

PLANNING COMMISSION AGENDA

Thursday, April 2, 2026

CITY OF DAYTON, MINNESOTA

12260 So. Diamond Lake Road, Dayton, MN 55327

REGULAR MEETING OF THE PLANNING COMMISSION – 6:30 P.M.

To Participate in the Meeting, please see daytonmn.gov Calendar for Zoom Invitation.

Some Commission members may be attending via interactive technology.

- 6:30 **1. CALL TO ORDER**
- 6:30 **2. PLEDGE OF ALLEGIANCE**
(Roll Call)
- 6:30 **3. ROLE OF THE PLANNING COMMISSION**
The Planning Commission consists of five residents appointed by the City Council. The Commission administers the Comprehensive Plan, Zoning and Subdivision regulations. The Commission conducts Public Hearings and provides recommendations to the City Council. It is the City Council who may approve or deny land use applications.
- 6:30 **4. APPROVAL OF AGENDA**
- 6:30 **5. CONSENT AGENDA**
These routine or previously discussed items are enacted with one motion. Note: Commissioners absent from previous meetings may still vote to approve minutes.
A. Planning Commission Minutes, March 5, 2026
- 6:30 **6. OPEN FORUM**
Public comments are limited to 3 minutes for non-agenda items; state your name and address; No Commission action will be taken, and items will be referred to staff. Group commenters are asked to have one main speaker.
- 6:35 **7. COUNCIL UPDATE**
A. March 10, 2026
B. March 24, 2026
- 6:40 **8. COMMISSION BUSINESS**
7:10 A. **PUBLIC HEARING:** Concept Plan of Oppidan
7:40 B. **Public Hearing:** Zoning Ordinance Amendment, Section 1001.35 – Accessory Buildings and Structures
8:00 ~~C. **Public Hearing:** Zoning Ordinance Amendment, Section 1001.19 – Parking Regulations~~
- 8:00 **9. NOTICES AND ANNOUNCEMENTS**
A. Staff & Commission Updates
- 8:10 **10. ADJOURNMENT (Motion to Adjourn)**
-

1. CALL TO ORDER

DeMuth called the March 5th Planning Commission meeting to order at 6:30 PM.

ROLL CALL:

Present: Darren Browen, Peter DeMuth, Keith Grover, Jeff Sargent, and Paul Crosland

Absent:

Also in Attendance: Dennis Fisher, Mayor; Hayden Stensgard, Senior Planner; Jon Sevald, Community Development Director; Jason Quisberg, City Engineer

2. PLEDGE OF ALLEGIANCE

3. ROLE OF THE PLANNING COMMISSION

DeMuth stated the role of the Planning Commission.

4. APPROVAL OF AGENDA

Grover requested moving the Sundance Greens item first on the agenda so residents wouldn't have to wait through other items. The commission agreed to reorganize the agenda accordingly.

Motion to approve the agenda with the modification to move Sundance Greens up on the agenda Browen, seconded by Crosland. Motion passed 5-0.

5. CONSENT AGENDA

A. Planning Commission Minutes, February 5, 2025

Grover noted one spelling correction needed in the February 5th minutes.

Motion to make the correction and approve the minutes by Grover, seconded by Sargent. Motion passed 5-0.

6. OPEN FORUM

No public comments were received.

7. COUNCIL UPDATE

A. February 10, 2026

B. February 24, 2026

Fisher provided updates from February 10th and 24th City Council meetings.

8. COMMISSION BUSINESS

C. PUBLIC HEARING: Preliminary Plat Amendment of Sundance Greens Twelfth Addition

Stensgard explained the request for PUD amendments to the twelfth addition, noting the applicant requested tabling the item to April for additional details on the proposed maintenance building. The request involves reducing the lot count from 58 to 48 lots and relocating a maintenance facility.

Applicant Tom Dehn explained the need for better renderings and details for the proposed maintenance building, citing timing concerns for their event center project.

Dehn clarified the maintenance building was always part of the original plan and requested more time to provide proper documentation.

DeMuth opened the Public Hearing at 6:57 PM.

Eric Seppelt of 11534 Brayburn Trail expressed concerns about visual impact from his adjacent property and requested reconsideration of the location or rebuild in the current location. Seppelt shared letters from other neighbors to the commission.

Gary Feldhege of 11637 Niagara Lane North presented photos showing the current maintenance facility's condition as evidence of future concerns.

Cherrie Kunshier of 15304 116th Avenue North raised questions about traffic impacts and environmental studies.

Natalie Miller of 11529 Polaris Lane North cited wetland protection, view, and noise concerns.

Tim Johnson of 11532 Brayburn Trail detailed property damage from golf balls and property value concerns.

Ronald Swenson of 11270 Niagara Lane North sought clarification on location of the parking lot and traffic patterns.

Stensgard noted that residents along Niagara Lane North reached out to know the traffic patterns.

DeMuth kept the public hearing open as the item will be tabled until next meeting.

Motion to table this item to the next meeting and continue the public hearing Brown, seconded by Sargent. Motion passed 5-0.

A. PUBLIC HEARING: Preliminary Plat and Site Plan Review of Graco

Stensgard presented Graco's proposal for a new global headquarters building between two existing facilities, featuring a 95,000 square foot, three-story office building with reduced parking based on anticipated employee count. Stensgard shared plans with the DNR due to the shoreland district, the DNR had no concerns with the development.

Crosland recused himself due to conflict of interest.

The commission discussed building heights in the shoreline district, parking ratios, the future of the building, and architectural quality.

Applicants Kirsten Mussman and Martin Sicotte explained the building orientation toward the lake and sustainable design features.

DeMuth opened the Public Hearing at 7:50 PM.

No public comments were received.

DeMuth closed the Public Hearing at 7:53 PM.

Motion to recommend approval of the preliminary plat and PUD amendment with the five stated conditions by Sargent, seconded by Browen. Motion passed 4-0-1 with Crosland abstention.

B. PUBLIC HEARING: Zoning Map Amendment, Variance, and Preliminary/Final Plat of Reserve at Vineyard Meadow

Stensgard explained the request requires Metropolitan Council approval for A3 zoning district development. The proposal includes 12 lots requiring variances for density and one lot without street frontage. Staff recommended denial of the density variance but supported the access variance for the landlocked parcel. Stensgard is waiting to confirm with Hennepin County about additional right of way for future roadside trail along Brockton Lane. Stensgard noted that the 35-acre property to the east for the vineyard needs to be platted lot and block, otherwise it is deemed unbuildable.

The commission confirmed that the applicant did know staff's recommendation, but the applicant chose to continue.

Applicant Jack Bernens explained the need to move forward with the project. Bernens argued the project meets community needs by connecting Shadyview Lane to Brockton Lane as requested by the city, adding acreage and road costs that justify the additional lot. Bernens offered alternatives including adding well sites to the plat boundary.

Applicant Chad Christian shared the revised plan of the lot lines and added the wetland buffer.

DeMuth opened the Public Hearing at 8:25 PM.

Technical difficulties for the online comment. The chat was enabled for the online comment. Marcia Grover is online but not able to make the comment.

DeMuth closed the Public Hearing at 8:43 PM.

After extensive discussion about variance justification in the new zoning district created, the commission found practical difficulty existed due to the city's request to connect to Shadyview Lane rather than the originally proposed route, which added costs and land requirements.

Bernens commented the 11 lots would have been done for Maria Avenue but makes sense for 12 lots on Shadyview Lane. Commission agreed it was a more efficient use of land for the current revised.

Sevald stated the four variance requirements and commission confirmed.

Motion to recommend approval of the preliminary plat, rezoning to A3, and both variance requests with conditions as recommended by city staff by Sargent, seconded by Crosland. Motion passed 4-1 with Grover nay.

D. Concept Plan of Dubay Lake Preserve

Sevald presented a concept for 453-478 residential units on 257 acres, discussing critical topics including street connections, community park, and trail systems.

The commission discussed transportation needs, including potential connections to future Zanzibar corridor and concerns about north-south connectivity.

Applicant Tom Dehn explained the different options, density considerations, and timing for development phases. Dehn added the necessity of city-involved infrastructure coordination, ensuring that future roads, water, and sewer facilities are effectively timed with housing construction.

Sevald added the project would need an EAW and amend the comprehensive plan to bring the entire project into the 2020 sewer stage.

The commission expressed general support for residential density and emphasized the importance of coordinating with broader transportation planning.

DeMuth opened the Public Hearing at 10:08 PM.

Joe Bartusiak of 15900 117th Avenue North expressed traffic concern and encouraged to reduce the density. Brown noted the city needs to keep up with Met Council.

Eric Seppelt of 11534 Brayburn Trail supported the trails but also has traffic concerns. Seppelt questioned if the future water treatment facility was going to be in this area. Quisberg noted the possible tower would be northwest of this area with the possible treatment facility there also.

Gary Feldhege of 11637 Niagara Lane North commented on the construction zone in his area for the past three years and how long it will continue, including shortening construction hours. Feldhege commented on the snowmobile trail and the noise.

Stensgard read an online comment from Marcia Grover of 11320 Fernbrook Lane concerned with all the cars between DCM Farms and this project that will be added to Fernbrook Lane.

Stensgard read an online comment from Matt Tew of 15608 116th Avenue North stated 117th is a minor collector and not an arterial. With the amount of housing units in the area, there needs to be more traffic control planned now.

DeMuth closed the Public Hearing at 10:14 PM.

No formal action was required as this was a concept plan review.

E. Concept Plan of Stenslie-Stearns

Sevald presented a concept for 172 townhomes on 25 acres in the GMU-1 district.

The commission discussed architectural standards, traffic impacts at the Territorial/Highway 81 intersection, and the need for a roundabout. Concerns were raised about the significant cost burden for infrastructure improvements.

Applicants Joe Flynn and Nate Herman explained the entry-level housing product targeting the low \$400,000s price point and standard townhome design approach. The floodplain and stormwater also block using the east side of the property.

The commission mentioned a trail incorporated in the plans with possible future connections. A tot lot is not recommended near the industrial area. Discussion continued over the roundabout or traffic signal. Landscape buffer along Highway 81 and to the north property line.

Darin Peterson of Minnesota Towing offered potential collaboration on access then expressed concerns about residential compatibility with industrial operations.

No formal action was required as this was a concept plan review.

F. Public Hearing: Zoning Ordinance Amendment, Section 1001.35 – Accessory Buildings and Structures

Motion to table items F and G by Browen, seconded by Grover. Motion passed 5-0.

G. Public Hearing: Zoning Ordinance Amendment, Section 1001.19 – Parking Regulations

9. NOTICES AND ANNOUNCEMENTS

A. Staff & Commission Updates

Sevald provided various city updates. Sevald announced that Stensgard would be leaving his position to become city administrator in his hometown of Rushford. The next Planning Commission meeting is scheduled for April 2nd with a potentially shorter agenda.

10. ADJOURNMENT

Motion to adjourn Crosland, seconded by Sargent. Motion carries 5-0.

The meeting was adjourned at 11:18 p.m.

ITEM:

Concept Plan of Oppidan

APPLICANT/PRESENTERS:

Ryan Durand, Oppidan
Andrew Glover, Arco Murray

PREPARED BY:

Jon Sevald, Community Development Director

BACKGROUND/OVERVIEW:

Oppidan has submitted an application for a Preliminary Concept Plan for a 172,000 sq ft spec warehouse/distribution building to be located on an unaddressed property, 187XX 121st Avenue, PID: 31-120-22-13-0010. The property is east of Dayton Park (mobile home park), north of MTL, and across 121st Avenue from nVent.

A Concept Plan is a high-level review and does not include the detail typical of a Preliminary Plat or Site Plan Review. A Concept Plan is intended to solicit comments and opinions from individual Councilmembers and Commission members. There is no action taken and no vote. The applicant will take all comments under consideration when developing formal plans.

The property is zoned *R-MH Mobile Home* and guided *Existing Mobile Home Park* in the 2040 Comprehensive Plan. In 2021, the City Council amended¹ the Comprehensive Plan from *Industrial* to *Existing Mobile Home Park* for a planned 65 lot expansion, which never took place. The project property owner has indicated that expanding the mobile home park is not financially feasible. The project property has different owners than the adjacent mobile home park.

The project will require:

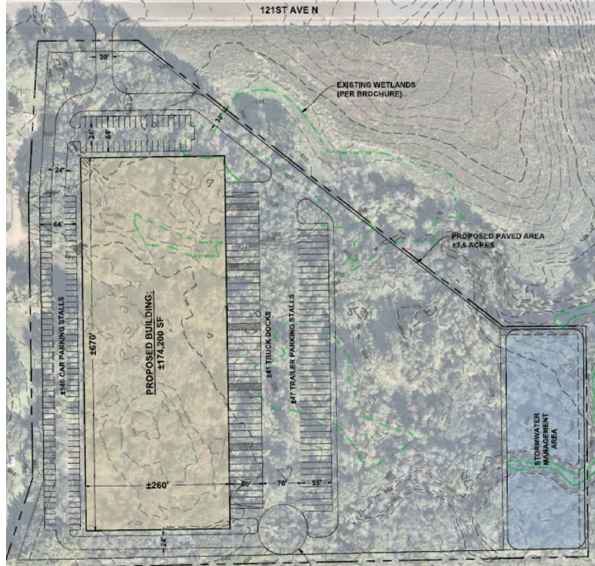
1. Comprehensive Plan Amendment, from *Existing Mobile Home Park* to *Industrial*.²
2. Zoning Map Amendment, from *R-MH Mobile Home*, to *I-1 Industrial*.
3. Preliminary/Final Plat to redevelop Outlot A, Dayton Field Addition into a buildable lot.
4. Site Plan Review.

Oppidan has considered different layouts. After meeting with Elm Creek Watershed District staff, the Concept Plan was adjusted to minimize impacts to wetlands and the south ditch. This resulted in eliminating outdoor storage.

¹ Resolution 57-2021, *Resolution granting Approval of a Land Use Amendment*.

² 2040 Comprehensive Plan, Figure 3: Future Land Use Map

PLANNING COMMISSION MEETING



Left: Dec 2025



Right: Feb 2026

CRITICAL ISSUES:

Comprehensive Plan What is the highest & best use of this property, mobile homes vs industrial?

Wetland Avoidance The property is pocketed with wetlands and two ditches. The south ditch is under authority of US Army Core of Engineers, and likely cannot be altered. The proposed building is positioned to maximize the site, requiring wetland mitigation and permits from Elm Creek Watershed District. The watershed has informally suggested that the building and parking areas be reduced in size to avoid wetlands.

Screening Sufficient screening along the western property line with the mobile home park (combination of berm, fence & trees).

60/120-DAY RULE (IF APPLICABLE):

	60-Days	120-Days
Concept Plan	May 5, 2026	Jul 3, 2026

RELATIONSHIP TO COUNCIL GOALS:

Strategic Initiative	Goal	Key Outcome Indicator	Target	Action Items
Encourage Diversity and Manage Thoughtful Development	Create a variety of housing options	<ul style="list-style-type: none"> Review housing type and lot size by %'s 	<ul style="list-style-type: none"> Proportionate housing types available 	A) A-3 District B) Begin work on Comp Plan C) Develop Rental Housing Ordinance D) Seek out businesses more often E) Work with EDA to find niche businesses that are not in
	Encourage healthy lifespan of both residential and commercial operations	<ul style="list-style-type: none"> Total amount of Funding provided Number of rentals available and where they are located 	<ul style="list-style-type: none"> Maintain grant program. Manage number of rentals 	
	Healthy Commercial Sector with services and job growth	<ul style="list-style-type: none"> Net difference of business movement 	<ul style="list-style-type: none"> Maintain a positive difference in business movement 	

PLANNING COMMISSION MEETING

		including their employment		surrounding communities F) Complete Large Area Plan
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ROLE OF PLANNING COMMISSION:

Each Commissioner should provide individual comments and recommendations.

1. What is the highest and best use of this property, Mobile Home Park or Industrial? Keep in mind that mobile homes are typically unsubsidized affordable housing, which there is a shortage of. The 2050 Comprehensive Plan will be required to plan for 487 affordable units (154 units at or below 30% of average median income (AMI)).
2. If Industrial, are there any changes to the Concept Plan that would make this a better project?

EDA RECOMMENDATION:

The EDA considered the Concept Plan at its March 5, 2026 meeting. Its consensus is that the highest & best use is Industrial.

RECOMMENDATION:

Staff recommends shifting the building to the southwest to minimize impacts to the NE wetland. This would likely result in a smaller building in order to accommodate truck turning in the SW building corner. Screening along the western property line should include a combination of berm, fencing, and trees.

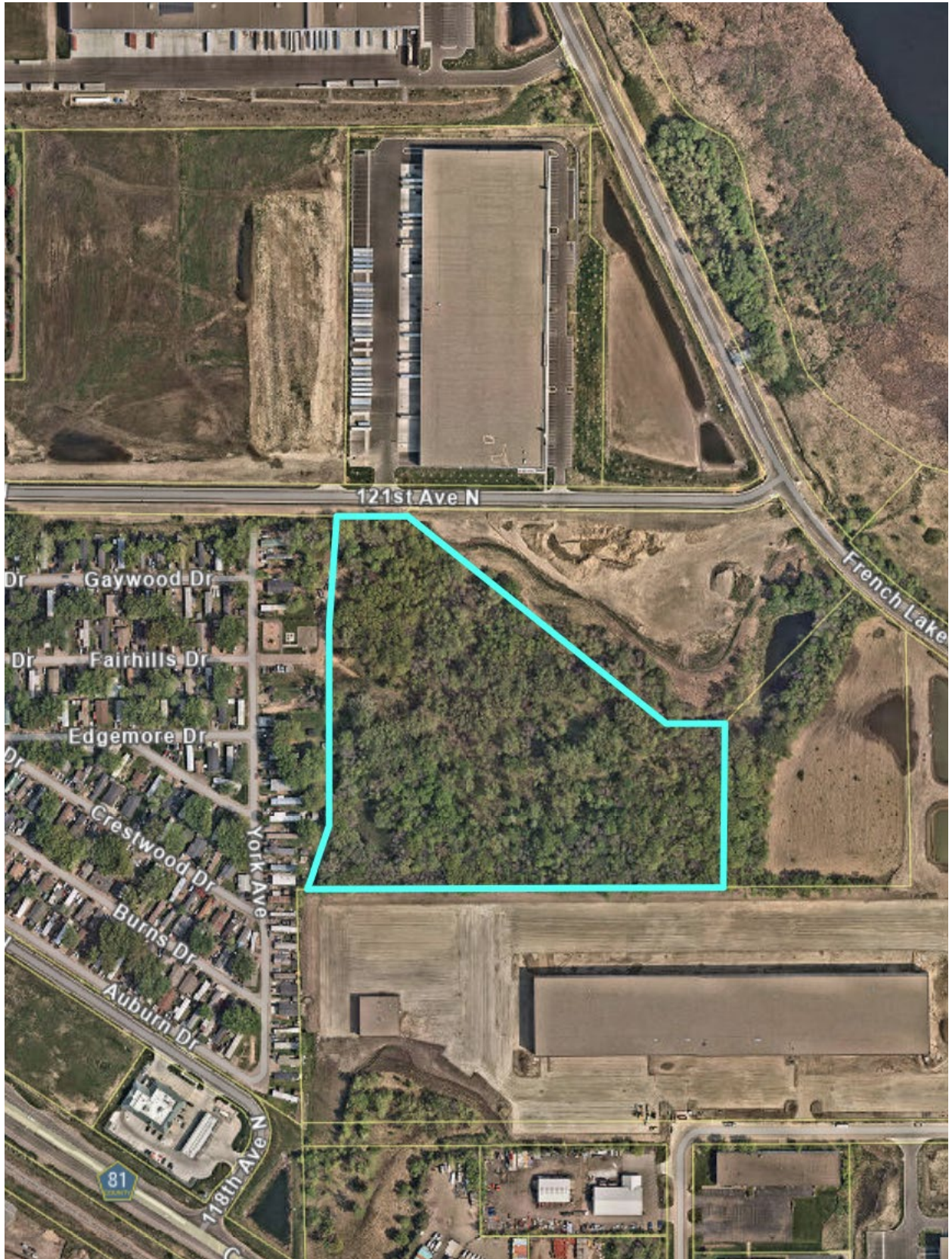


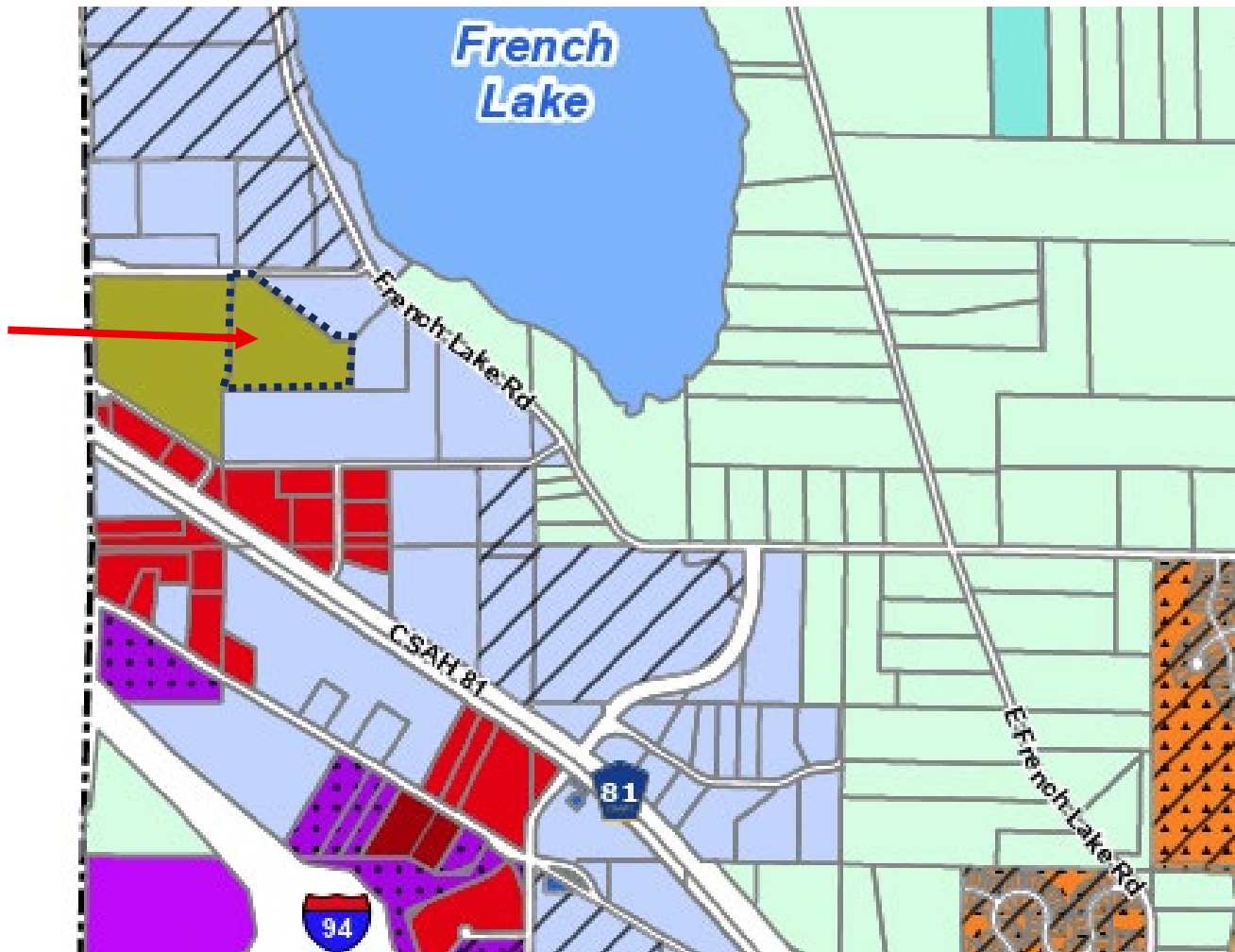
PLANNING COMMISSION MEETING

A Public Notice was published by THE PRESS on March 19, 2026, and mailed to property owners within 1,320' of the project, and to residents of Dayton Park (mobile home park).


























ATTACHMENT(S):

Aerial Map
Zoning Map
Future Land Use Map
Site Photos
Plan Set

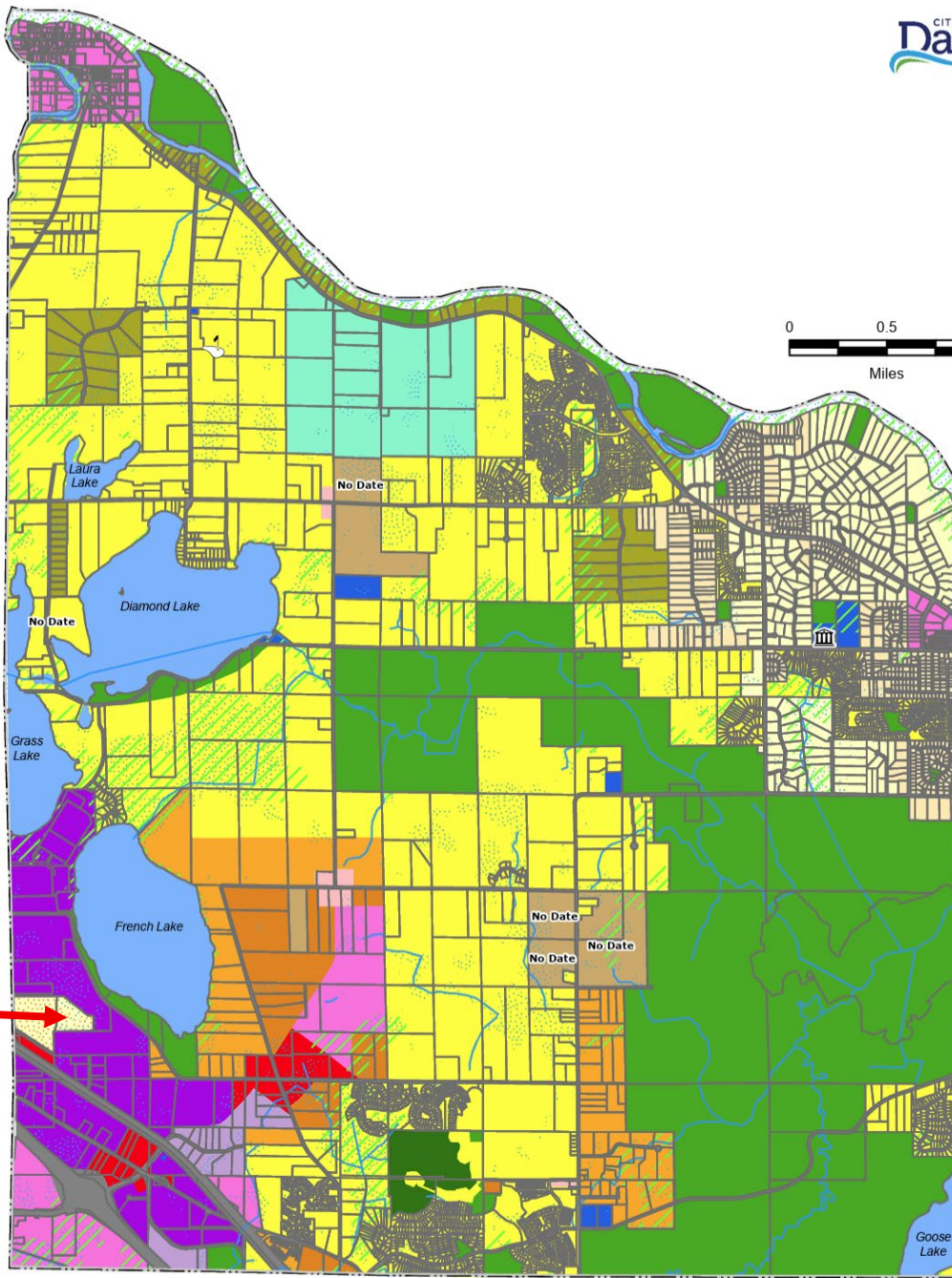
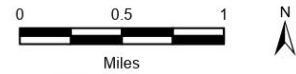




Legend

- | | |
|---|---|
|  A-1 Agricultural District |  R-1A Single Family Residential |
|  A-2 Agricultural District |  R-2 Single Family District (90,000 Sf, Unsewered) |
|  A-3 Agricultural District |  R-3 Single Family and Attached Residential |
|  B-2 Neighborhood Business District |  R-E Single Family District (5 Ac, Unsewered) |
|  B-3 General Business District |  R-M Medium Density Residential District |
|  B-4 Commercial/ Industrial District |  R-MH Mobile Home District |
|  B-P Business Park District |  R-O Old Village Residential |
|  ES Essential Service District |  S-A Special Agriculture District |
|  GMU-4 Balsam Lane |  GMU-3 Historic Village |
|  GMU-5 Southwest Mixed-Use |  City Boundary |
|  I-1 Light Industrial District |  PUD |
|  P-R Public Recreation District |  County Parcels |
|  R-1 Single Family District | |

2040 Future Land Use



Legend

City Boundary	Greenway Overlay	Rural Estate	Existing Mobile Home Park	Mixed Use	Public/Institutional
Parcel Boundary	Agricultural Preserve	Low Density Residential	Master Planned Development	Business Park	Open Water
City Hall	Existing Unsewered Low Density Residential	Medium Density Residential	Neighborhood Commercial	Industrial	Right-of-Way
Golf Course	Existing Sewered Low Density Residential	High Density Residential	Commercial	Park & Open Space	Golf Course
National Wetlands Inventory					

SITE PHOTOS



Panoramic photo, north to south, taken from near shared property line with Dayton Park (mobile home park) (Mar 25, 2026)

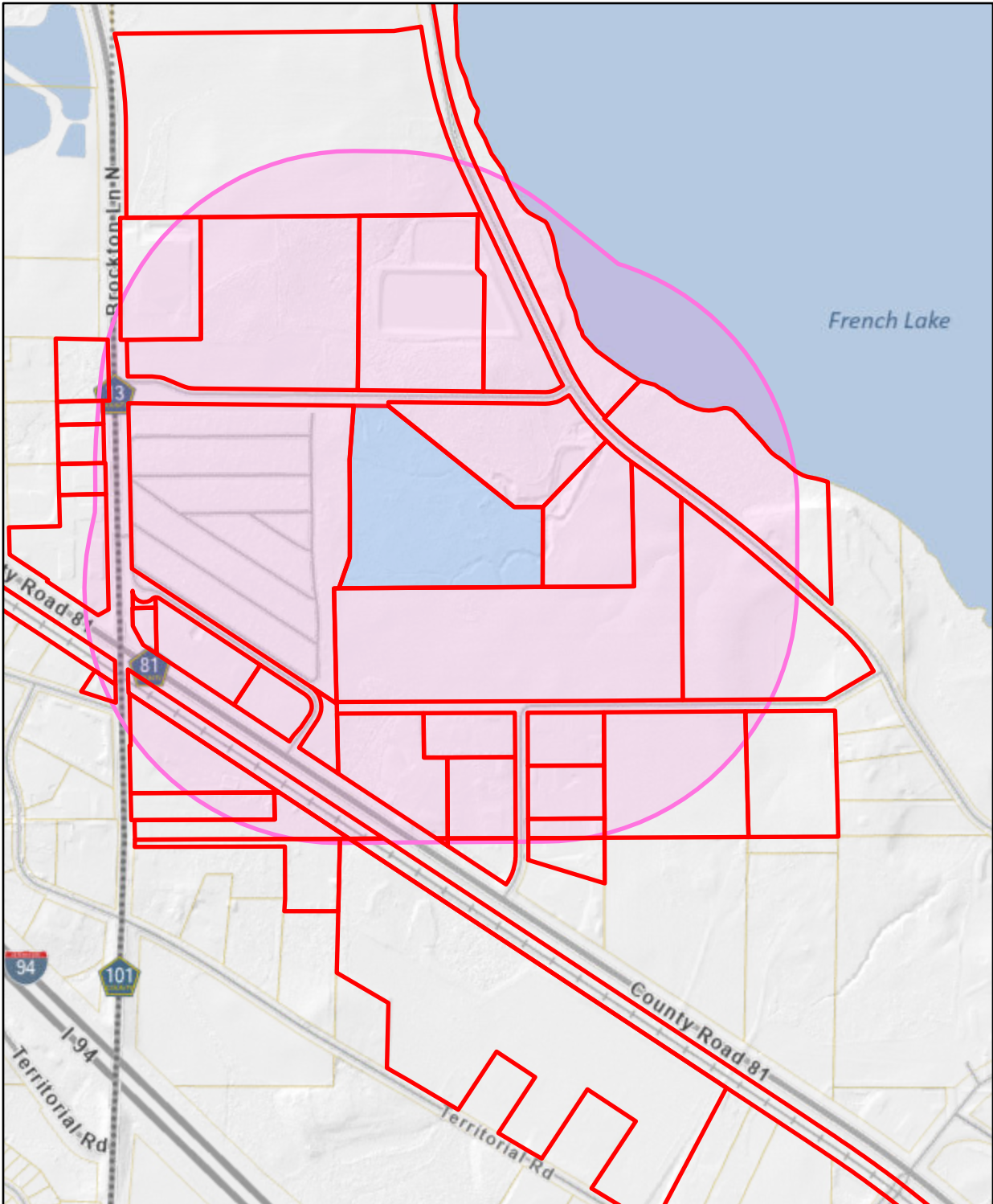


Panoramic photo, east to west, taken along 121st Ave. The wooded area is the Oppidan project site (Mar 25, 2026).



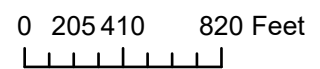
Hennepin County Locate & Notify Map

Date: 3/10/2026



Buffer Size: 1320

Map Comments:



This data (i) is furnished 'AS IS' with no representation as to completeness or accuracy; (ii) is furnished with no warranty of any kind; and (iii) is not suitable for legal, engineering or surveying purposes. Hennepin County shall not be liable for any damage, injury or loss resulting from this data.

For more information, contact Hennepin County GIS Office
300 6th Street South, Minneapolis, MN 55487 / gis.info@hennepin.us



DESIGN BUILDER:
ARCO MURRAY
 | DESIGN BUILD

CLIENT:
 PROJECT:

ADDRESS:
**W FRENCH LAKE RD & 121ST AVE N,
 DAYTON, MN 55327**

DATE:
2/24/2026

SCALE:
1" = 120'

0 60 120

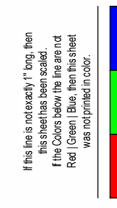
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SHEET TITLE:
PRELIMINARY SITE PLAN

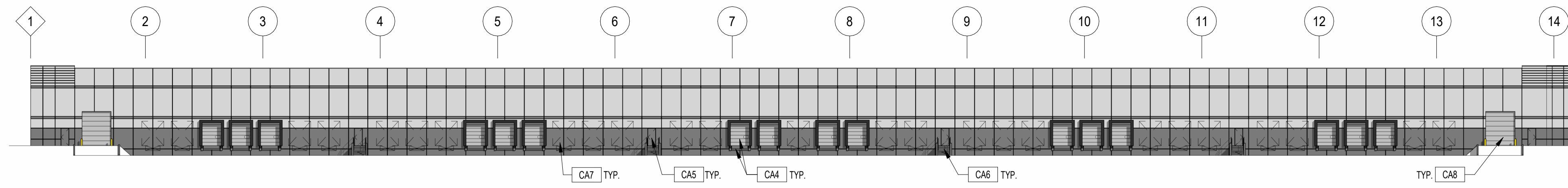
SHEET NUMBER:
SP-3

PRELIMINARY
 NOT FOR CONSTRUCTION

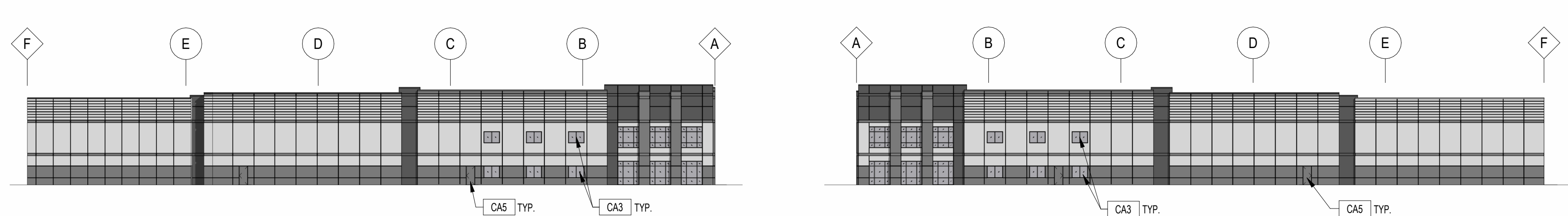
2505094



6 CONCEPT ELEVATION - NORTH
AP2.1.1 1/32" = 1'-0"



5 CONCEPT ELEVATION - SOUTH
AP2.1.1 1/32" = 1'-0"



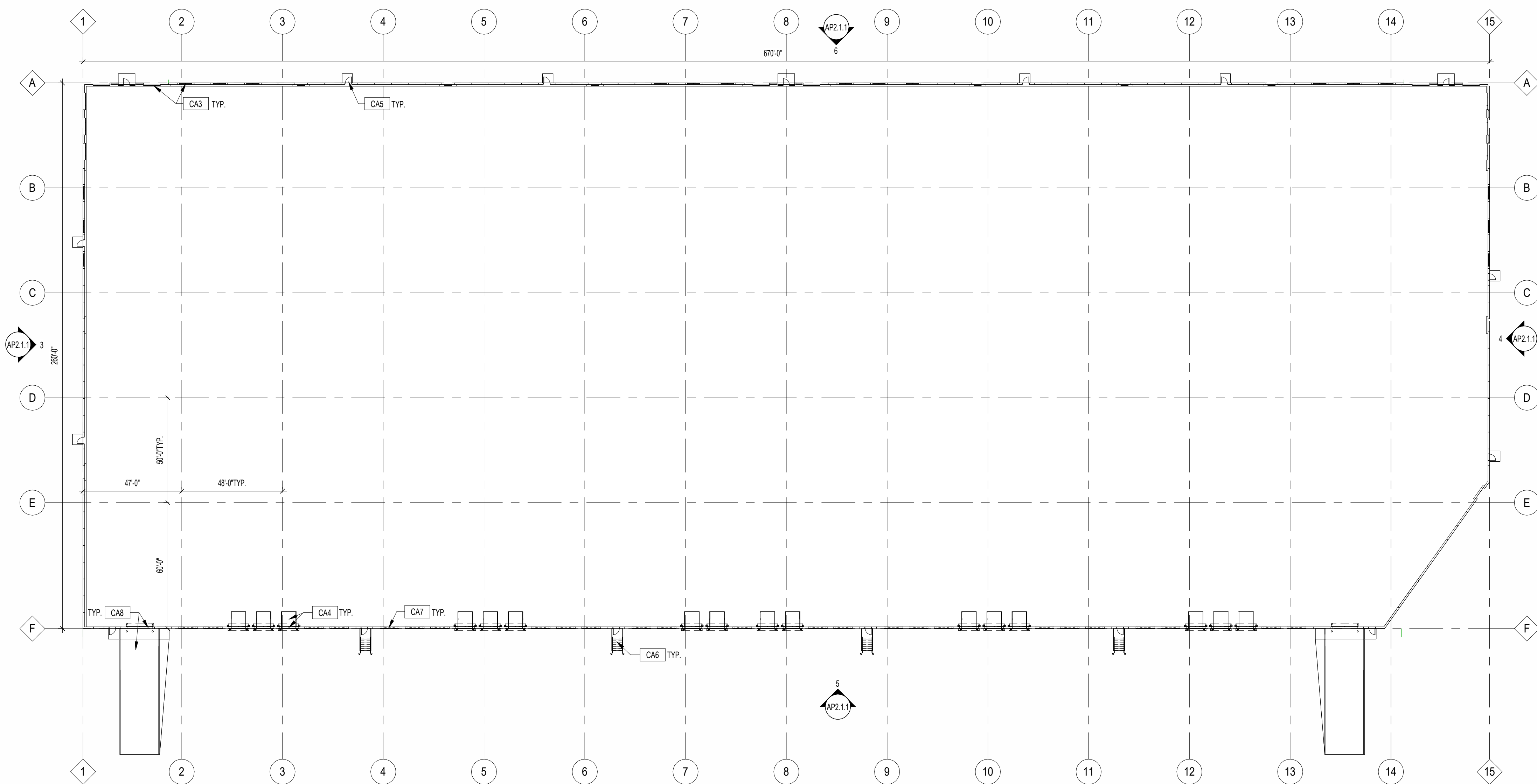
4 CONCEPT ELEVATION - EAST
AP2.1.1 1/32" = 1'-0"

3 CONCEPT ELEVATION - WEST
AP2.1.1 1/32" = 1'-0"



2 ENLARGED CONCEPT ELEVATION
AP2.1.1 1/8" = 1'-0"

CONCEPT PLAN AND ELEVATIONS KEYNOTES	
CA1-P1	PAINTED INSULATED PRE-CAST CONCRETE WALL PANEL, LIGHT COLOR TBD.
CA1-P2	PAINTED INSULATED PRE-CAST CONCRETE WALL PANEL, MEDIUM COLOR TBD.
CA1-P3	PAINTED INSULATED PRE-CAST CONCRETE WALL PANEL, DARK COLOR TBD.
CA2	METAL COPING AND TRIM, PRE-FINISHED COLOR TBD. TO MATCH ADJ. CONC. WALL PANEL.
CA3	CLEAR ANODIZED ALUMINUM STOREFRONT WITH GRAY TINTED GLAZING.
CA4	OVERHEAD DOCK DOORS, PRE-FINISHED WHITE, WITH LEVELER AND DOCK BUMPERS.
CA5	HOLLOW METAL DOOR AND FRAME, PAINTED TO MATCH ADJ. CONC. WALL PANEL.
CA6	GALVANIZED DOCK STAIR.
CA7	FUTURE KNOCK-OUT IN CONC. WALL PANEL.
CA8	OVERHEAD DRIVE-IN DOOR WITH CONC. RAMP, PRE-FINISHED WHITE.



1 CONCEPT FLOOR PLAN
AP2.1.1 1/32" = 1'-0"

REVISIONS:	
#	DESCRIPTION



PROJECT
OPPIDAN DAYTON
W. FRENCH LAKE RD. & 121ST AVE. N.,
DAYTON, MN 55327

NOT FOR
CONSTRUCTION
2026.03.06

GMA JOB NO: GA2004

ARCO JOB NO: MN009

DRAWN BY: JN

ISSUE DATE: 26.03.18

REVISIONS:

#	DESCRIPTION	DATE

THE DRAWING THESE DRAWINGS ARE THE PROPERTY OF GMA ARCHITECTS AND ARE PART OF THE WORK WHICH IS REPRODUCED WITHOUT WRITTEN PERMISSION FROM GMA ARCHITECTS, INC.

SHEET NUMBER
AP5.1.1
CONCEPT RENDERING



EXTERIOR TYPICAL CORNER ENTRANCE RENDERING

ITEM:

PUBLIC HEARING: Ordinance Amending City Code 1001.35 regarding Accessory Buildings

APPLICANT/PRESENTERS:

Jon Sevald, Community Development Director

PREPARED BY:

Jon Sevald, Community Development Director

BACKGROUND/OVERVIEW:

The use of Shipping Containers as permanent Accessory Buildings is prohibited.¹ The City Code allows Shipping Containers as a “Temporary Structure” up to 9-months (e.g. use of a storage pod during home renovation).²

Used shipping containers can be purchased for \$1,500 - \$3,000, whereas a comparatively sized wood shed may cost \$10,000+. The use of shipping containers is an affordable alternative to building stick-framed garages and sheds. In 2024, the city approved two Interim Use Permits (IUP) for Event Centers, both of which used shipping containers as Accessory Buildings.^{3 4} Both the Planning Commission and City Council were supportive of their use and directed Staff to prepare a Zoning Code amendment.

The Planning Commission discussed this During its January 8, 2026 meeting. The Commission’s comments included:

- Not appropriate in Commercial districts
- Mixed opinions if appropriate in Residential districts over 1 acre
- Shipping Containers to be painted same color as dominate background, e.g. if next to red barn, then container to be red
- Treat Shipping Containers the same as any other Accessory Building

The Planning Commission Tabled the Public Hearing, and subsequent meetings since.

The proposed Amendment would allow:

- Agricultural & Residential districts < 5 acres:
Prohibit metal storage containers.

¹ City Code 1001.35, Subd 2(5)(a)(1) and (b).

² City Code 1001.41, Subd 3 (Temporary Structure; Special Requirements). Temporary Structure permits exclude temporary real estate offices and temporary classrooms.

³ Resolution 20-2024, Resolution Approving an Interim Use Permit for an Event Center for Dehn’s Pumpkins, 17270 125th Avenue

⁴ Resolution 63-2024, Amending Resolution 26-2023, Granting Approval of an Interim Use Permit for Amanda Fisher for an Event Center at 16900 north Diamond Lake Road

PLANNING COMMISSION MEETING

- **Residential districts >5 acres:**

Permit 1 metal storage container of any size, + 1 metal storage container per 10-acres. The size of the metal storage container(s) does not count toward allowed Accessory Building sq ft. Placement of the metal storage container shall comply with minimum setbacks for Accessory Buildings. A metal storage container exceeding 200sq ft requires a Building Permit (intent is to inspect the container's anchors).

For example, a five-acre parcel would be allowed one shipping container. A 10-acre parcel would be allowed two containers. Five-acres is suggested as a threshold because 5-acres is the minimum required to park a comparatively sized semi-trailer.⁵

The Draft ordinance does not address paint color. Accessory Structures are required to be painted complementary to the house on parcels 1 acre or less.⁶

CRITICAL ISSUES:

None.

60/120-DAY RULE (IF APPLICABLE):

	60-Days (date)	120-Days (date)
N/A		

RELATIONSHIP TO COUNCIL GOALS:

N/A

ROLE OF PLANNING COMMISSION:

1. Recommend **Approval**.
2. Recommend **Denial**, with reasoning.
3. **Table** for more information (define what information is needed).

STAFF RECOMMENDATION:

None. Staff cautions that once a structure is permitted, if the City Code is amended in the future to prohibit metal containers, their use may continue as a legal non-conforming structure.

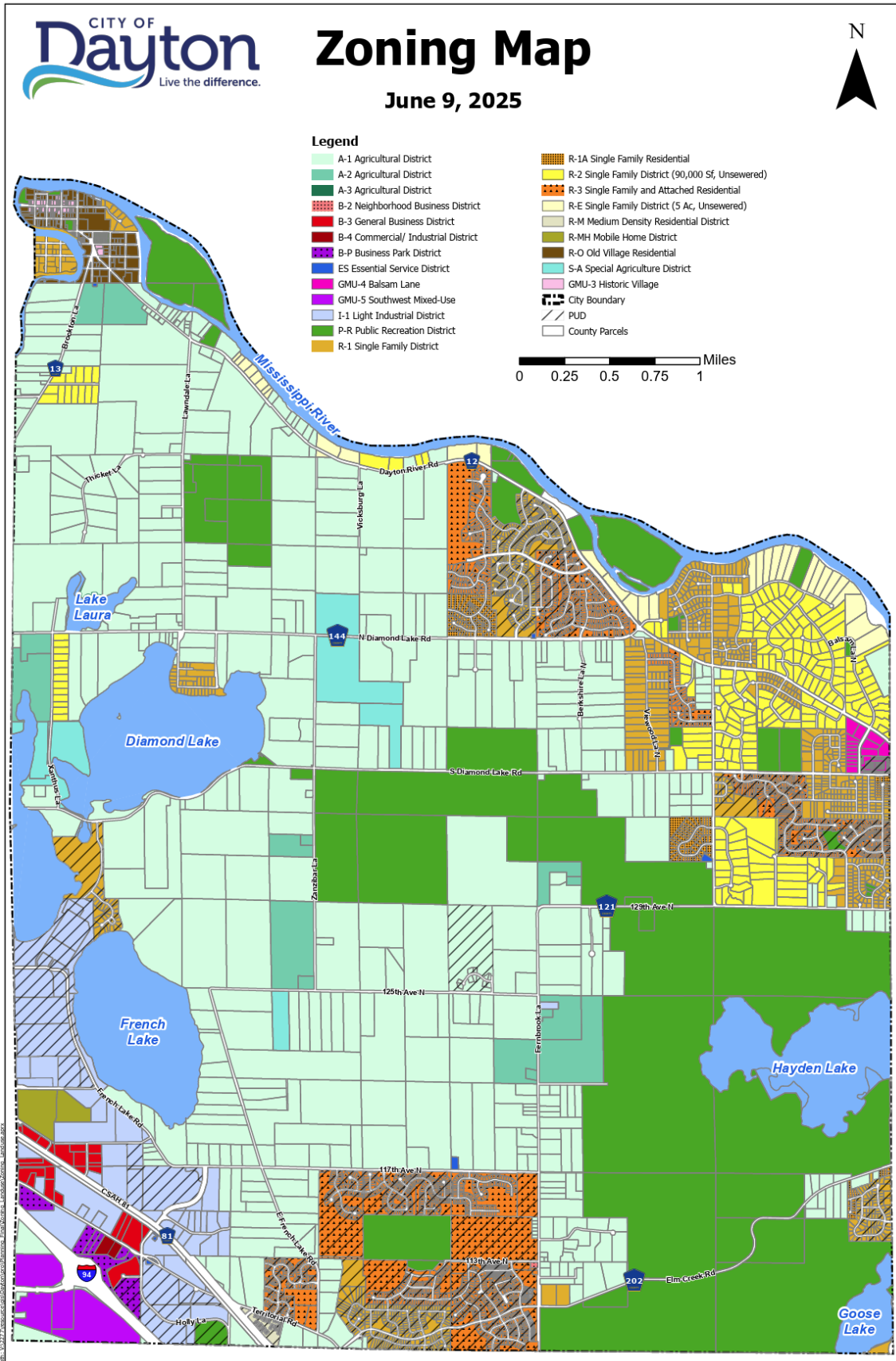
A Public Hearing notice was published by THE PRESS on December 25, 2025.

ATTACHMENT(S):

Zoning Map
Photos
Ordinance

⁵ City Code 1001.15, Subd 3(2) Parking Provisions in Residential Districts; ... *All vehicles in excess of a gross vehicle weight rating of 12,000 lbs. and/or 9 feet tall are prohibited from being parked or stored outside in residential districts unless being used in conjunction with a temporary service included, but not limited to, a construction or remodeling project benefitting the premises or general loading or unloading. This restriction shall not apply to recreational vehicles or for lots of 5 acres or more. Agricultural activities operating within an Agricultural District are exempt from the gross vehicle weight rating restrictions.*

⁶ City Code 1001.32, Subd 2(5)(a)(1) *Accessory building design requirements*



PLANNING COMMISSION MEETING



2-acre parcel on Jonquil Ln, R-2 Zoning.



2-acre parcel on Norwood Ln, R-2 Zoning



2-acre parcel on Jonquil Ln, R-2 Zoning

PLANNING COMMISSION MEETING



4-acre parcel on Kingsview Ln, A-1 Zoning



1-acre parcel on West French Lake Rd, A-1 Zoning



7-acre parcel on East French Lake Rd, A-1 Zoning

PLANNING COMMISSION MEETING



113th Ave, I-1 Zoning



Fernbrook Ln, I-1 Zoning



Troy Ln, B-3 Zoning

ORDINANCE 2026-__

CITY OF DAYTON
COUNTIES OF HENNEPIN AND WRIGHT
STATE OF MINNESOTA

AN ORDINANCE AMENDING DAYTON CITY CODE 1001.35 REGARDING
ACCESSORY BUILDINGS AND STRUCTURES

SECTION 1. AMENDMENT. Dayton City Code Section 1001.35 is hereby amended by adding the following underlined language and deleting the following ~~striketrough~~ language, which reads as follows:

1001.35 ACCESSORY BUILDINGS AND STRUCTURES.

Subd 2. General Regulations

- (5) Accessory building design requirements:
 - b. *Requirements are for residential districts over 1 acre in size.* No accessory building shall be constructed of canvas, plastic, fabric or other similar nonrigid materials, ~~nor shall the use of a metal storage container shall be permitted as a permanent accessory structure.~~ Parcels 5 acres or larger are permitted one metal storage container, plus one additional container for every 10-acres in parcel size. Metal storage containers shall not count toward allowed Accessory Structure size limits. Containers larger than 200 sq ft require a Building Permit.

SECTION 2. EFFECTIVE DATE. This ordinance shall be I full force and effect from and after its passage and publication as required by law.

Adopted by the City Council of the City of Dayton this 28th Day of April, 2026.

Dennis Fisher, Mayor

ATTEST:

Amy Benting, City Clerk

Motion by _____. Second by _____.

Motion passed.

Published by THE PRESS on _____, 2026.

1001.35 ACCESSORY BUILDINGS AND STRUCTURES.

Subd. 1 Purpose.

The purpose of this Chapter is to provide performance standards for the erection, siting and use of accessory buildings, structures and uses that may be allowed within the various zoning districts to ensure compatibility with the principal use and with surrounding properties, as well as to protect the general health, safety, and welfare of the community.

Subd. 2 General Regulations

(1) No accessory building or structure shall be permitted on any lot, in any district, prior to the time of construction of the principal building to which it is accessory, except for a building devoted exclusively to agricultural use, and on a parcel of land at least 10 acres in size and zoned A-1 or A-2, or 20 acres in size and zoned S-A.

(2) The City Council may allow the construction of an accessory building prior to the principal structure being constructed if a building permit is taken out for both structures and an appropriate escrow deposit and agreement is made between the applicant and the City to provide for forfeiture in the event the principal structure is not built within the time specified.

(3) All accessory storage buildings 200 square feet in area or less except those used for agricultural purposes, located within the Mississippi River Corridor Critical Area (MRCCA) Overlay or located on lots where the home is setback from the front property line 150 feet or more shall be located in the rear or side yard between the rear or side property line and the rear or side of the main structure no closer than 5 feet to any property line or 20 feet to a side lot line, if adjacent to any public street right-of-way. Accessory storage buildings 200 square feet in area or less within the MRCCA Overlay shall meet the MRCCA setback requirements and may be placed in the side yard. The shed may be placed in the front yard if the main structure is setback from the front property line 150 feet or more. The shed placed in the side yard must meet the underlying zoning requirement for placement in the side if the shed is placed in the front yard the setback is half the distance of the principal structure from the front property line.

(4) In case an accessory building is attached to the main building it shall be made structurally a part of the main building and shall comply in all respects to the main building. An accessory building, unless attached to and made a part of the main building, shall not be closer than 10 feet to the main building, except as otherwise provided in this Subsection.

(5) Accessory building design requirements:

a. The following requirements are for residential districts under 1 acre in size and commercial and industrial zoned districts:

1. The exterior materials of the proposed accessory building shall be complementary in color, materials and design (e.g. orientation of siding) with those of the principal dwelling. No accessory building shall be constructed of canvas, plastic, fabric or other similar nonrigid materials, nor shall the use of a metal storage container be permitted as a permanent accessory structure.

2. Architectural metal siding can be used as a permitted material provided it is complementary in color to the principal structure. Any exposed screws or fasteners shall match the color of the siding. Roof material shall be asphalt shingles or standing seam metal roof material.

3. The accessory building shall include design elements that match the principal structure. This shall include additional accenting through the use of a porch, complementary building trim, window/door trim, dormer, wainscoting, or other elements that are complementary to the principal building.

b. Requirements are for residential districts over 1 acre in size No accessory building shall be constructed of canvas, plastic, fabric or other similar nonrigid materials, nor shall the use of a metal storage container shall be permitted as a permanent accessory structure.

(6) *Carports.* Carports shall be used for the parking of vehicles (including recreational vehicles) and shall not be used for the storage of materials or refuse that would constitute a nuisance.

(7) All accessory storage buildings in any zone shall be maintained and kept in a neat and orderly fashion, specifically, structurally sound, no excessive flaking or peeling; if a metal building, no excessive rusting upon or through the walls, floor or roof. Any building which is not so maintained shall be removed by the property owner, or upon due notice the building may be removed by the City at the property owner's expense.

(8) All accessory buildings shall be suitably anchored to the ground.

(9) Any accessory building in excess of 200 square feet shall require a building permit issued by the City and shall be constructed to the standards of the Minnesota State Building Code.

(10) For the purpose of this Subsection, gazebos, decks, patios, and other unenclosed residential uses of property similar in nature shall be excluded from the definition of the term accessory building.

(11) Consideration shall be given to provide for the future expansion and/or replacement of the septic system. Any application for an accessory structure in a non-sewered site shall be accompanied by a certified septic compliance certificate and a site plan showing both the primary and a secondary site suitable for a septic system. The City may deny the requested permit or alter the location to account for future septic system needs or to ensure adequate setbacks from septic systems are provided as required by state law.

(12) Accessory buildings are not permitted in Mixed Use or Business Districts.

(13) *Accessory building location.*

a. Lots where the home is setback from the front property line 150 feet or more, the detached accessory building may be located nearer to the front property line than the principal building provided that the placement of the detached accessory building shall be at minimum half the distance as measured from the front property line to the front of the principal structure.

b. No permanent accessory storage building shall be located in any public utility easement or easements of record.

c. Where any question arises as to the location or design of accessory buildings, the City Administrator or designee may refer the matter to the City Council for final determination.

d. No industrial zoned lots shall have an accessory building located in the front yard.

Subd. 3 Conditional Use Permits.

Application for a Conditional Use Permit under this Chapter shall be regulated by Subsection 1001.23 of this Code. Such a Conditional Use Permit may be granted provided that:

(1) There is a demonstrated need and potential for continued use of the structure for the purpose stated and subject to the following requirements:

a. The proposed use shall be in conformance with all City regulations.

b. A certificate of survey shall be required that identifies all existing structures on site, including buildings, septic sites and wells. In addition, the survey shall include the proposed structure, flood plain, wetlands, and any recorded easements.

c. The City may require compliance with any other conditions, restrictions or limitations deemed reasonably necessary to protect the public health, safety, and welfare, to protect the viewsheds and the natural environment, and to promote harmony with adjacent uses.

(2) No accessory building or private garage shall be utilized for all or a portion of a home occupation, for commercial activities or for commercial storage, unless otherwise approved through the Home Occupation Section.

(3) No accessory buildings shall be constructed in Business Districts zoned B-1, B-2, B-3; Mixed Use Districts zoned GMU-1, GMU-2, GMU-3, GMU-4, GMU-5.

(4) No accessory buildings shall be constructed in Industrial Districts zoned I-1 and I-2 without a CUP.

(5) The accessory building has an evident reuse or function related to a single-family residential environment in urban service areas, agriculture environment in nonurban service areas, or industrial use in urban areas of the City.

(6) Detached accessory buildings shall be maintained in a manner that is compatible with the adjacent residential uses and does not present a hazard to public health, safety and general welfare.

(7) The performance standards and criteria of Subsection 1001.14 of this Code shall be considered and a determination made that the proposed activity is in compliance with such criteria.

(8) There is a demonstrated need and potential for an accessory structure taller than the restrictions outlined below in all Residential, Commercial and Industrial zoned districts. The CUP shall be limited for additional height to the underlying zoning district or the height of the principal structure.

Subd. 4 Agricultural Districts

(1) *Conditional use permit.* No building permit shall be issued for the construction of detached accessory buildings on an agriculture-zoned parcel exceeding the limits stated below and the underlying zoning district's impervious surface limit, except by conditional use permit.

(2) *Site plan approval.*

a. *Building permit required.* Detached accessory buildings greater than 200 square feet in floor area shall require a building permit. The Building Official shall review the site plan and construction drawings to determine compliance with the Building Code and other applicable ordinances, laws, and regulations.

(3) *Setbacks and encroachment.*

A-1, Agricultural District	
A-2, Agricultural District	
S-A, Special Agricultural District	
Setbacks	
Front, side or rear to a street	30 feet

Front, side or rear to an arterial street	50 feet
Side yard	10 feet
Rear yard	10 feet
*Accessory building height shall be limited to the height of the principal dwelling on the property, except by Conditional Use Permit.	

(4) *Accessory building performance standards.*

- a. Accessory buildings and structures constructed for agricultural purposes in Agricultural Districts (A-1, A-2, S-A) are permitted as impervious coverage allows in Section 1001.05 Subdivisions 9 and 10.
- b. On parcels of less than 1 acre there shall be no more than 2 detached accessory structures and the total area of all detached accessory buildings shall not exceed the footprint of the principal dwelling.
- c. The footprint of the principal building includes attached garage area, if any.
- d. The exterior materials for residential accessory buildings must be comparable to the exterior materials of the principal dwelling on lots below 1 acre in size.
- e. No new accessory structures are permitted on the non-homestead outlot. Existing structures at the time of creation of the outlot will become legal non-conforming structure.

Subd. 5 Residential Districts

(1) *Conditional use permit required.* No building permit shall be issued for the construction of detached accessory buildings on a residential parcel exceeding the height or building size, except by conditional use permit as restricted above in Subd. 3.

(2) *Site plan approval.*

a. *Building permit required.* Detached accessory buildings greater than 200 square feet in floor area shall require a building permit. The Building Official shall review the site plan and construction drawings to determine compliance with the Building Code and other applicable ordinances, laws, and regulations.

(3) *Setbacks and size standards:*

Residential Districts Below 1 Acre in Size						
	R-1 (less than 1 acre)	R-1A	R-3	R-M	R-H	RMH
Residential Districts Below 1 Acre in Size						
	R-1 (less than 1 acre)	R-1A	R-3	R-M	R-H	RMH
Front, side or rear to a street	30 feet*	30 feet*	30 feet*	30 feet*	30 feet*	15 feet*
Front, side or rear to an arterial street	50 feet*	50 feet*	50 feet*	25 feet*	25 feet*	5 feet*
Side yard	5 feet	5 feet	5 feet	10 feet	10 feet	10 feet
Rear yard	5 feet	5 feet	5 feet	10 feet	10 feet	5 feet
Height	18 feet**	18 feet**	18 feet**	10 feet**	10 feet**	**
Size limit	1,000	800 square feet	800 square feet	800 square feet	800 square feet	800 square feet
Maximum number of acc. buildings allowed	1	1	1	1	1	1

Limited to 1 story with max. sidewall of 10 ft. measured from floor surface to underside of the ceiling member	--	--	--	10 feet	10 feet	--
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* Cannot be placed in front yard

** Cannot exceed the height of the principal structure

Note: all accessory buildings, with the exception of attached garages, shall be included when calculating the maximum square footage of accessory building space allowed on a property. All accessory buildings, excluding attached garages, shall be included when determining the total number of accessory buildings on a property. In addition to the allowed maximum number of accessory buildings each property is allowed 1 additional detached accessory building 200 square feet or less above the maximum allowed, provided it doesn't exceed the impervious surface limitation of the lot and meets required setbacks.

RO, Historic Village Residential District	
RO, Historic Village Residential District	
Front, side or rear to a street	30 feet*
Side yard	5 feet
Rear yard	5 feet
Height	18 feet**
Structure sidewall	8 feet
Size limit	
Parcels 12,000 sq. ft. and larger	1,000 sq. ft.***
Parcels under 12,000 sq. ft.	800 sq. ft.***
* Accessory structure cannot be placed in front yard	
** Cannot exceed the height of the principal structure	
*** Size limit includes all attached and detached garages and accessory structures. In addition to the allowed maximum number of accessory buildings each property is allowed 1 additional detached accessory building 200 square feet or less above the maximum allowed, provided it doesn't exceed the impervious surface limitation of the lot and meets required setbacks.	

Residential Districts Above 1 Acre in Size					
Residential Districts Above 1 Acre in Size					
	R-1 (more than 1 acre, less than 2)	R-1 (more than 2 acres)	R-2	R-E	Maximum number of acc. buildings allowed
Front, side or rear to a street	30 feet*	30 feet*	30 feet*	30 feet*	--
Front, side or rear to an arterial street	50 feet*	50 feet*	50 feet*	50 feet*	--
Side yard	5 feet	5 feet	10 feet	10 feet	--
Rear yard	5 feet	5 feet	15 feet	15 feet	--
Height	35 feet**	35 feet**	35 feet**	35 feet**	--
	Building size limit				--

Lot size	1,200 square feet				2
87,121-130,680 (2-3 acres)	--	2,000 square feet	2,000 square feet	2,000 square feet	3
130,681-217,800 (3-5 acres)	--	3,000 square feet	3,000 square feet	3,000 square feet	4
217,800 and above (5 acres and above)	--	4,000 square feet	4,000 square feet	4,000 square feet	5

* Cannot be placed in front yard. Please see Subd. 2, Section(13) for exemptions

** Cannot exceed the height of the principal structure

Note: All accessory buildings, with the exception of attached garages, shall be included when calculating the maximum square footage of accessory building space allowed on a property. All accessory buildings, excluding attached garages, shall be included when determining the total number of accessory buildings on a property. In addition to the allowed maximum number of accessory buildings, each property is allowed 1 additional detached accessory building 200 square feet or less above the maximum allowed, provided it doesn't exceed the impervious surface limitation of the lot and meets required setbacks.

(4) *Detached accessory buildings not exceeding 200 square feet in floor area*

- a. All detached accessory buildings in excess of 200 square feet shall be set back at least 10 feet from any other building or structure on the same lot, and shall not be located within a required buffer yard or drainage and/or utility easement.
- b. Such structures may encroach into the required side or rear yard setbacks when behind the front of the principal structure located in the rear yard of a lot, except in the case of a side yard of a corner lot abutting a public street.
- c. The structure can be set in the front yard if it meets the exemptions outlined in Subd. 2 Section(16) of this Chapter.
- d. When encroachment into required side or rear yard setbacks is allowed, such detached accessory buildings shall be set back at least 10 feet from all adjoining lots.

(5) *Attached private garages.* A private garage attached to the principal building shall not exceed 1,000 square feet as measured by interior dimensions and shall be subject to all building and setback requirements of the principal structure, except as provided for herein.

(6) *Animal enclosures.*

- a. Notwithstanding Subdivision 5(6)c. of this Subsection, domestic animal enclosures shall not be placed in the front yard or in the side yards abutting a street, shall not be placed closer than 10 feet to any property line, and shall not be placed closer than 25 feet to any dwelling unit other than on the owner's property.
- b. No encroachment shall be permitted in existing or required buffer yard or drainage and/or utility easements.
- c. Screening and/or a hard surface will be required if problems occur with appearance, noise, odor, and sanitation as determined by the Zoning Administrator.
- d. No such enclosure shall exceed 200 square feet, unless approved through an administrative permit.

(7) *Temporary shelters.* Unless mounted on a trailer or equipped with wheels, temporary shelters, ice fishing houses or other such structures used or designed to be used as temporary shelters shall be considered accessory buildings and shall be subject to the setback, square footage and other regulations of this Code.

(8) *Special provisions.* There shall be no more than 5 detached accessory structures on any lot and the total area of all detached accessory buildings and attached garages shall not exceed 4,000 square feet.

Subd. 6 Business and Industrial Districts

(1) This section specifically applies to the following zoning districts I-1 Light Industrial District, I-2 Heavy Industrial District, and B-4 Commercial/Industrial District.

(2) *Conditional use permit required.* No building permit shall be issued for the construction of more than 1 detached accessory building on a single parcel in addition to 1 private garage (attached or detached), except by conditional use permit.

(3) *Site plan approval.*

- a. *Building permit required.* Detached accessory buildings greater than 200 square feet in floor area shall require a

building permit. The Building Official shall review the site plan and construction drawings to determine compliance with the Building Code and other applicable ordinances, laws, and regulations.

(4) *Setbacks and encroachment.*

- a. All accessory buildings shall meet the setbacks required for the principal structure.
- b. No accessory structures allowed in the front yard.

(Ord. 2010-03, passed 7-13-2010; Am. Ord. 2011-06, passed 4-26-2011; Am. Ord. 2012-01, passed 1-10-2012; Am. Ord. 2015-07, passed 6-24-2015; Am. Ord. 2018-15, passed 5-23-2018; Am. Ord. 2022-03, passed 1-25-2022; Am. Ord. 2022-16, passed 9-13-2022; Am. Ord. 2025-16, passed 7-22-2025)