DENMARK TOWNSHIP
WASHINGTON COUNTY, MINNESOTA
Ordinance No. 2025-__

AN ORDINANCE AMENDING THE DENMARK TOWNSHIP DEVELOPMENT CODE REGARDING ACCESSORY STRUCTURES

The Board of Supervisors of the Town of Denmark ordains:

Article I. Definitions. Chapter One, Section 2 of the Denmark Township Development Code is amended as follows:

Accessory Structure: A single one-story or two-story structure greater than 200 square feet in size, detached from the main single-family residence on the same lot, and used or intended to be used for the storage of personal property or for agricultural purposes. The footprint of the building shall be used to measure the total square footage of an accessory structure. The footprint of an accessory structure, for the purposes of determining total square footage, includes the area under any attached lean-to or similar structure containing a roof.

Portable Storage Units: An enclosed self-contained container without wheels or axles constructed of durable material designed for transporting, shipping, or storing materials, products, goods, or personal property and designed to be placed on the ground without a foundation. The term includes, but is not limited to, moving pods, shipping containers, and similar types of containers.

Temporary Accessory Structure: An accessory structure designed for, or constructed of materials that can only reasonably support, seasonal or temporary use. These structures typically have plastic, canvas polyethylene, or polyester covers and are attached to the ground, but do not have permanent footings. The term includes, but is not limited to, temporary carports, seasonal greenhouses, and similar temporary structures.

Article II. Accessory Structures. Chapter Two, Part 3 of the Denmark Township Development Code is amended as follows:

1.2 Accessory Structures. A one-story or two-story structure greater than 200 square feet in size, detached from the main single-family residence on the same lot, and used or intended to be used for the storage of personal property or for agricultural purposes. Except as expressly allowed by this Development Code, no accessory structure may be used for sleeping or contain living space.

(1) Required Permits: A building permit is required for all accessory structures except agricultural buildings on a farm. A building permit is required for all temporary accessory structures used for commercial purposes that are held open to, or intended for, occupancy by the public. A Certificate of Compliance is required for all agricultural buildings over 1,000 square feet in size. The Town Board may direct the Building Inspector to issue Certificates of Compliance for agricultural buildings.

(2) Performance Standards: The following standards apply in all districts.

(A) No accessory structure shall be constructed on a lot prior to construction of the principal structure unless the property is a rural farm containing forty (40) acres or more and meeting the definition of agricultural land in Minn. Stat. § 273.13, subdivision 23(c) as it may be amended.

(B) No detached accessory structure shall be located closer to the road right-of-way than the principal building on a lot unless the Town Board approves the location and all setbacks are met.

(C) A ~~detached temporary accessory structure,~~ portable storage unit~~, or pod~~ will be allowed for a period of no longer than 30 days. A temporary accessory structure will be allowed for a period of up to 180 days. An extension of ~~said time~~ such allowed periods will require approval of the Town Board. The total combined square footage of portable storage units and temporary accessory structures shall not exceed ____ square feet.

(D) All accessory structures within the Shoreland Management and St. Croix Riverway District as designated in the Washington County Development Code shall be limited to one story in height, except a loft is allowed provided the ceiling height is less than 7 feet 6 inches.

(E) A single-story shed of 200 square feet or less is permitted in addition to the permitted accessory structures listed in 1.2 (3) below.

(F) The construction or placement of accessory structures shall comply with all applicable regulations in this Development Code including, but not limited to, setback requirements and impervious surface limits.

(G) All accessory structures, temporary accessory structures, and portable storage units shall be maintained in good working order, free from holes, rips, tears, collapse, or other visible breakage or disrepair.

(3) Agricultural Preserve (AP), Agricultural (A-2), Residential (RR) and Single Family Estate (SFE) Districts: The following additional standards apply to all land within these districts:

(A) On parcels less than 2 acres, one accessory structure is allowed. On parcels greater than 2 acres and less than 20 acres, a maximum of two accessory structures are allowed. On parcels greater than 20 acres: (1) there is no limit on the number of accessory structures, provided they are an agricultural building; and (2) a maximum of three accessory structures that are not agricultural buildings are allowed. One single-story shed of 200 square feet or less is permitted in addition to the allowed accessory structures.

(B) The permitted size and number of accessory structures are as follows:

~~Lot Area~~	~~Total Accessory Structure Square Footage Allowed*~~	~~Number of Accessory Structures Allowed~~	~~Maximum Sidewall Height**~~
~~Less than one acre~~	~~1,000 square feet~~	~~1~~	~~12 feet~~
~~1 acre – 1.99 acres~~	~~1,600 square feet~~	~~1~~	~~12 feet~~
~~2 acres – 4.99 acres~~	~~2,000 square feet~~	~~2~~	~~14 feet~~
~~5 acres – 7.99 acres~~	~~2,600 square feet~~	~~2~~	~~16 feet~~
~~8 acres – 9.99 acres~~	~~3,200 square feet~~	~~2~~	~~16 feet~~
~~10 acres – 19.99 acres~~	~~4,000 square feet~~	~~2~~	~~16 feet~~
~~20 + acres~~	~~Agricultural Buildings: Unlimited Non-Agricultural Buildings: 5,000 square feet~~	~~Agricultural Buildings: Unlimited Non-Agricultural Buildings: 3~~	~~16 feet~~

Lot Area	**Total Accessory Structure Square Footage Allowed***	**Number of Accessory Structures Allowed**	**Maximum Sidewall Height****
Less than 2.5 acres	2,000 square feet	?	12 feet
2.5 acres – 4.99 acres	2,800 square feet	?	12 feet
5 acres – 9.99 acres	4,000 square feet	?	14 feet
10 acres – 19.99 acres	5,000 square feet	?	16 feet
20 + acres	Agricultural Buildings: Unlimited Non-Agricultural Buildings:	Agricultural Buildings: Unlimited Non-Agricultural Buildings: ?	16 feet

	10,000 square feet		

* The footprint of the building, including any attached lean-tos, is used to determine total square footage

** Maximum sidewall heights do not apply to agricultural buildings

(C) On parcels with no garage attached to the primary residential structure, a detached garage of up to a total of 864 square feet will be allowed in addition to the maximum total square footage and number of accessory structures provided for in paragraph (B). The additional square footage may be included as part of a new accessory structure so long as another accessory structure is allowed on the property and the total square footage of the accessory structure does not exceed the remaining square footage available under paragraph (B), plus 864 square feet.

(D) The maximum height of an accessory structure shall not exceed 35 feet.

(E) All detached accessory structures are to be used for personal or agricultural use only. No commercial use or commercial related storage is allowed in these structures except by Conditional Use Permit.

(F) Land with existing farmstead accessory buildings that is subdivided with a minor or major subdivision may retain the existing number and square footage of accessory structures on the site if they remain on parcels of five acres or greater and were part of the farmstead as existed on January 1, 2001, subject to the following conditions:

1. There shall be no additional accessory buildings constructed on the property, except if destroyed by a natural disaster or storm, in which case the structure may be rebuilt in its original footprint.

2. If any existing accessory buildings become "Hazardous Buildings", they shall be repaired or removed by the owner.

(G) Domestic Farm Animals. Accessory structures used to shelter domestic farm animals must meet the following requirements:

1. All domestic farm animal structures, feedlots and manure storage sites shall be setback as follows:

Natural/ Man-Made Features	Horizontal Setbacks
(a) Any property line	100 feet

(b)	Any existing well or residential structure on the same parcel	50 feet
(c)	Any existing well or residential structure on adjacent or nearby parcel	200 feet
(d)	Any body of seasonal or year-round surface water	200 feet

2. Said structure, feedlot or manure storage shall not be placed on slopes which exceed thirteen (13) percent.

3. Evidence of seasonally high ground water level or mottled soil (as established by six (6) foot borings) shall not be closer than four (4) feet to the natural surface ground grade in any area within one hundred (100) feet of the proposed structure and/or feedlot.

4. No marsh or wetland (as established by the predominant wetland vegetation and/or soils) shall be utilized for placement of the proposed structure, feedlot or grazing area.

5. Accessory structures used to house domestic farm animals are subject to additional regulations.

(4) Commercial Industrial (CI) District: The following additional standards shall apply in this district:

(A) One accessory structure is allowed on a parcel in this district provided it is used for storage related to the principal use of the property. No separate business is allowed in the accessory structure unless approved by Conditional Use Permit.

(B) The accessory structure must be placed to the rear of the principal building and conform to applicable setback requirements and lot coverage standards.

Article II. **Incorporation of Amendments**. The Town Attorney and Town Clerk-Treasurer are hereby authorized and directed to incorporate the amendments made by this ordinance, and any previous amendments that have not been incorporated, into the Development Code, including updating the table of contents and making non-substantive corrections as may be needed. Such updated document shall constitute the Town's official Denmark Township Development Code.

Article III. Effective Date. This ordinance shall be effective upon the first day of publication after adoption.

Adopted on the ___ day of _____ 2025.

BY THE TOWN BOARD

_____
John Strohfus, Chairperson

Attest:_____
Jessica Maurer, Clerk-Treasurer

New material is shown in double underlining and deleted material is shown in ~~strikeout~~.