

PROPOSED Isanti County Zoning Ordinance language for TRANSFER OF DEVELOPMENT RIGHTS

Bold italicized language = language to be added

~~Stricken language to be removed~~

Isanti County Zoning Ordinance;
Section 6 Agriculture/Residential District;
Subdivision 2 Permitted Uses;

19. Single family homes in the Agriculture/Residential district are subject to the following regulations:
- a. No more than four (4) parcels for single family dwelling units per quarter-quarter section will be allowed including any existing single family dwellings on the date of enactment of this Ordinance. When the quarter – quarter section is in multiple ownership, individual development rights shall be appointed as follows: If the quarter – quarter section contains 40 acres, the development rights shall be determined by dividing the total acreage by 10; if the quarter – quarter contains less than 40 acres, the development right shall be determined by dividing the total acreage in the quarter – quarter by 4 and then the property size by that factor, (example: 38 acres in a quarter – quarter divided by 4 equals 9.5 acres per unit. A 24 acre parcel would be divided by 9.5 acres per unit to allow 2 units). Where more than four (4) parcels exist in the quarter-quarter section and are considered an approved lot of record as recorded in the County Recorder’s Office on or before February 10, 1982, development of the lot(s) is allowed regardless of the number of parcels which are recorded. Any subdivision of land that results in three or more parcels per quarter-quarter section shall require platting. When platting occurs, the section lines, the quarter quarter section lines, quarter quarter lines and government lot lines do not need to be considered as a lot line, provided the overall density of single ownership property is not exceeded.
 - b. Each single family home shall be located on a minimum of one (1) acre in size and a minimum of one (1) contiguous buildable area. ***All new lots that require platting shall be one (1) acre – three (3) acres in size except for the last remaining building right in the quarter quarter may exceed the three (3) acre maximum lot size if necessary.***
 - c. *All new lots that require platting will need a pre – application assessment and sketch plan and any transfer of **development** rights shall require platting. Transfer of development rights will be allowed on contiguous or non – contiguous parcels under single ownership provided all the parcels involved are located in the same Township and conform with the following standards:*
 1. *New lots shall be one (1) – three (3) acres **in size except that one remaining building right must be associated with each quarter quarter from the sending area (unless the entire quarter quarter section is subject to a conservation easement)** ~~parcel shall have a building right associated with it~~ and that may exceed the three (3) acre maximum lot size if necessary.*
 2. ***Up to a maximum of thirteen (13) buildable parcels may be created within a quarter quarter section without incentives. Up to a maximum of sixteen (16) buildable parcels may be created within a quarter quarter section when utilizing the additional building right from means of a conservation easement of 30 – 80 acres. Up to a maximum of seventeen (17) buildable parcels may be created within a quarter quarter section when utilizing the additional buildings rights from means of a conservation easement of 80 – 120 acres.***
 3. *Incentives for additional building rights may be allowed by means of a conservation easement and shall be proportioned as follows;*
 - *One (1) additional lot for conservation easements of 30 – 80 acres.*
 - *Two (2) additional lots for conservation easements of 80 – 120 acres.*
 4. *All conservation easements shall consist of contiguous property.*
 5. *To transfer a building right from one area it is required to prove up the buildability of at*

- least one (1) contiguous acre from the sending area. Including verification of a future primary and secondary septic sites. To access the minimum one (1) acre sending area you can only cross types 1, 2 & 6 wetlands. Calculations may be needed to show no more than 10,000 square feet of wetland impact would occur to construct a road with a minimum of 12' width to access the sending area for the transfer of building rights. The remaining lot from the sending area may be allowed to be accessed by a minimum of a 66' wide easement and/or deeded property to a public road.*
- 6. Parcels of land in the agriculture/residential district that previously had building rights utilized or transferred may be eligible for additional building rights less building rights previously utilized under the previous agricultural district density of 2 parcels per quarter quarter or previous urban service area – 2 density of 4 parcels per quarter quarter.*
 - 7. All sending and receiving areas need to be included in the plat.*
 - 8. Prior to the preparation of a preliminary plat, the subdividers or owners shall meet with the Zoning Administrator, Township Officials and other appropriate officials in order to be made fully aware of all applicable ordinances, regulations and plans in the area to be subdivided. At this time or at subsequent informal meetings, subdividers shall be invited to submit a sketch plan in simple form showing that consideration has been given to the relationship of the proposed subdivision to existing community facilities that would serve it, to future municipal boundaries and services, to minimize impact to existing roads and services, to neighboring subdivisions and development, and to the topography of the site. The sketch plan shall be considered as the basis for discussion between the subdivider and zoning staff. Submission of the sketch plan shall not constitute formal filing of a preliminary plat. The zoning staff, shall, on the basis of the sketch plan, unofficially advise the subdivider of the extent to which the proposed subdivision conforms to the Isanti County Comprehensive Plan and Zoning Ordinances.*
 - 8. All plats shall be prepared consistent with the Isanti County Subdivision Ordinance and the Isanti County Plat Manual. Topography shall be shown on all lots; however, on lots larger than three (3) acres at least three (3) acres will be required.*

Developers agreements with the Township or Municipality affected are required if the Township requires them and they are encouraged in Townships where they are not required to address roads and infrastructures.

**Section 6. Agriculture/Residential District;
Subdivision 6. Height, Yard, Area, and Lot Width and Depth Regulations;**

- 5. Lot Area Regulations:** Every lot on which a single family dwelling is erected shall contain a minimum of one (1) acre which shall also contain one (1) acre of buildable area and will be subject to the density provisions of Subdivision 2, #19 of this Section.
- 6. Lot Width and Depth Regulations:** All lots shall have no less than a one hundred fifty (150) foot width at the road frontage and at the building setback line as well as at the rear lot line, and the lot shall also have a depth of no less than two hundred (200) feet, as measured from all road right of ways. The remaining lot from the sending area may be allowed to be accessed by a minimum of a 66' wide easement and/or deeded property to a public road.
- 7. On cul-de-sacs** where lots shall have a minimum of fifty (50) feet of lot width at the road right of way and all lots shall have a minimum of one hundred fifty (150) feet of width at the front yard setback line. All lots shall be capable of providing on site sewer and water.