

**TOWN of MAY**  
**WASHINGTON COUNTY, MINNESOTA**  
**OFFICIAL TOWN BOARD MINUTES**  
**October 25th, 2022**

The Board of Supervisors of the Town of May convened a workshop on Tuesday, October 25, 2022, via virtual telephone/video conference. Those present included: Board members John Adams, John Pazlar, and Steve Magner; Clerk/Treasurer Bobbi Hummel; Planner, Nate Sparks, Attorney Dave Snyder. Planning commission members Walt Peterson, John Arneson and Ted Nesse.

Notice was posted on the township's website and at the Town Hall more than 72 hours prior to October 25<sup>th</sup>, 2022.

The sole purpose of the special meeting is to discuss ordinance updates in the conservancy zone.

The areas in the township that are in the conservancy zone have been under a moratorium as the township studies current ordinances within the district and related policies around it. As well as it's references within the comprehensive plan. Analyzing how it fits in the comprehensive plan and ensuring the ordinance itself is accurately reflected in the desired policies of the town. The comprehensive plan was last updated in 2018-2020. At that time, the metro was growing and development pressures were coming into May Township. Metropolitan Counsel had designated the area with a maximum density as 1 unit per 10 acres. Parts of the township are 1 unit per 40 acres (permanent agriculture) and the conservancy zone limits are a 1 unit per 20 acres. The conservancy zone is a customary land use designation that was created by the township decades ago. It is large tracks of land that are considered historic. Some of the requested uses in the conservancy zone have been viewed as contradictory and requests have shifted this area to be used in a way that is not in alignment with the ordinances. The goal was to protect the townships character. The residents of the town did not want to see the rural and natural beauty of the area changed. The conservancy zone was to be viewed as place that had uses that preserved the natural area, including old woods and the bodies of water in this area. Roads in the conservancy district was also an issue as higher usage was causing deterioration. Another finding was that zoning was too vague and the language allows for several different interpretations. The goal is to simplify it and more accurately reflect the allowed usages. To clarify existing policies that more accurately reflect the vision of the town. The conservancy zone density limits are customary to May Township and were identified by the Board decades ago. The goal is to be more specific about what makes it different to make sure it continues, using language that robustly defines the purpose of the conservancy area.

Secondary, the road policy needs to be updated. Emphasizing that the existing gravel roads are part of the inherent character of the township and should remain as such and the users should not be driving changes to the policy without careful consideration. Users must fit within the context of the area. The township has scenic roads and rustic roads, not a typical road classification. Standards will be included in the new standard. Local roads will have a 300 trips per day threshold (*trips is the number of vehicles passes per day*). Scenic roads will have lower-level design standard

with a threshold of 275 trips per day. Rustic roads will have a 250 trips per day threshold. This will protect the integrity of the roads.

Current uses allowed in the conservancy district also need to be clarified.

- Commercial Recreation has a very broad definition. The proposal removes this use from the district as some of the definitions are incompatible with the context of the conservancy district.
- Nature Center has a very broad definition. This is proposed to be merged within the Educational Center definition as it a use that already exists.
- Youth Camp will be created with a new definition based on the county and state definition.
- Elementary School will stay within the conservancy district, no changes.
- Scientific Research Station stays in the proposal as it is a traditional use.
- Parks and Public Areas are removed.

**Citizen Questions and Clarifications:**

Traffic impacts are estimated either by engineering manuals that use studies that take averages of what the use will be. For example: A school can be gauged by the number of students, as that is a direct correlation to the number of cars. Secondly, the applicant can provide a traffic study that is fairly simple.

There is concern how to enforce the traffic limitations. Traffic count is an advisable tool, but not a perfect one. If a new use comes in there will need to be careful consideration on the numbers and facts of a CUP application. Citizen reports are a useful tool for the townships also.

A non-profit organization would receive property tax benefits due to its classification. It is sometimes an option for the township to utilize a program call PILOT (payment in lieu of taxes). This would be for services like emergency services or public road enhancements. A user, including those with a non-profit status, can still be assessed for improvement of the roadway they use. This assessment would be on a per road frontage bases, unless the agreement to pay differently is contained/written in a CUP.

VRBO's are not allowed in the township. However, the proposed definition of camp, youth does have allowances for overnight stays.

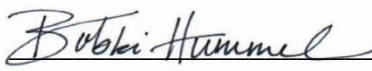
A CUP is not transferable to another property/person.


Youth Camp is a definition in state and county statute, it is not a new concept for May Township.

\*Draft documents outlining the proposed changes are attached to these minutes for review.

Submitted:

Approved:

  
Bobbi Hummel  
Clerk/Treasurer

  
John Adams  
Board Chair



# **NORTHWEST ASSOCIATED CONSULTANTS, INC.**

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## **PLANNING MEMO**

To: Town of May Planning Commission  
Town of May Board of Supervisors

From: Nate Sparks, Town Planner

Date: October 21, 2022

Re: Comprehensive Plan & Zoning Updates Related to the Conservancy District

### **Background**

The Town Board established a moratorium on the establishment of new uses within the Conservancy District in 2021. The purpose of this moratorium was to allow for the study of the Conservancy District and to ensure that it was consistent with the Town's policies.

### **Conservancy Land Use Designation**

The Town's land use goals are established in the Comprehensive Plan. In this document a Conservancy land use designation is included. This designation was established "for the purpose of preserving, protecting, and managing environmentally sensitive lands." The land use designation allows for a development density of one unit per twenty acres.

### **Conservancy Zoning District**

The purpose of the Zoning Ordinance is to implement the Comprehensive Plan. The Zoning Ordinance includes in Section 708.03 a Conservancy District. The purpose statement of the district states it is "established for the purpose of providing for the preservation, protection and management of environmentally sensitive lands." The district was updated in 2014 to remove some archaic uses. At that time, the Town also attempted to modify some definitions and standards related to existing uses.

### **Conservancy Study**

Town Staff has spent time reviewing the Comprehensive Plan and Zoning Ordinance sections that relate to the Conservancy District.

The principal finding of the study on the Conservancy District is that the district itself lacks a coherent vision about the area. In some cases, the Conservancy area was cited as being "for non-profits" and in others it was stated that it was for environmentally sensitive areas. It appears that the intended purpose was to create a designation that had a lower density than typically found in the Township to allow for lesser development within this area that has largely been occupied by larger landholders. This results in the 1 unit per 20 acres development density in this area. Also, due to the

ownership of land by the non-profits, there is a historic set of established non-residential uses found within the area.

The second finding is that the levels of development in the Conservancy District should be more limited. Most all properties within the Conservancy access off of lower level Town roads. The maintenance of these roads has been problematic and expensive. To avoid situations where uses drive road improvements, only uses that have inherent limits are recommended to be allowed within the Conservancy District. Uses should also be tied equivalent levels of the density of residential development. The Town is not favoring non-residential uses and allowing said uses to have a larger impact on the area than what a residential use would have. Impacts like traffic should be made as equal as possible. Uses should be able to handle their own waste without the need for portable toilets or using inadequate systems that could cause environmental damage. Only uses that need to be in this area should be in this area.

Third, May Town Officials have many times stated that May is not a “paving township” and that the gravel roads are part of the rural character of the Town. Uses that generate road impacts that would alter this character should not be permitted. Also, the Town has classifications of scenic and rustic roads which should have even lower levels of traffic, as to ensure that these roads are not endangered by changing conditions. County roads that were designated as scenic are still found to be scenic by the Town and the Town will engage with the County to request that any future work on these roads will meet with a higher degree of design.

From these findings, Staff recommends that the Town adopt some minor modifications to the Comprehensive Plan to clearly state these positions.

Then Staff recommends updating the Zoning Ordinance related to the Conservancy District. In 2014, there was an addition of a use “Nature Center” which is too broad and should be deleted. The use covered by it can be found within other definitions. Also of need is to delete uses such as commercial recreation and parks from the Conservancy District due to the potential for higher levels of impact. The Town has also had a historic use of “youth camps” in this area, which can be specifically defined and allowed as it used to be found under the commercial recreation use. Also, “scientific research station” was added as a use due to its historic presence in the area and how it was not technically found within the district.

No performance standards were altered.

## **CONCLUSIONS**

Staff recommends adopting the modifications to the Comprehensive Plan and Zoning Ordinance, as identified in the attached documents.

## DEMONSTRATION COPY

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### COMPREHENSIVE PLAN

Page 17

#### *BASIS OF THE COMMUNITY PLAN*

The Town of May is ~~an~~ low density agriculture based, rural residential community with ample natural beauty, and a peaceful, idyllic, and serene character. The overriding goal and basis for its decision making is to preserve ~~the rural~~ this inherent character of the Town. This is to be accomplished by encouraging continued agricultural uses, limiting residential development to a density of one dwelling unit per ten acres the appropriate density for the context of the area, preserving the historic and rural nature of Town roads, and promoting continued preservation of open spaces. The Town of May is not designated for urban growth and does not intend to allow uses with an intensity that results in impacts that are inherently out of character with the Town.

Page 18

**Conservancy** lands account for 1,856 acres, or 8% of the township's total acreage. Much of this land is not slated for development, it is largely to be protected as natural space and includes areas of ecological significance as recognized by the Minnesota Department of Natural Resources.

**Park and Recreation** ~~In addition, area around~~ includes about 561 acres of land ~~is categorized as Parks & Recreation.~~

#### **Conservancy**

The Conservancy designation is established for the purpose of preserving, protecting, and managing environmentally sensitive lands ~~and environmentally friendly uses~~. Land within this designation has been identified due to its quality natural resource characteristics ~~or historic use~~ and historic lower intensity of use. Uses permitted within this area shall be uses that need to be located within this high-quality natural resource area, are not open to the general public but rather limited to specific groups of people, and that do not conflict with other area uses. Conservancy areas are typified by wetlands, hydric soils, and wooded areas. These areas are designated for their unique natural wildlife characteristics, habitat potential, and open spaces quality.

The Conservancy designation has historically included ~~includes~~ land in non-profit ~~and private~~ ownership and use which assisted in keeping this unique area in its natural condition. Uses within the Conservancy historically included the Warner Nature Center, Wilder Forest, Science Museum properties, Arcola Mills, and the Mower House. Many of these historic uses have changed ownership and mission over the more recent years. Urbanization in nearby communities, but not within May Township, has added additional development pressure within the area highlighting the need to robustly defend the serene and passive character of this area. To this end, non-residential uses within the Conservancy District should not exceed the equivalent impact of use regarding traffic generation or intensity than that of the permitted residential densities.

For general residential uses, development densities in this district are limited to one dwelling unit per twenty acres. For other uses that may be permitted by zoning, it is more appropriate for larger parcels of land, such as 40 acres, however in no such circumstance would this allow uses which are

incompatible with the conservational nature of this district. Uses that require higher levels of service and derive greater traffic than the equivalency of the lower density residential uses are not permitted within this land use designation. Non-residential uses should be able to handle waste with the use of compliant septic systems, as well.

## TRANSPORTATION

Page 55 – Insert after Introduction

### ***TOWNSHIP ROAD POLICY***

The principal policy related to transportation infrastructure in the Town is to have a system that reflects the essential character of the community. The character of the community is rooted in fiscal responsibility and rural heritage. To this end, the Town often discourages paving existing roads. The preservation of the historic gravel, scenic, and rustic roads are a priority of the community. In cases where existing Shoreland residential development creates a need for paving, the Town will consider such a request if sought by the residents. Otherwise, users and permit holders on existing roads cannot create traffic levels that exceed the maximums set forth in this plan. Users and permit holders are expected to fit within the context of the vicinity rather than altering the essential character of the area.

Page 59

### ***LOCAL STREETS***

These roadways move low volumes of local traffic at low speeds over short distances and connect blocks and individual parcels. Their primary emphasis is on land access. In most cases, local streets will connect to other local streets and collectors. In some cases, they will connect to minor arterials. In the rural area, one-mile spacing may be adequate for local streets. Local streets of particular importance are shown on the transportation plan map.

Many local streets are unpaved and surfaced with gravel. These existing roads are intended to remain as such, as this is an integral part of the Town's character. Traffic volumes on these roads are not intended to have levels beyond an average of 300 trips per day, as such volume is found to result in excessive maintenance and cost and may require paving. Uses that result in traffic levels greater than this should not be located on such roadways. This will allow for fiscally responsible road maintenance of these more sensitive road surfaces.

### ***SCENIC AND RUSTIC ROADS***

May Township has identified several Township roads as either being Township scenic or rustic roads. Preservation of the existing character of these roadways is of the utmost importance for the Town and uses or development that potentially requires alteration of this character will not be permitted access via roadways of this classification.

Township Rustic Roads are gravel roads with historical significance, generally with the image of a “country lane.” These roads have no shoulder, little, if any, ditching, overhanging trees, and have essentially remained unchanged and unimproved for years, except for a basic “rural” level of maintenance for supporting low traffic volumes and lower speeds. Rustic Roads do not meet typical engineered road design standards and are not intended to be redesigned as such. These roads also have reduced speed limits, as compared to other Town roads due to these unique characteristics.

Due to the lower level of design for these roadways and the intent to preserve the atmosphere created by these roads, the Town prioritizes taking steps to ensure that these roads remain unchanged. Uses the result in improvements to these road segments are actively discouraged. Therefore, uses on these roads that result in an aggregate of more than an average of 250 trips per day shall not permitted.

Township Scenic Roads are gravel roads that are generally able to handle slightly higher traffic volumes and speeds than Township Rustic Roads. These roads ~~also were selected to~~ illustrate the beautiful countryside of May Township and are also maintained at a “rural” level. ~~Both Scenic and Rustic roads identified by the Township are shown on the Transportation Plan map.~~

Scenic road corridors are intended to be preserved as is and not seve uses that result in excessive tree removal, high traffic volumes, or require corridor modifications. Due to this, uses on scenic roads that result in an aggregate of more than an average of 275 trips per day shall not be permitted. Future road improvements on these corridors will require low impact designs to preserve the scenic beauty of the area.

In addition to roads identified by the Township as scenic, State Trunk Highway 95 is recognized as part of the federally established National Scenic Byways Program, created by the Federal Intermodal Surface Transportation Equity Act of 1991 (ISTEA). The St. Croix Scenic Byway runs parallel along the river and can be understood as an overlay designation on top of its functional classification.

In the past, Washington County recognized several roadways within the Town of May as “scenic roadways.” These roadways have views of scenic or historic value, and Washington County stated that a goal was to work to maintain these roadways as such. These include: CR 55, CSAH7, CSAH 4, CR 51, and CSAH 3. This designation is no longer identified in the Washington County Transportation Plan, however, the Town still recognizes this designation for these segments of road and will engage with the County to ensure the highest level of preservation of the unique scenic qualities in these corridors.

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## **ZONING UPDATES**

### **CONSERVANCY DISTRICT**

#### **Section 708.03: Conservancy District Established (C)**

The Conservancy District is established for the purpose of providing for the preservation, protection and management of environmentally sensitive lands. This District allows for residential and agricultural uses at a lower density in order to maintain the natural character of the area. Additional uses may be conditionally permitted provided the uses fit within the context of the area and do not result in traffic generation or other similar impacts greater than allowed by the lower density of the area. All non-residential uses in the area are intended to have limited numbers of users that can be metered and capped as to not disturb the peace and serenity of this District.

- A. Permitted Uses. The following uses are permitted in the Conservancy District:  
(Amended by Ord. 2014-05, Effective 11/22/14)

Agriculture  
Residential, single family (See Section 705.04)

- B. Accessory Uses. The following Accessory Uses are permitted in the Conservancy Districts:

Landscaping and decorative features  
Boat docks (non-commercial)  
Fences (See Section 705.09)  
Garage (private) (See Section 705.05)  
Single-family Residential swimming pool  
Off-street parking (See Section 706.16)  
Residential waterfront use  
Storage - incidental to the permitted use  
Domestic Pets  
Accessory buildings and structures incidental to the principal use

- C. Conditional Uses. The following conditional uses may be permitted by a written Conditional Use Permit issued by The Town Board pursuant to section 704.04:  
(Amended by Ord. 2014-05, Effective 11/22/14)

~~Commercial, private, or semi-public recreation area~~  
Camp, youth  
Educational ~~Retreat~~ Center  
Home occupations (meeting criteria) (See Section 702.01, Definitions)  
~~Nature centers~~  
~~Parks, Private and Public~~  
~~Residential, single family (See Section 705.04)~~  
School, Elementary (Ord. 2017-01, Effective 05/21/17)  
Scientific Research Station

- D. Physical Standards. All construction in the Conservancy District shall meet the following physical standards.



1. Height. The maximum height of all buildings shall not exceed the lesser of two and one-half (2-1/2) stories or thirty-five (35) feet. This height limitation shall not apply to farm buildings, grain elevators, silos, windmills, elevator legs, cooling towers, water towers, smokestacks, or electric transmission lines.
  
2. Lot Area and Dimensions. Lot area shall be adequate to provide for all expected improvements and for the installation of two on-site Sewage Treatment Systems, but in no case shall lot area be less than two and one-half (2-1/2) acres. (Amended by Ord. 2014-05, Effective 11/22/14)
  - (a) Lot Area Per Dwelling Unit – 20 acres
  - (b) Minimum Lot Width at Front Yard Setback Line for Residential Uses – 150 feet
  - (c) Minimum Lot Area for Non-Residential Uses – 40 acres
  - (d) Minimum Lot Width at Front Yard Setback Line for Non-Residential Uses – 300 feet
  
3. Setbacks. All buildings and structures, including houses with attached garages, shall meet or exceed the following setbacks.

Minimum Front Yard Setback . . . . .	40 feet
Minimum Side Yard Setback	
From Street in Case of Corner Lot . . . . .	40 feet
Front Interior Lot Line . . . . .	20 feet
Minimum Rear Yard Setback . . . . .	50 feet

**DEFINITIONS**

Camp, youth. A state licensed facility where with permanent buildings, tents, or other structures together with appurtenances thereon, established or maintained as temporary living quarters for minors for educational and/or recreational purposes. This definition does not include the following: day camps without lodging; cabin and trailer camps; fishing and hunting camps; resorts; correctional camps; industrial and construction camps; homes operated for the care or treatment of children; or a facility which also offers lodging and/or food and beverage services for adults.

~~Educational Retreat~~-Center. A non-profit center which is designed, maintained and intended to serve the principal use of providing short-term visitors groups with a facility to engage in exposure and study of historic and/or natural resources of the Town including ~~academic day~~ camps, historic structures, scenic areas, and the provision of a short-term retreat facility, and not involving the sale or manufacture of goods, the sale or provision of services, rental of recreational equipment, or other commercial activity and does not include overnight stays.

~~Nature Center. An educational or recreational use oriented to utilizing the outdoor character of an area for education and passive forms of recreation related to the natural environment of the area, including nature preserves, wildlife sanctuaries, special gardens, arboretums, natural history exhibits, interpretive centers, and associated facilities, activities, and programming.~~

School, Elementary. A public or private school with building, equipment, courses of study, class schedules, enrollment of pupils ordinarily in kindergarten through 6<sup>th</sup> grade or any portion thereof, and staff meeting the standards established by the State of Minnesota. Auxiliary programming involving children outside of the provided age or adults is not permitted.

Scientific Research Station. A site where the study, investigation, and/or analysis of the natural or environmental conditions of a property or immediate environs is conducted by a limited group of professionals for the purpose of scientific research.

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**TOWN OF MAY  
WASHINGTON COUNTY, MINNESOTA  
RESOLUTION NO. 2022 - \_\_**

**A RESOLUTION AMENDING THE TOWN COMPREHENSIVE PLAN RELATED TO  
A REVIEW OF THE CONSERVANCY DESIGNATION & TRANSPORTATION PLAN**

**WHEREAS**, the Town of May (the “Town”) Board of Supervisors (the “Board”) recently conducted a study related to the Conservancy Zoning District; and

**WHEREAS**, through this study the Town Board found that the Town Comprehensive Plan is in need to amendments to better clarify Town policy related to the transportation functional classification system, usage and protection of roadways, and land uses related to the Conservancy designation; and

**WHEREAS**, the Planning Commission held a duly noticed public hearing related to the proposed amendments on October 27, 2022; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of May hereby amends the Comprehensive Plan as described in Exhibit A.

**BY VOTE OF THE TOWN BOARD: ADAMS\_\_\_\_\_, MAGNER\_\_\_\_\_,  
PAZLAR\_\_\_\_\_, THIS RESOLUTION IS ADOPTED / NOT ADOPTED BY THE BOARD  
OF SUPERVISORS OF THE TOWN OF MAY THIS 3<sup>RD</sup> DAY OF NOVEMBER, 2022.**

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Attest: Bobbi Hummel, Town Clerk

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John Adams, Chair

## **EXHIBIT A COMPREHENSIVE PLAN AMENDMENTS**

### **Page 17 – Basis of the Community Plan Section**

#### *BASIS OF THE COMMUNITY PLAN*

The Town of May is a low density, agriculture based rural residential community with ample natural beauty, and a peaceful, idyllic, and serene character. The overriding goal and basis for its decision making is to preserve this inherent character of the Town. This is to be accomplished by encouraging continued agricultural uses, limiting residential development to the appropriate density for the context of the area, preserving the historic and rural nature of the Town, and promoting continued preservation of open spaces. The Town of May is not designated for urban growth and does not intend to allow uses with an intensity that results in impacts that are inherently out of character with the Town.

### **Page 18 – Existing Land Use Descriptions**

The Rural Residential land use designation makes up 36% of total acreage, or around 8,752 acres.

At 8,707 acres, Open Space, Vacant Land, and Agriculture make up just slightly more of May Township than Rural Residential. This land is undeveloped either because it is currently farmland, or if it has no buildings/structures on it.

Significant Open Water makes up 12% of May Township. This does not include wetlands or smaller lakes and streams. The 2,904 acres made up by this category cannot be used for potential future development.

Conservancy lands account for 1,856 acres, or 8% of the township's total acreage. Much of this land is not slated for development, it is largely to be protected as natural space and includes areas of ecological significance as recognized by the Minnesota Department of Natural Resources.

Park and Recreation uses includes about 561 acres of land.

Long Term Agriculture protects the areas being used as farmland which will continue to be used in such a manner for the foreseeable future and past 2040. This category makes up around 1429 acres, or 6% of May Township as a whole.

Commercial and Public/Institutional are very marginal land uses in May township, at 23 and 106 acres respectively. Commercial uses are not part of the areas long-term growth plans, and the public/institutional uses only cover the existing and necessitated institutional uses.

### **Page 23 – Future Land Use Descriptions**

#### **Conservancy**

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rather limited to specific groups of people, and that do not conflict with other area uses. Conservancy areas are typified by wetlands, hydric soils, and wooded areas. These areas are designated for their unique natural wildlife characteristics, habitat potential, and open spaces quality.

The Conservancy designation has historically included land in non-profit ownership and use which assisted in keeping this unique area in its natural condition. Uses within the Conservancy historically included the Warner Nature Center, Wilder Forest, Science Museum properties, Arcola Mills, and the Mower House. Many of these historic uses have changed ownership and mission over the more recent years. Urbanization in nearby communities, but not within May Township, has added additional development pressure within the area highlighting the need to robustly defend the serene and passive character of this area. To this end, non-residential uses within the Conservancy land use designation are not intended to exceed the equivalent impact of use regarding traffic generation or intensity than that of the permitted residential densities.

For general residential uses, development densities in this district are limited to one dwelling unit per twenty acres. For other uses that may be permitted by zoning, it is more appropriate for larger parcels of land, such as greater than 40 acres, however in no such circumstance would this allow uses which are incompatible with the conservational nature of this district. Uses that require higher levels of service and derive greater traffic than the equivalency of the lower density residential uses are not permitted within this land use designation. Non-residential uses should be able to handle waste with the use of compliant septic systems, as well.

#### **Page 55 – Insert after Introduction**

### ***TOWNSHIP ROAD POLICY***

The principal policy related to transportation infrastructure in the Town is to have a system that reflects the essential character of the community. The character of the community is rooted in fiscal responsibility and rural heritage. To this end, the Town often discourages paving existing roads. The preservation of the historic gravel, scenic, and rustic roads are a priority of the community. In cases where existing Shoreland residential development creates a need for paving, the Town will consider such a request if sought by the residents. Otherwise, users and permit holders on existing roads cannot create traffic levels that exceed the maximums set forth in this plan. Users and permit holders are expected to fit within the context of the vicinity rather than altering the essential character of the area.

#### **Page 59 – Functional Classification**

### ***LOCAL STREETS***

These roadways move low volumes of local traffic at low speeds over short distances and connect blocks and individual parcels. Their primary emphasis is on land access. In most cases, local streets will connect to other local streets and collectors. In some cases, they will connect to minor arterials. In the rural area, one-mile spacing may be adequate for local streets. Local streets of particular importance are shown on the transportation plan map.

Many local streets are unpaved and surfaced with gravel. These existing roads are intended to remain as such, as this is an integral part of the Town's character. Traffic volumes on these roads are not intended to have levels beyond an average of 300 trips per day, as such volumed is

found to result in excessive maintenance and cost and may require paving. Uses that result in traffic levels greater than this should not be located on such roadways. This will allow for fiscally responsible road maintenance of these more sensitive road surfaces.

## ***SCENIC AND RUSTIC ROADS***

May Township has identified several Township roads as either being Township scenic or rustic roads. Preservation of the existing character of these roadways is of the utmost importance for the Town and uses or development that potentially requires alteration of this character will not be permitted access via roadways of this classification.

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Township Scenic Roads are gravel roads that are generally able to handle slightly higher traffic volumes and speeds than Township Rustic Roads. These roads also were selected to illustrate the beautiful countryside of May Township and are also maintained at a “rural” level. Both Scenic and Rustic roads identified by the Township are shown on the Transportation Plan map.

Scenic road corridors are intended to be preserved as is and not have uses that result in excessive tree removal, high traffic volumes, or require corridor modifications. Due to this, uses on scenic roads that result in an aggregate of more than an average of 275 trips per day shall not be permitted. Future road improvements on these corridors will require low impact designs to preserve the scenic beauty of the area.

In addition to roads identified by the Township as scenic, State Trunk Highway 95 is recognized as part of the federally established National Scenic Byways Program, created by the Federal Intermodal Surface Transportation Equity Act of 1991 (ISTEA). The St. Croix Scenic Byway runs parallel along the river and can be understood as an overlay designation on top of its functional classification.

In the past, Washington County recognized several roadways within the Town of May as “scenic roadways.” These roadways have views of scenic or historic value, and Washington County stated that a goal was to work to maintain these roadways as such. These include: CR 55, CSAH7, CSAH 4, CR 51, and CSAH 3. This designation is no longer identified in the Washington County Transportation Plan, however, the Town still recognizes this designation for these segments of road and will engage with the County to ensure the highest level of preservation of the unique scenic qualities in these corridors.

**TOWN of MAY**  
**WASHINGTON COUNTY, MINNESOTA**  
**Ordinance No. 2022-\_\_**

**AN ORDINANCE AMENDING THE TOWN CODE REGARDING THE USES AND  
IN THE CONSERVANCY DISTRICT**

**Section 1. Findings.**

**WHEREAS**, the Municipal Code of the Town of May in Section 708.03 established the Conservancy Zoning District; and

**WHEREAS**, the purpose and intent of this zoning district, as stated in the Comprehensive Plan and in Section 708.03, is to allow for uses that provide for the preservation, protection, and management of environmentally sensitive lands; and

**WHEREAS**, the Town Board requested a study of the policies related to the Conservancy District; and

**WHEREAS**, the following ordinance amendments are intended to ensure the district is consistent with the Comprehensive Plan and the goals and policies expressed therein; and

**NOW THEREFORE THE MAY TOWN BOARD DOES ORDAIN** that Section 708.03 of the Town Code be amended to read as follows:

**Section 2. Code Added.** Section 702.02 of the Zoning Ordinance is hereby amended to include the following definitions:

Camp, youth. A state licensed facility where with permanent buildings, tents, or other structures together with appurtenances thereon, established or maintained as temporary living quarters for minors for educational and/or recreational purposes. This definition does not include the following: day camps without lodging; cabin and trailer camps; fishing and hunting camps; resorts; correctional camps; industrial and construction camps; homes operated for the care or treatment of children; or a facility which also offers lodging and/or food and beverage services for adults.

Educational Center. A non-profit center which is designed, maintained and intended to serve the principal use of providing short-term visitors groups with a facility to engage in exposure and study of historic and/or natural resources of the Town including day camps, historic structures, scenic areas, and the provision of a short-term retreat facility, and not involving the sale or manufacture of goods, the sale or provision of services, rental of recreational equipment, or other commercial activity and does not include overnight stays.

School, Elementary. A public or private school with building, equipment, courses of study, class schedules, enrollment of pupils ordinarily in kindergarten through 6<sup>th</sup> grade or any portion thereof, and staff meeting the standards established by the State of Minnesota. Auxiliary programming involving children outside of the provided age or adults is not permitted.

Scientific Research Station. A site where the study, investigation, and/or analysis of the natural or environmental conditions of a property or immediate environs is conducted by a limited group of professionals for the purpose of scientific research.

**Section 3. Code Deleted.** Section 702.01 is hereby amended to delete the definition of “Nature Center.”

**Section 4. Code Amended.** Section 708.03 is hereby amended to modify the purpose statement to read as follows:

**Section 708.03: Conservancy District Established (C)**

The Conservancy District is established for the purpose of providing for the preservation, protection and management of environmentally sensitive lands. This District allows for residential and agricultural uses at a lower density in order to maintain the natural character of the area. Additional uses may be conditionally permitted provided the uses fit within the context of the area and do not result in traffic generation or other similar impacts greater than allowed by the lower density of the area and advance the Town’s goals of conserving the natural character and essence of this area. All non-residential uses in the area are intended to have limited numbers of users that can be metered and capped as to not disturb the peace and serenity of this District.

**Section 5. Code Added.** Section 708.03.A (Permitted Uses) is hereby amended to include the following permitted use:

Residential, single family (See Section 705.04)

**Section 6. Code Amended.** Section 708.03.B (Accessory Uses) is hereby amended to replace “Residential Swimming Pool” with the following:

Single family residential swimming pool

**Section 7. Code Amended.** Section 708.03.C (Conditional Uses) is hereby amended to read as follows:

C. Conditional Uses. The following conditional uses may be permitted by a written Conditional Use Permit issued by The Town Board pursuant to section 704.04:

Camp, youth  
Educational Retreat Center



Home occupations (meeting criteria) (See Section 702.01, Definitions)  
School, Elementary  
Scientific Research Station

**Section 8. Severability.** If any part of this Ordinance is held invalid by a court of competent jurisdiction, this shall not invalidate any other section, provisions, or part of this Ordinance.

**Section 9. Effective Date.** This Ordinance shall be in full force and effect from and after passage by the Town Board and publication according to law.

**BY ROLL CALL VOTE OF THE MAY TOWN BOARD: ADAMS \_\_\_\_\_;  
MAGNER \_\_\_\_\_; PAZLAR \_\_\_\_\_; THIS ORDINANCE IS HEREBY  
ADOPTED/NOT ADOPTED ON THIS 3<sup>RD</sup> DAY OF NOVEMBER, 2022**

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Attest: Town Clerk, Bobbi Hummel

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Board Chair, John Adams