
WASHINGTON COUNTY DEVELOPMENT CODE

CHAPTER TWO
ZONING REGULATIONS

PART 2
DENSITY AND LOT REQUIREMENTS

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*Commentary/Interpretive
Purposes Only*

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CHAPTER TWO

ZONING REGULATIONS

PART 2

DENSITY AND LOT REQUIREMENTS

This Part regulates the development of land located in the AP, A-1, A-2, A-4, RR, SFE, RS, TZ and Conservancy districts.

This Part regulates the development of residential land through the use of density and not minimum lot size and width zoning as found in traditional zoning ordinances. This approach provides flexibility to property owners by permitting three types of subdivision design: conventional, lot averaging and open space development.

- (1) The **conventional subdivision** plan divides property into lots according to the minimum lot size and width requirements for the zoning district.
- (2) The second technique, **lot averaging**, allows the property owner to create parcels smaller than those of a conventional subdivision plan provided the density of the development does not exceed the maximum density permitted for the zoning district and the density that can be achieved with a yield plan.
- (3) The third approach, **open space design**, also permits property owners to subdivide parcels into lots smaller than conventional subdivisions; however, the development must comply with certain design standards and a portion of the property must remain as common open space.

This Chapter does not apply to land located in the Shoreland Overlay District and Lower St. Croix River Bluffland and Shoreland Management District. The development of land within these districts shall be determined in accordance with Chapter Six, Shoreland Management Regulations and Chapter Five Lower St. Croix River Bluffland and Shoreland Management Regulations.

SECTION 1. DENSITY

Density is the number of dwelling units permitted per acre of land.

A quarter-quarter section is defined as a tract of land legally described as a full quarter-quarter or a 40 acre parcel not reduced by more than 10% due to road right-of-way dedication.

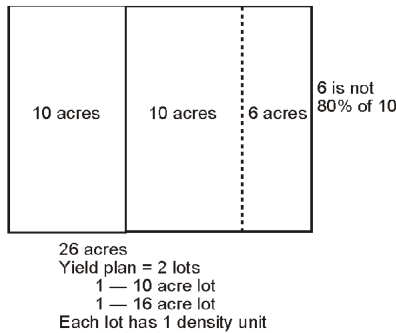
1.1 Density in Districts.

- (1) In the A-P District, the density of residential dwelling units shall not exceed one (1) dwelling unit per 40 acres or quarter-quarter section.
- (2) In the A-1 District, the density of residential dwelling units shall not exceed one (1) dwelling unit per 40 acres or quarter-quarter section.
- (3) In the A-2 District, the density of residential dwelling units shall not exceed two (2) dwelling units per 40 acres or quarter-quarter section.
- (4) In the A-4 District, the density of residential dwellings shall not exceed four (4) dwelling units per 40 acres or quarter-quarter section.
- (5) In the “RR” Rural Residential District, the density of residential dwelling units shall not exceed eight (8) dwelling units per 40 acres or quarter-quarter section.
- (6) In the “SFE” Single Family Estate District, the density of residential dwelling units shall not exceed 16 dwelling units per 40 acres or quarter-quarter section.
- (7) In the “RS” Residential Suburban District, the density of residential dwelling units shall not exceed four (4) dwelling units per 40 acres or quarter-quarter section where public sewer is not available. The density of residential uses may be greater than one dwelling unit per acre when public sewer serves the development, per Section 2.3 of this Part.
- (8) In the “TZ” Transition Zone District, the density of residential dwelling units shall not exceed one (1) dwelling unit per ten (10) acres. The density of residential dwelling units may be increased to four (4) dwelling units per ten (10) acres if a master subdivision plan is submitted and approved showing how each lot could be re-subdivided into lots meeting the minimum lot standards for residential suburban when public sewer becomes available.
- (9) In the “C” Conservancy District, the density of residential dwelling units shall not exceed two (2) dwelling units per forty (40) acres or quarter-quarter section.

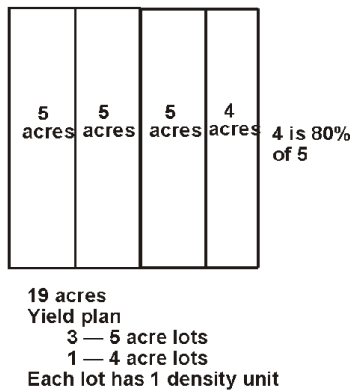
Density units are the number of individual dwelling units that can be located on a parcel of land as established through the use of a yield plan. For the purpose of this Development Code, a multi-family residential dwelling is considered as having as many density units as there are individual dwelling units, regardless of whether those units are attached or detached.

Calculation Example:

A) 26 acres in the A-4 zone =
 $26 \times 4/40 = 104/40 = 2.6$ density units



B) 19 acres in the RR zone =
 $19 \times 8/40 = 152/40 = 3.8$ density units



1.2 Determination of Density Units

For the purposes of developing land for residential development, the maximum number of density units for any individual parcel shall be determined by applying the following steps:

- (1) The maximum number of density units for an individual parcel shall be calculated by multiplying the size of the parcel in acres by the maximum density per 40 acres for the district in which the parcel is located as set forth in Section 1.1 above then dividing this number by 40 to achieve the result.
- (2) In order to determine the allowable number of density units per parcel, a yield plan drawn to scale showing the maximum number of lots that would be permitted using the performance standards for lots in a conventional subdivision designed in accordance with the applicable sections of the zoning, subdivision, and other applicable regulations shall be prepared and submitted to the Zoning Administrator for review. If, after determining the maximum number of lots in a conventional subdivision, a lot could be created that meets 80 percent of the minimum lot size and otherwise meets all other lot requirements for the zoning district, then that lot shall be considered as one lot for density computation purposes. The number of density units so determined shall constitute the parcel's maximum development potential.

1.3 Development Agreement

From and after the effective date of this Development Code, parcels subdivided shall be restricted by a development agreement specifying the number of density units amongst the lots or parcels being created, and the fact that the use and development and further subdivision of the parcels being created is subject to the regulations contained in the Washington County Development Code. The development agreement must be executed by the Washington County Board and may not be amended without the approval of the Washington County Board.

1.4 Transfer of Density Units

After the effective date of this Chapter, development agreements may be amended to reallocate density units between contiguous parcels if the contiguous parcels are: 1) located in the same zoning district; 2) under common ownership; and 3) the reallocation of density units meets the criteria contained in this Chapter.

Conveyances shall have the meaning specified in Minnesota Statute 272.12.

1.5 Conveyance of Land

- (1) Prior to recording a conveyance of land which is less than the whole as charged on the tax lists maintained by the Washington County Auditor/Treasurer, the conveyance must first be approved by the Washington County Zoning Administrator for compliance with this Section.
- (2) Any conveyance of land which is less than the whole parcel of land as charged on the tax lists and found to be in violation of this section by the Washington County Zoning Administrator will be returned to the draftsperson and notice by mail of the potential violation will be given to the parties to the conveyance pursuant to Minnesota Statutes § 394.37.

SECTION 2. LOT REQUIREMENTS

2.1 In the Agricultural Preserves District (AP), the following lot requirements must be met.

- (1) Minimum Lot Size 40 acres
- (2) Minimum Frontage on a Public Road 300 feet
- (3) Maximum Lot Coverage 25%
- (4) Minimum Building Setbacks
 - (A) Front 40 feet
 - (B) Side 20 feet
 - (C) Rear 50 feet
- (5) Maximum Building Height 35 feet
- (6) The minimum setback for all structures shall be one hundred fifty (150) feet from the centerline, or 75 feet from the right-of-way (whichever is greater), along roads designated as "Arterials" in the Comprehensive Plan.

Lot requirements differ for the three types of subdivision design. For lot requirements in Open Space Design Development, please refer to Chapter Two, Part 3, Section 4.

2.2 In the Agricultural (A-1, A-2, A-4), Rural Residential (RR), Single Family Estates (SFE), and Transition (TZ) Districts, the following lot requirements must be met unless the parcel is part of an approved open space development.

- (1) Conventional Subdivision
 - (A) Minimum Lot Size

- 1. A-1 40 acres
- 2. A-2 20 acres
- 3. A-4 10 acres
- 4. RR 5 acres
- 5. SFE 2.5 acres
- 6. TZ 10 acres

(B) Minimum Frontage on a Public Road

- 1. A-1 300 feet
- 2. A-2 300 feet
- 3. A-4 300 feet
- 4. RR 300 feet
- 5. SFE 160 feet
- 6. TZ 300 feet

(2) Lot Averaging

(A) Minimum Lot Size 2 acres

(B) Minimum Frontage on a Public Road

- 1. 160 feet on parcels between 2 and 4 acres.
- 2. 300 feet on parcels greater than 4 acres.

(3) Maximum Lot Coverage 25%

(4) Minimum Building Setbacks

- (A) Front 40 feet
- (B) Side 20 feet
- (C) Rear 50 feet

(5) Maximum Building Height 35 feet

(6) The minimum setback for all structures shall be one hundred fifty (150) feet from the centerline, or 75 feet from the right-of-way (whichever is greater), along roads designated as "Arterials" in the Comprehensive Plan.

2.3 The following lot requirements must be met in the Residential Suburban (RS) District.

(1) Conventional Subdivision

(A) Minimum Lot Size:

- 1. with sewer 15,000 square feet
- 2. without sewer 10 acres

(B) Minimum Frontage on all Public Roads

- 1. with sewer 80 feet
- 2. without sewer 300 feet

(2) Lot Averaging

(A) Minimum Lot Size:

- 1. with sewer 15,000 square feet
- 2. without sewer 2 acres

(B) Minimum Frontage on all Public Roads

- 1. with sewer 80 feet
- 2. without sewer
 - (a) 160 feet on parcel 2 - 4 acres
 - (b) 300 feet on parcels greater than 4 acres

(3) Maximum Lot Coverage 25%

(4) Minimum Building Setbacks -

- (A) Front 30 feet
- (B) Side 10 feet
- (C) Rear 30 feet

(5) Maximum Building Height 35 feet

(6) The minimum setback for all structures shall be one hundred fifty (150) feet from the centerline, or 75 feet from the right-of-way (whichever is greater), along roads designated as "Arterials" in the Comprehensive Plan.

2.4 The following lot requirements must be met in the Conservancy District unless the parcel is part of an approved open space development.

(1) Conventional Subdivision

- (A) Minimum Lot Size 20 acres
- (B) Minimum Frontage on all Public Roads . . . 300 feet

(2) Lot Averaging

- (A) Minimum Lot Size 2 acres
- (B) Minimum Frontage on all Public Roads
 - 1. 160 feet on parcels between 2 and 4 acres
 - 2. 300 feet on parcels greater than 4 acres

- (3) Maximum Lot Coverage 25%
- (4) Minimum Building Setbacks
 - (A) Front 40 feet
 - (B) Side 20 feet
 - (C) Rear 50 feet
- (5) Maximum Building Height 35 feet
- (6) The minimum setback for all structures shall be one hundred fifty (150) feet from the centerline, or 75 feet from the right-of-way (whichever is greater), along roads designated as "Arterials" in the Comprehensive Plan.

2.5 The following lot requirements must be met in the Commercial/Industrial-Rural (CI-R) District.

- (1) Minimum Lot size 2.5 acres
- (2) Minimum Frontage on all Public Roads 160 feet
- (3) Maximum Lot Coverage 65%
- (4) Minimum Building Setbacks -
 - (A) Front 40 feet
 - (B) Side 20 feet
 - (C) Rear 30 feet
- (5) Maximum Building Height 45 feet
- (6) The minimum setback for all structures shall be one hundred fifty (150) feet from the centerline, or 75 feet from the right-of-way (whichever is greater), along roads designated as "Arterials" in the Comprehensive Plan.

2.6 The following lot requirements must be met in the Commercial/Industrial-Urban (CI-U) District.

- (1) Minimum Lot Size 24,000 square feet
- (2) Minimum Frontage on all Public Roads 80 feet
- (3) Maximum Lot Coverage 65%
- (4) Minimum Building Setbacks -
 - (A) Front 30 feet
 - (B) Side 20 feet
 - (C) Rear 30 feet

- (5) Maximum Building Height 45 feet
- (6) The minimum setback for all structures shall be one hundred fifty (150) feet from the centerline, or 75 feet from the right-of-way (whichever is greater), along roads designated as "Arterials" in the Comprehensive Plan.