Office/Light Industrial zoning district.

Dan and Jeff Miller, Applicants, own multiple parcels associated with Sunbelt Rentals along Miller Trunk Highway. The Applicants are proposing to reconfigure the parcels in order to have one parcel for the existing Sunbelt building and one parcel for the proposed office/contractor shop building. This proposal is for the construction of a 32,580 square foot multi-tenant, office/contractor shop building and associated parking lot and site improvements.

The proposed project has 76 parking spaces and has access from the existing driveway along Miller Trunk Highway. The project proposes a stormwater treatment and detention pond in the southern portion of the property adjacent to the outdoor storage area associated with the project. The building is comprised of 6 – 5,460 square foot bays with each bay consisting of a small office area with 2 bathrooms with additional office or storage area above the office on 2nd level mezzanine. Each bay will also have a warehouse area which includes 2 - 14'x16' drive in doors, and 1 loading dock door per bay. Prospective tenant types can include: Last mile delivery company, local distribution company, HVAC company, Electrical or Plumbing company.

The applicants are proposing a 33,000 square foot outdoor storage area at the rear (south) of the building with a gravel surface. The applicants are requesting a variance for the gravel surface due to the nature of the vehicles that will be operating in the area. The outdoor storage area will also be fenced.

Motion made by Beth Wentzlaff to approve the application by Dan and Jeff Miller for a Commercial Industrial Development Permit for the construction of a 32,580 square foot multi-tenant, office/contractor shop with associated site and stormwater improvements. The property is located at 5400 Miller Trunk Highway. Seconded by Corey Kolquist. Motion carried. 6-0.

5E. An application by Dan and Jeff Miller for a Special Use Permit for the construction of a 32,580 square foot multi-tenant, office/contractor shop with associated site and stormwater improvements. The property is located at 5400 Miller Trunk Highway and is located in a C-1, Office/Light Industrial zoning district.

Dan and Jeff Miller, Applicants, own multiple parcels associated with Sunbelt Rentals along Miller Trunk Highway. The Applicants are proposing to reconfigure the parcels in order to have one parcel for the existing Sunbelt building and one parcel for the proposed office/contractor shop building. This proposal is for the construction of a 32,580 square foot multi-tenant, office/contractor shop building and associated parking lot and site improvements.

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Motion made by Corey Kolquist to approve the application by Dan and Jeff Miller for a Special Use Permit for the construction of a 32,580 square foot multi-tenant, office/contractor shop with associated site and stormwater improvements. The property is located at 5400 Miller Trunk Highway. Seconded by Matthew Fournier. Motion carried. 6-0. The special use permit to be reviewed by the City Council in July.

5F. An application by Dan and Jeff Miller for a Variance associated with the construction of a 32,580 square foot multi-tenant, office/contractor shop. The variance request is for a 33,000 square foot gravel

parking lot for storage of outdoor equipment and vehicles. The property is located at 5400 Miller Trunk Highway and is located in a C-1, Office/Light Industrial zoning district.

Dan and Jeff Miller, Applicants, are seeking for consideration of a variance request from exemption of the paving requirements of Section 525.04.6 of the Hermantown Zoning Ordinance in a C-1, Office/Light Industrial zoning district in association with the construction of a 32,580 square foot multi-tenant, office/contractor shop building and associated site improvements.

Motion made by John Stauber to approve the application by Dan and Jeff Miller for a Variance associated with the construction of a 32,580 square foot multi-tenant, office/contractor shop. The variance request is for a 33,000 square foot gravel parking lot for storage of outdoor equipment and vehicles. The property is located at 5400 Miller Trunk Highway. Seconded by Amanda Radzak. Motion carried. 6-0.

5G. An application by 5106 Miller Trunk, LLC for a Commercial Industrial Development Permit for the operation of a restaurant with associated site improvements. The property is located at 5106 Miller Trunk Highway and is located in a C, Commercial zoning district.

Motion made by Matthew Fournier to approve the application by 5106 Miller Trunk, LLC for a Commercial Industrial Development Permit for the operation of a restaurant with associated site improvements. The property is located at 5106 Miller Trunk Highway. Seconded by John Stauber. Motion carried. 6-0.

6. CONTINUING BUSINESS

6A. A discussion on Accessory Dwelling Units (ADU) in the City

The Planning and Zoning Commission discussed accessory dwelling units (ADUs) in Hermantown, reviewing common elements from other communities including minimum sizes (300-800 sq ft), utility connections from primary structure, and one additional parking space. The Commission expressed general support for ADUs but debated several key issues including lot size requirements, placement restrictions, and rental licensing requirements. Staff noted that while ADU interest has increased, they would need to consider staffing capacity for potential rental licensing. Public testimony highlighted both aging-in-place needs and concerns about property values, with suggestions for larger units (up to 2 bedrooms) and manufactured homes as cost-effective options. The commission agreed to continue the discussion at their next meeting after further research and homework from members.

7. NEW BUSINESS

None.

8. COMMUNICATIONS

None.

9. COMMISSION MEMBER REPORTS

Joe Peterson – None

Corey Kolquist – None

Beth Wentzlaff – None

Kevin Hagen – Absent

Matthew Fournier – None
John Stauber – None
Amanda Radzak – None
Ryan Johnson – None

ADJOURN

Motion made by Corey Kolquist to adjourn the meeting. Seconded by Beth Wentzlaff. Meeting adjourned at 8:46 pm.

Officiated by:

Transcribed by:

Joe Peterson, Chairman

Mary Melde, Administrative Assistant

5A. 5577 Hermantown Road – Special Use Permit - Filling and grading within a Natural Environment Shoreland Overlay Zone

Applicant: Daniel Urshan/Urshan Family Trust
Case No.: 2025-39 SUP
Staff Contact: Eric Johnson, Community Development Director
Request: Issue a special use permit for filling and grading within a Natural Environment Shoreland Overlay for the demolition of an existing structure and filling in of basement

RECOMMENDED ACTION:

Approve a Special Use Permit for filling and grading within a Natural Environment Shoreland Overlay Zone.

DESCRIPTION OF REQUEST:

The applicant (Daniel Urshan/Urshan Family Trust) desires to demolish an existing structure and fill in the basement on a property at 5577 Hermantown Road. The existing home and portion of an accessory structure are within a Natural Environment Shoreland Area and will require filling and grading within an approximately 5,000 square feet area of disturbance.

SITE INFORMATION:

Parcel Size: 7.99 acres
Legal Access: 5577 Hermantown Road
Wetlands: Yes, per the National Wetland Inventory
Existing Zoning: S-1, Suburban
Airport Overlay: None
Shoreland Overlay: Yes – Natural Environment Shoreland – Rocky Run
Comprehensive Plan: Residential

BACKGROUND

The applicant owns a property with an existing home and detached accessory structure at 5577 Hermantown Road. An application for a parcel split, which involved a flag lot was approved by the Planning and Zoning Commission in April 2025. The applicant is now proposing to demolish the existing home on the 7.99 acre lot and fill in the foundation. The applicant then plans to construct a new home on this parcel outside of the Natural Environment Shoreland Area. The proposed work is within the Natural Environment Shoreland Area associated with Rocky Run and is expected to impact approximately 5,000 square feet of shoreland area.

Wetlands

Per the National Wetland Inventory (NWI) there are wetlands located along the banks of the Rocky Run and are outside of the work area associated with the proposed work.

Shoreland Area

The majority of the property is located within a Natural Environment Shoreland Area and is subject to the requirements of the City's Shoreland Ordinance as it pertains to grading a filling within a shoreland area. However, the proposed new home is outside of the Natural Environment Shoreland Area

Special Use Permit

The Special Use Permit is for filling and grading within a Shoreland zone. There are general conditions for all SUPs. Staff finds the following in regard to the criteria for Special Use Permits in the Zoning Ordinance:

No special use permit shall be approved unless positive findings are made with respect to each and every one of the following criteria:

- 1. The proposed development is likely to be compatible with development permitted under the general provisions of this chapter on substantially all land in the vicinity of the proposed development;**

The proposed use is compatible with development within the vicinity which is characterized by low density residential and residential compatible uses.

- 2. The proposed use will not be injurious to the use and enjoyment of the environment, or detrimental to the rightful use and enjoyment of other property in the immediate vicinity of the proposed development;**

Conditions placed on the SUP to minimize the clearing and grading within the shoreland area meet the intent of the zoning ordinance to protect natural resources. The development of a primary structure/residence is an allowed use within the S-1, Suburban zoning district.

- 3. The proposed use is consistent with the overall Hermantown Comprehensive Plan and with the spirit and intent of the provisions of this chapter;**

The property is within an area marked for residential development on the Hermantown Comprehensive Plan. The purpose of the Shoreland Overlay Zone is to protect public waterways. Impervious surface caps are included to prevent excessive runoff from constructed surfaces and the proposed impervious surface is below maximum limits.

- 4. The proposed use will not result in a random pattern of development with little contiguity to existing programmed development and will not cause negative fiscal and environmental effects upon the community.**

The proposed use is similar to uses of nearby properties in density and style.

5. Other criteria required to be considered under the provisions of this code for any special use permit.

The applicant will follow the rules for grading and filling in a Shoreland Overlay Zone established in Section 725.02 and Section 555.07.1 and 555.07.2.

Findings of Fact and Recommendations

Staff recommends approval of the special use application to construct an accessory structure in a Natural Environment Shoreland Area, subject to the following:

1. The approval is for a Special Use Permit for filling and grading in a Natural Environment Shoreland area for the purpose of demolishing an existing structure and filling in the basement on a property at 5577 Hermantown Road. The Community Development Director may approve minor variations to filling and grading as long as the variations do not result in any wetland impacts.
2. The City will follow the rules for grading and filling in a Shoreland Overlay Zone established in Section 725.02 and Section 555.07.1 and 555.07.2 including, but not limited to:
 - a. The smallest amount of bare ground is exposed for as short a time as feasible;
 - b. Temporary groundcover, such as mulch, is used, and permanent groundcover, such as sod, is planted;
 - c. Adequate methods to prevent erosion and trap sediment are employed;
 - d. Fill is stabilized to accepted engineering standards;
 - e. Adequate methods are employed to reduce the runoff and/or flow of water on or over the affected shoreland so that the grading, filling or alteration of the natural topography does not contribute to downstream flooding;
 - f. Adequate methods are employed to preserve water quality so that the grading, filling or alteration of the natural topography will not detrimentally affect the quality of the public waters of the City of Hermantown;
 - g. Adequate methods are employed for the preservation or establishment of local vegetation that provides wildlife habitat and screening; and
 - h. Fill used will consist of suitable material free from toxic pollutants in other than trace quantities.
3. The applicant shall sign a consent form assenting to all conditions of this approval.
4. The applicant shall pay an administrative fine of \$750 per violation of any condition of this approval.

ATTACHMENTS

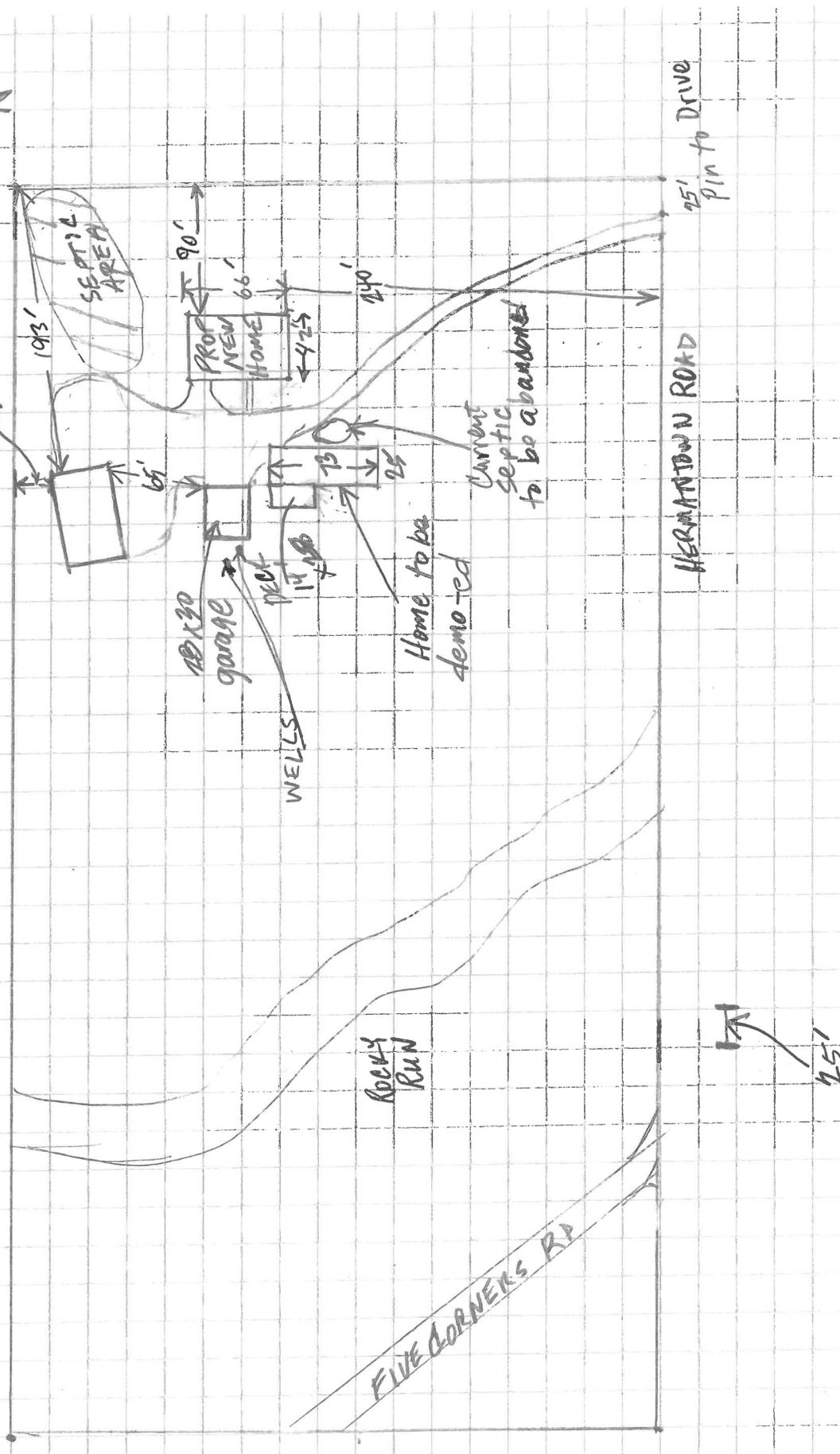
- Location Map
- Proposed Site Plan
- Shoreland Overlay Map

Location Map



06, 17, 25

URSHAN FAMILY TRUST
5577 HERMANTOWN RD
HERMANTOWN, MN



HERMANTOWN ROAD

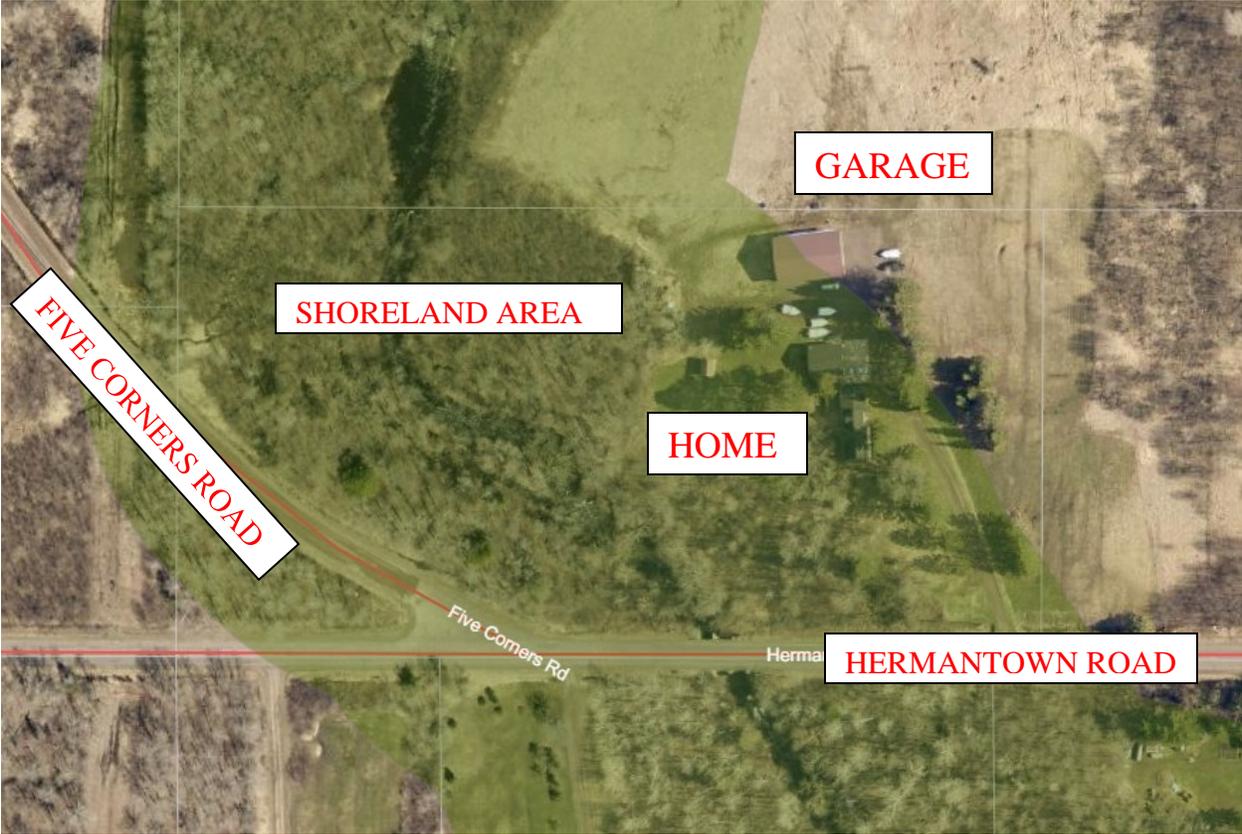
25' PIN TO DRIVE

Rocky Run

FIVE CORNERS RP

25'

Shoreland Map



5B. Zoning Map Amendment – NW Corner of 4798 Miller Trunk Highway (Sunrise Cemetery) from P, Public to C, Commercial.

Applicant: Porter Business Development, LLC

Case No.: 2025-38 ZM

Staff Contact: Eric Johnson, Community Development Director

Request: Rezone ½ acre of land area associated with parcels 395-0030-00010 from P, Public to C, Commercial

RECOMMENDED ACTION:

Staff recommends that the Planning Commission recommend approval of the proposed change to the Hermantown Zoning Map by rezoning 0.65 acres in the northwest quadrant of Parcel: 395-0030-00010 from P, Public to C, Commercial.

SITE DATA

Address: 4798 Miller Trunk Highway

Comprehensive Plan: Commercial

Zoning: P, Public

Lot Size: 72 acres total

Wetlands: None per the National Wetland Inventory

Shoreland Overlay: No

Airport Zoning: None

DESCRIPTION OF REQUEST:

Requested is the proposed change to the Hermantown Zoning Map by rezoning 0.65 acres in the northwest quadrant of Parcel: 395-0030-00010 from P, Public to C, Commercial. The purpose of the rezoning is to enlarge the 1 acre parcel (395-0010-03675) by ½ acre in order to accommodate a future development project. The 0.65 acre rezoning request includes the Stebner Road right of way which consists of approximately 0.15 acres. The purpose of including the right of way is to not create a strip of P, Public zoned property in between parcels.

BACKGROUND:

The site is part of the 74-acre Sunrise Funeral Home, Cremation Services, and Cemetery located at 4798 Miller Trunk Highway. It has been owned and operated by the applicant for many years. The site is in the northwest quadrant of the property bound by Arrowhead Road to the north and Stebner Road to the

west. The proposed area of rezoning is approximately ½ acre in size with dimensions of 104’ x 274’. It is the plan that this ½ acre property would be combined with parcel 395-0010-03675 in order to create a 1 ½ acre development parcel for a future development.

In 2022, the applicant requested a zoning map amendment of 2 acres located at the northwest intersection of W. Arrowhead Road and Stebner Road. The property was rezoned from P, Public to C, Commercial and was subdivided to create two 1 acre lots. The applicant has recently been having conversations with a developer who is looking to construct a building on the parcel but requires additional lot area due to parking constraints.

Utilities

The site is well served by public utilities. City watermain and sanitary sewer mains are located along the entire frontage of both Arrowhead and Stebner Roads.

The site is also well served by roads. Arrowhead Road from Stebner to Miller Trunk Highway is a minor arterial road. Stebner and Arrowhead Road west of the intersection are major collector roads. The site is approximately one-third of a mile from the signalized intersection of Arrowhead Road and Miller Trunk Highway.

Wetlands

The site has been cleared previously. The National Wetland Inventory does not show wetlands on the 2 acres requested to be rezoned, though there are wetlands indicated to the south.

Zoning

Applicant is requesting a rezoning from P, Public to C, Commercial.

Dimensional standards would change as follows:

Dimensional Standards	P	C
Height	50 feet	65 feet
Setbacks		
<i>Front</i>	35 feet	35 feet
<i>Side (abutting street)</i>	35 feet	35 feet
<i>Side</i>	15 feet	10 feet
<i>Rear</i>	25 feet	40 feet
Minimum lot area	None	None
Minimum lot width	None	None
Maximum lot coverage	35%	50%

Comprehensive Plan

The site is in a Commercial area per the newly adopted Comprehensive Plan update. Analysis of the site indicates that commercial zoning is consistent with the surrounding area which contain an apartment building to the north, a newly approved apartment to the west and a vacant parcel commercially zoned property to the NW.

The site is an unused part of a private cemetery. Rezoning and allowing future commercial development do not reduce the quantity or quality of activities and public benefits intended to be preserved by the P, Public zoning district.

SUMMARY & JUSTIFICATION:

The proposed rezoning meets the criteria of the Comprehensive Plan and the overall goals and policies of the Zoning Ordinance. The 0.65 acre site is located in an area that has an existing commercial character and development of the site could be complementary to the area. Staff recommends approval of the rezoning based on the following findings:

1. The property is included in the Commercial area of the Comprehensive Plan within which commercial zoning and commercial development are currently allowed.
2. C, Commercial uses are compatible with the surrounding uses, including an apartment building, medical clinic, vacant commercial and residential zoned property, and a privately-operated cemetery, funeral home, and cremation service.

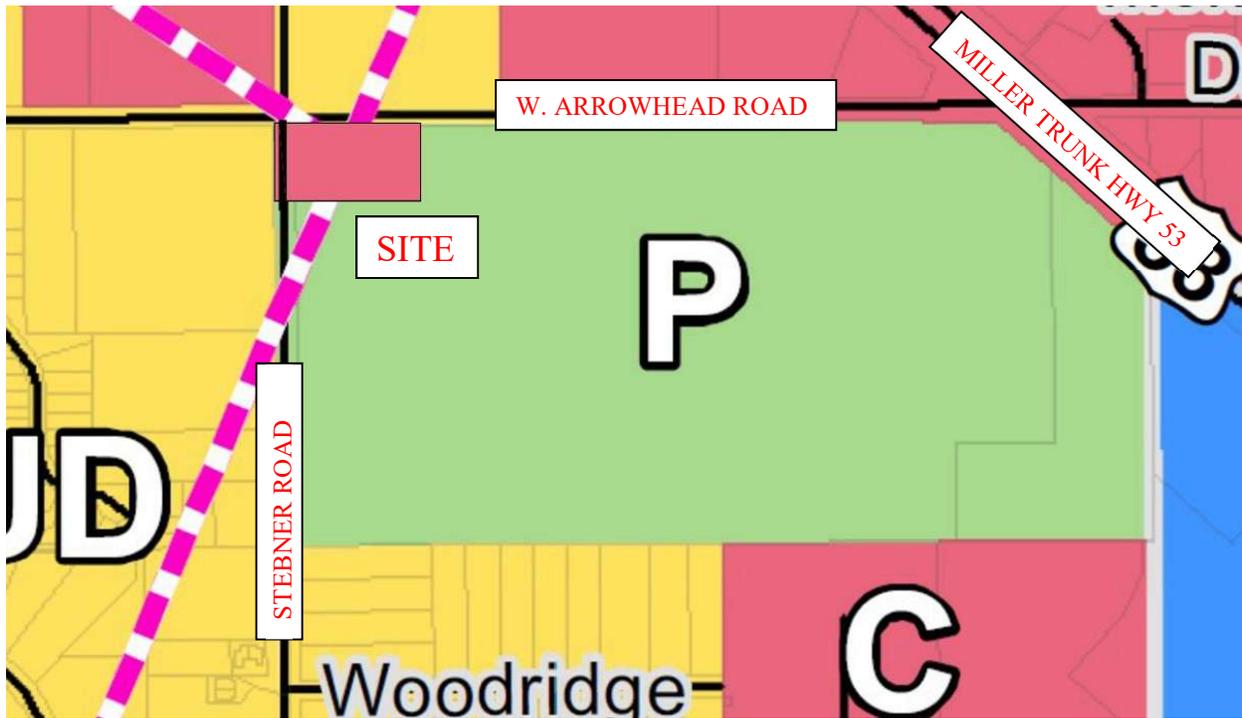
ATTACHMENTS

- Location Map
- Existing Zoning Map
- Proposed Zoning Map
- Rezoning Exhibit

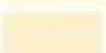
Location Map



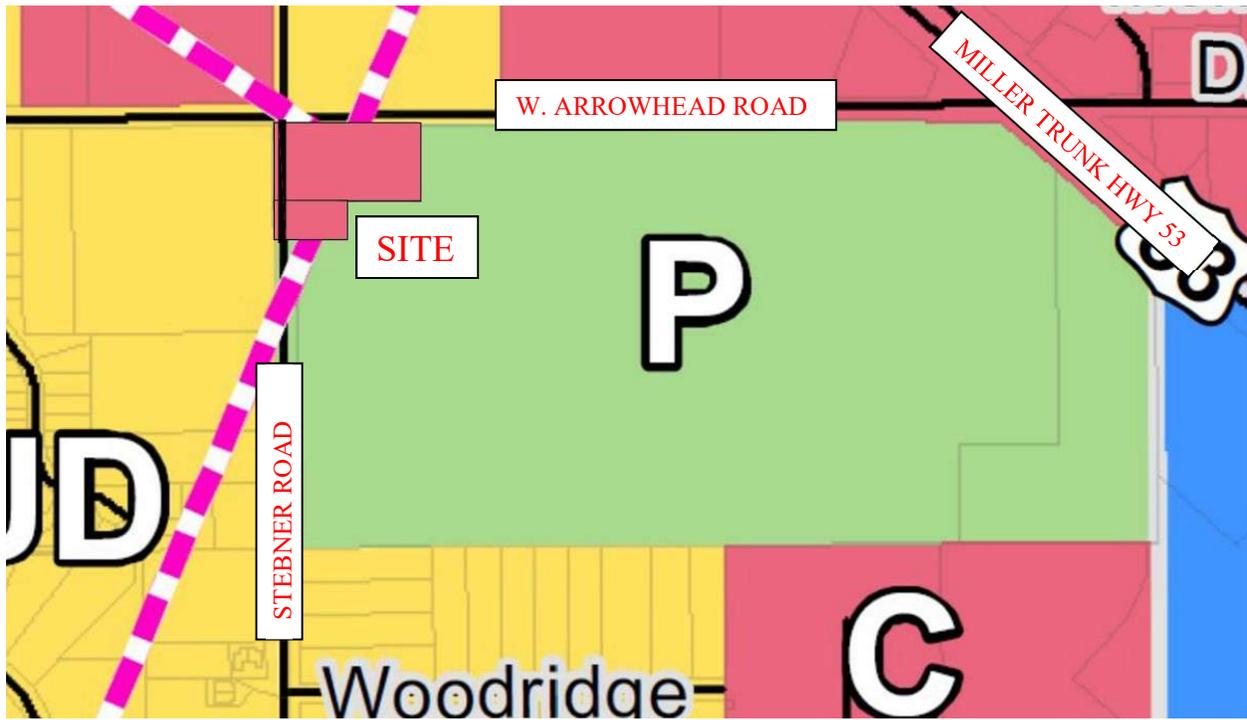
Existing Zoning Map



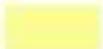
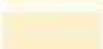
Hermantown Zoning Districts

	HM - Hermantown Marketplace		O - Conservation/Open Space
	BLM - Business/Light Manufacturing		P - Public Facilities
	C - General Commercial		PUD - Planned Unit Development
	C-1 - Office/Light Industrial		R-1 - Residential
	C1A - Sexually Orientated Uses		R-3 - Residential
	M2 - Heavy Industrial		R-3A - Multiple Family Dwellings
	HBP - Hermantown Business Park		S-1 - Rural/Suburban

Proposed Zoning Map

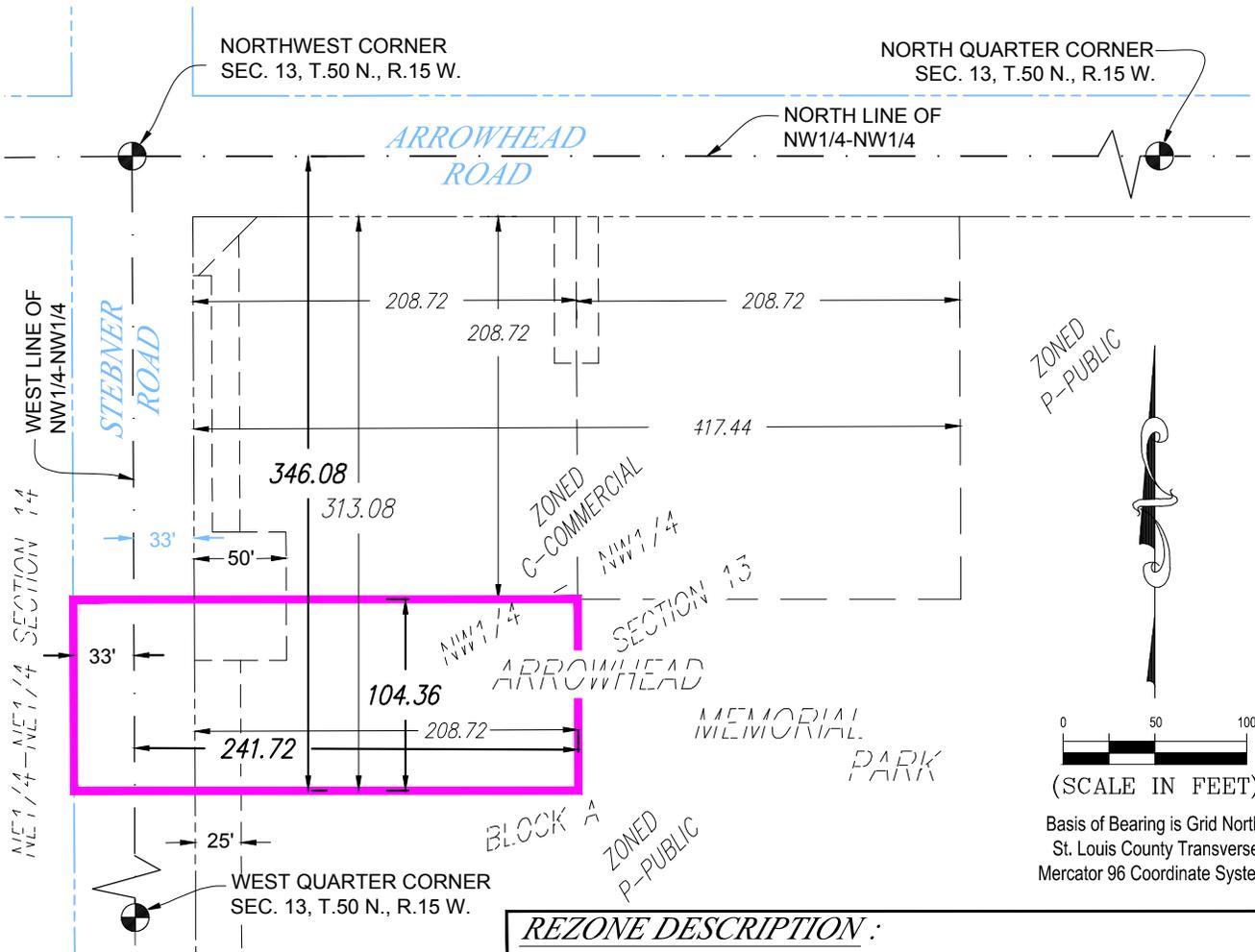


Hermantown Zoning Districts

	HM - Hermantown Marketplace		O - Conservation/Open Space
	BLM - Business/Light Manufacturing		P - Public Facilities
	C - General Commercial		PUD - Planned Unit Development
	C-1 - Office/Light Industrial		R-1 - Residential
	C1A - Sexually Orientated Uses		R-3 - Residential
	M2 - Heavy Industrial		R-3A - Multiple Family Dwellings
	HBP - Hermantown Business Park		S-1 - Rural/Suburban

EXHIBIT

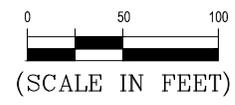
Proposed Rezone Area



ZONED
P-PUBLIC

ZONED
C-COMMERCIAL
NW1/4

BLOCK A
ZONED
P-PUBLIC



(SCALE IN FEET)
Basis of Bearing is Grid North,
St. Louis County Transverse
Mercator 96 Coordinate System.

LEGEND

- REZONE AREA
- BLOCK LINE
- LOT LINE
- EASEMENT LINE
- SECTION LINE
- ROAD RIGHT-OF-WAY LINE
- FOUND ALUMINUM CAPPED MONUMENT

REZONE DESCRIPTION:

The South 104.36 of North 346.08 feet of the East 33.00 feet of the Northeast One-Quarter of the Northeast One-Quarter (NE1/4 of NE 1/4) of Section 14, Township 50 North, Range 15 West.
AND
The South 104.36 feet of the North 318.08 feet of the West 208.72 feet of Block A, SUNRISE MEMORIAL PARK, St. Louis County, Minnesota as originally platted and being described more particularly as the South 104.36 of North 346.08 feet of the West 241.72 feet of the Northwest One-Quarter of the Northwest One-Quarter (NW1/4 of NW 1/4) of Section 13, Township 50 North, Range 15 West.
AND
The South 104.36 of North 346.08 feet of the West 33.00 feet of the Northwest One-Quarter of the Northwest One-Quarter (NW1/4 of NW 1/4) of Section 13 Township 50 North, Range 15 West.

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Print Name: Paul A. Vogel License # 44075

Signature: Date: 6/11/2025

DATE PREPARED: 6/11/25

PROJ NO: 250377

FILE: 250377 Zonin

SHEET 1 of 1 SHEETS



21 W. Superior St., Ste. 500 | Duluth, MN 55802 | 218.727.8446

6A. Accessory Dwelling Units

<u>Applicant:</u>	City of Hermantown
<u>Case No.:</u>	2024-03 ZT Accessory Dwelling Units
<u>Staff Contact:</u>	Eric Johnson, Community Development Director
<u>Request:</u>	Disuss adding language to residentially zoned districts to allow for Accessory Dwelling Units

DESCRIPTION OF REQUEST:

City staff has been discussing the addition of accessory dwelling units (ADU) to residentially zoned districts for the past 18 months. In January 2024, ADU's were discussed at the Planning and Zoning Commission meeting. There was a general support of ADU's from the Commission but no further action was taken at the time.

This item was also discussed with the City Council in April 2025, with the City Council directing staff to start the process by which ADU's could be incorporated into the City's residentially zoned districts.

Recently, there has been requests from City residents to allow ADU's in residential areas. As a result, City staff has reviewed other municipalities to understand what they allow and under what conditions.

Staff reviewed zoning ordinances from the following communities:

- St. Louis County
- City of Duluth
- City Minneapolis
- City of Richfield
- City of Northfield
- City of Burnsville
- City of White Bear Lake
- City of Golden Valley

All of these communities allowed ADU's and identified conditions under which they could be permitted. Generally, the following apply to most of the communities:

- Minimum size: 300 square feet
- Maximum size: 800 square feet

- Primary residence owner must live on premises
- Water and sewer connections from primary structure
- Minimum of 1 additional parking space for the ADU
- May be part of a garage or separate structure
- Maximum heights ranging from 12 feet to 21 feet

Staff is looking for input from the Planning and Zoning Commission on ADU's with the plan to add language to the relevant residentially zoned districts and bring the specific zoning language back to Planning and Zoning for their review and action.

ATTACHMENTS

- March 31, 2025 Memo

Accessory Dwelling Units – March 31, 2025

St. Louis County, MN

- 1 ADU allowed per 1 acre minimum lot in shoreland areas
- Maximum size – 700 square feet
- Maximum height – 20 feet
- ADU may be part of a garage
- ADU may not be used for commercial or rental purposes
- ADU must meet all setbacks per underlying zoning district
- ADU must have adequate septic along with principal structure
- Applies to both shoreland and non-shoreland areas
- ADU's are allowed on lots less than ½ acre in shoreland areas, however
 1. Maximum size – 250 square feet
 2. Maximum height – 14 feet

Duluth, MN

- Must be attached to permanent foundation (no RV's)
- Primary residential owner does not need to live on premises
- Maximum of 800 square feet. May not exceed square footage of principal structure
- 20 feet maximum height. May not exceed height of principal structure
- 1 additional parking space required
- Connected to public water and sanitary. May be stubbed from house or have its own services

Accessory dwelling units are secondary or subordinate dwelling units added to an existing one or two family dwelling; these are often called granny flats, mother-in-law homes, or carriage houses. These must be located on the same platted lot or tax parcel as a primary residential structure and must be owned by the same owner, but may be rented (with an approved rental permit from the Life Safety Division of the City of Duluth Fire Department).

Accessory dwelling units must provide the basic requirements for living, sleeping, cooking, eating, and sanitation, and are constructed on compliant permanent footings or foundation, with permanent connections to public sanitary sewer and water (which may be stubbed from the primary dwelling).

No recreational vehicle, or structure on a chassis, can be an accessory dwelling unit. Only one accessory dwelling unit is allowed per one or two family dwelling.

The city does not require that the owner of a primary residential structure with an accessory dwelling unit live on site. Traditionally that has been common, with the owner living on site in the primary residential structure and renting out the accessory dwelling to family or non-family members. But residency is not a requirement in the zoning code. The owner of the parcel that contains the primary and accessory dwellings may live outside the city or state.

Accessory dwelling units must not exceed 800 square feet of total floor space, nor shall it exceed the total floor area square footage of the principal structure. It should be designed and built consistent in

character and design with the primary dwelling, and shall not exceed the height of the principal residential structure or 20 feet, whichever is greater. In addition, at least one off-street parking space shall be provided in addition to off-street parking that is required for the primary dwelling.

Minneapolis, MN

- Minimum size – 300 square feet. Maximum size 800 square feet
- Maximum height – 21 feet
- Water and sewer connections are from primary structure

ADUs are accessory to both owner-occupied and non-owner-occupied single- and two-family dwellings.

Minimum ADU size is 300 sq. ft.; maximum is 800 sq. ft. Maximum building height is 21 feet.

Eaves/overhangs shall not extend closer than two feet to the lot line (exception for alley side). Openings (windows, doors, vents, etc.) are not permitted within three feet of side (shared) property line (exception for alley side).

Habitable space in the ADU and hallways, bathrooms, toilet rooms, laundry rooms shall have a ceiling height of not less than seven feet.

Water and sewer connections are specific to a PID number. A detached ADU is an accessory structure to the primary dwelling and is typically served through water and sewer service extensions from the primary structure to the ADU. However, dedicated water and/or sewer services to a detached ADU may be allowed in special circumstances. The layout and design of any new services shall be in accordance with engineering design standards and governing ordinances as well as the Minnesota Plumbing Code.

Richfield, MN

- No more than one ADU shall be allowed on a lot.
- ADU must be attached to a garage or to the primary residential structure. Standalone units are not allowed
- The lot must meet current width and depth requirements.
- The creation of an ADU shall not create a separate tax parcel.
- An owner of the property must live on the lot. Proof of homesteading shall be required, and a rental license is required for the non-owner-occupied unit.
- ADUs must have a minimum floor area of 300 square feet, and cannot exceed 800 square feet.
- Exterior materials for new ADU construction must match the structure to which the ADU is attached.
- On the main residential structure, no additional entrances facing the public street may be added.
- No exterior stairways constructed with raw or unfinished lumber may be added to access an ADU.
- Excess garage space may be converted to an ADU without replacement so long as at least two auto parking spaces are preserved.
- A minimum of three off-street parking spaces are required in order to add an ADU of any kind.

Northfield, MN

- ADUs can be located as part of a detached garage or can be their own separate structure. If the ADU is part of a garage, then the garage regulations should be followed.
- Limit on size: cannot exceed 50% of the gross floor area of the main home or 1,000 square feet, whichever is less.
- Constructed to be compatible with the main home and neighborhood.
- Must be at least 10 feet from the main home.
- Parking is not required, but have to provide unrestricted, improved access must be provided from the street to the ADU entrance.
- Must have a kitchen, bathroom, sanitary and water services.
- The ADU or main home may be rented if the owner of the property lives resides on the property.

Burnsville, MN

- Be built and maintained with a consistent look/style of the primary home
- Be constructed on a permanent foundation with no wheels
- Contain no more than two bedrooms
- Be a minimum of 300 square feet
- Not exceed more than 50% of the primary home's square footage
- Have 1 additional parking space for ADU

Garage Conversion: A garage cannot be converted into an ADU unless a new 440-square-foot (or larger) garage is built without the need for a variance

Entry Door: If the exterior door for the ADU is on the same wall as the primary residence front door, the doors must be at least 20 feet apart

Both attached and detached ADUs must be connected to and served by the same municipal water, sanitary sewer, gas and electric utility, private well and/or septic system as the primary home. Temporary water, sewer and electrical connections are not allowed.

Properties that contain an ADU must provide one additional off-street parking space (in addition to the two spaces required for the primary home). An additional garage may be constructed if it complies with all state and City regulations.

All dwellings must be built and maintained to comply with all City Codes, and residents must adhere to the following:

Property owner must live in either the primary residence or ADU as their permanent home a minimum of 185 days each year

An ADU cannot be subdivided or sold separately from the primary home

Park Dedication fees are required when adding an ADU. These, and any additional utility connection fees will be collected if and when a building permit is issued for renovations

White Bear Lake, MN

- ADUs shall be located in existing single family structures (principal or accessory), with the owner of the single family structure residing in the principal structure. Separate ownership of the accessory unit is not permissible
- Exterior modifications which detract from the single family character of the neighborhood will not be permitted
- ADUs shall not exceed 880 square feet or 40% of the habitable area within the single family home, whichever is less
- Where conditions or circumstances of a specific property make implementation of the zoning code standards impractical, City Council *may* alter the conditions of the section for the specific property in question
- If you are renting an ADU to a non-relative you are required to have a [rental license](#)

Begins with the homeowner submitting a [Land Use Application](#), including plans, to the Community Development Department

1. City staff brings the application to the Planning Commission and makes a recommendation for approval as-is, approval with additional conditions or denial. In turn, the Planning Commission hears the case and makes one of the above recommendations to City Council
2. City Council hears the case and has the final authority in approving or denying the application

The process typically takes 2-3 months and requires a non-refundable [application fee](#).

Golden Valley, MN

- One ADU per lot. An ADU is only allowed in conjunction with a single-family home.
- The property owner must reside in either the principal dwelling or ADU as either their sole or primary residence.
- Minimum floor area: 250 square feet
- Maximum floor area: 950 square feet or 35 percent of the home's livable floor area, whichever is less
- Height: 12 feet measured from the structure floor to the top plate or highest horizontal component of the frame building.
- Setbacks: 35' – Front yard; 10' – side yard; 25' – rear yard; 10' minimum from existing home
- Designed and use materials that complement and match the principal dwelling.
- Entrances shall only face the side or rear yard.
- One additional off-street parking space is required for the ADU above the minimum required for single-family homes. The creation of an ADU by conversion of garage space shall not reduce the home's provide off-street parking below the minimum requirements.
- Utility connections for the ADU shall be provided from the existing principal structure so long as adequate capacity exists or can be provided.

