



**Norwood Young America Planning Commission
Tuesday, April 19, 2016
Norwood Young America City Council Chambers, 310 Elm St. W.
7:00 p.m.**

AGENDA

- | | |
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| Bill
Grundahl | 1. Call to Order
Pledge of Allegiance |
| Cassandra
Kemp | 2. Adoption of Agenda |
| JR
Hoernemann | 3. Approve Minutes – March 8, 2016 and March 15, 2016 meetings |
| Mark
Lagergren | 4. New Business
A. Light/Heavy Manufacturing Definitions |
| Charlie
Storms | 7. Old Business
A. Accessory Dwelling Unit Survey Results
B. Solar Energy Systems As Accessory Uses |
| Craig
Heher
Council
Liaison | 8. Work Session – Use of Property 309 1 st Street NE (7:30pm) |
| | 9. Commissioner's Reports |
| | 10. Adjourn |

UPCOMING EVENTS

- April 19th 7:00 p.m. – Planning Commission Regular Meeting
April 19th 5:30 p.m. – Parks & Recreation Commission Meeting
April 25th 6:30 p.m. – City Council Meeting

*Norwood Young America
Planning Commission Work Session Minutes
March 8, 2016*

Present: Commissioners Bill Grunhal, Charlie Storms, Craig Heher, Cassandra Kemp, Mark Lagergren, and JR Hoernemann.

Absent: None.

Public: Mayor Tina Diedrick, Storms Welding Owner Tom Janas, and YA Building Owner Joel Buttenhoff.

Staff: City Administrator Steve Helget and Planning Consultant Cynthia Smith Strack.

1. Call to Order

The meeting was called to order by Heher at 7:00 pm.

2. Adoption of Agenda

Chairperson Heher introduced the agenda.

Motion – Motion Lagergren, seconded by Kemp, with all in favor to approve the agenda with the requested change. Motion approved 6-0.

3. Old Business

A. Use of Former YA Building

Chairperson Heher introduced the agenda item.

Strack noted the PC discussed the concept of heavy industrial uses in the C-2 District at their February meeting. The PC talked about positive and potential negative implications of such activity in the C-2 General Commercial District. At the meeting the PC requested a meeting with the building owner and prospective tenant to better understand the request.

To those ends the work session was scheduled.

Heher introduced YA Building Owner Joel Buttenhoff and asked him to say a few things about the building. Buttenhoff explained he has been purchasing ‘fix-up’ industrial properties since the 1990’s and leasing them out for profit. He currently has about 1.5 million square feet of industrial space under contract or available for contract. He stated he has been working with Vos Construction on plans to re-face and repaint the exterior. He represented the building facelift would include quality materials.

Buttenhoff distributed an aerial image of the building illustrating sections of the building that could be separate leased industrial spaces each with individual loading docks. He noted up to five spaces including 20,000 to 25,000 sf could be individually leased.

He recounted some leads which have inquired about lease space, including Janas from Storms Welding.

Janas stated their use, if occupying the building, would likely require fire suppression.

Buttenhoff noted his typical tenants are distributors with temporary needs, a longterm prospective tenant like Janas was a bit unique. Buttenhoff requested input from the PC as to whether or not they were comfortable with the proposed use.

Heher stated his concern was the definition of heavy versus light industrial. Heavy industrial could have impacts that extend beyond the property on which the use is occurring.

Helget inquired of Buttenhoff how many tenants he was looking at for the building. Buttenhoff indicated up to five, but opined a single user occupying the entire space would be preferable.

Heher invited Janas to tell the PC about his proposed use of the building.

Janas noted they would be assembling larger metal panels from smaller metal panels. The assembly involved welding. He explained they would have smaller metal sections dropped off in the building, then weld the sections in the building, and load them directly onto semi-tractor trailers within the building and then send them off. Janas said they would also perhaps build truck bodies at the site. He initially indicated there may be some storage of truck bodies outside of the building during slow periods. He later recanted and noted outdoor storage may not occur.

Janas asked for clarification of the definition of heavy industrial.

Kemp read a definition from the zoning code and then alluded to standards contained in for conditional use permits for industrial uses. Kemp asked Janas to explain the welding process.

Heher asked Janas to explain Charlie Storms affiliation with him. Janas noted he purchased Storms Welding from Charlie and that Charlie was currently working for him.

Kemp stated the use proposed seemed much more like light industrial than heavy industrial. Hoernemann concurred.

Heher stated his initial concern was amending the code to allow heavy industrial uses opened up a myriad of possibilities for uses which could broadly impact adjacent

properties. He noted if the code was amended the change would apply to all instances of heavy industrial use, not just one in particular.

Grundahl asked Janas if ventilation was going to be required. Janas noted ventilation may be needed. Buttenhoff noted if ventilation was needed it would have to be done. Grundahl inquired as to whether or not Buttenhoff had considered how ventilation could impact co-tenants at the site. Janas explained ventilation wouldn't produce odor and particulate matter.

Grundahl asked Janas if at their currently location they open the doors during the summer. Janas confirmed that is the case. Grundahl stated he would be concerned opening doors at the YA Building would impact adjacent properties. Janas noted he would do what he needed to do to abide by the City's wishes.

Heher inquired as to whether Janas would be welding carbon steel or stainless. Janas stated nearly all carbon steel but could be some stainless.

Hoernemann asked where exhaust goes when it leaves the building. Janas stated fumes are not an issue and odor is not an issue. He stated his employees park under exhaust system at his current location in Cologne.

Grundahl inquired as to whether or not outdoor storage would occur. Janas stated his business is custom manufacturing. When a product is made it is immediately out the door to the customer. Grundahl noted the Cologne location has outdoor storage. Janas stated the type of use in NYA would be different than that in Cologne, specifically agricultural machinery would not be brought to NYA building.

Lagergren inquired as to whether or not Janas could see outdoor storage in the future at some point. Janas noted that could be a possibility if he was to grow his company. At this point he didn't see a need and he wanted to work with the City to do what he needed to do to locate in NYA.

Lagergren inquired as to whether or not the Commission was talking about rezoning of property. Strack noted if the use was determined to be heavy industrial in nature then thought was to amend the C-2 to allow limited heavy industrial in certain situations under an interim use permit.

Buttenhoff noted the nature of his business were clients looking for immediate occupancy. He implored the PC to reduce barriers to occupancy.

Kemp noted she did not support a CUP for heavy industrial but could support heavy industrial under IUP. She stated the proposed use seemed to be light industrial and not heavy industrial in nature.

Mayor Diedrick stated the PC had previously updated the Downtown district language to allow limited small manufacturing activities. She inquired as to whether the PC wanted

more vacant buildings or more jobs. She suggested reducing barriers to getting businesses established. She suggested a mixed use zoning classification.

Heher stated the YA building was a unique situation and pre-dated the current code. Heher noted he believed the proposed use was light industrial in nature. Lagergren and Grundahl concurred.

Helget inquired as to whether or not light and heavy industrial needed to be further defined. Strack noted building status was existing legal non-conforming with regard to light industrial applications.

The Commission discussed how to process the current request and how to better define light and heavy industrial uses.

The Commission will request the City Attorney provide advice on how to proceed with the consideration of the proposed use as a light industrial use that is not very different from what has been and is occurring on site. They noted the use will not involve outdoor storage initially, nor impact adjacent properties in terms of odor, glare, noise, or vibration. There won't be heavy material presses used and the workers are not required to wear ear protection indoors. Loading/unloading will be done within the building. Ventilation if needed will not involve particulate matter being dispersed outdoors.

In the future the Commission will attempt to better define light industrial and heavy industrial uses.

4. Commissioner Reports

None.

5. Adjourn

Motion – Lagergren, seconded by Storms all in favor, the meeting was adjourned at 8:06 p.m.

Respectfully submitted,

Steve Helget
Zoning Administrator

***Norwood Young America
Planning Commission Minutes
March 15, 2016***

Present: Commissioners Bill Grundahl, Craig Heher, Cassandra Kemp, Mark Lagergren, JR Hoernemann, and Charlie Storms.

Absent: None.

Public: Ryan Jeurissen, Greystone Construction.

Staff: City Administrator Steve Helget, Brian Simmons with Bolton-Menk, and Planning Consultant Cynthia Smith Strack.

1. Call to Order

The meeting was called to order by Heher at 7:00 pm. All present stood for the Pledge of Allegiance.

2. Adoption of Agenda

Chairperson Heher introduced the agenda. Strack requested the addition of an item relating to a joint meeting on March 22nd.

Motion – Motion Storms, seconded by Kemp, with all in favor to approve the agenda with the requested change. Motion approved 6-0.

3. Approval of Minutes from the Regular Meeting February 16, 2016

Heher introduced the minutes from the February 16, 2016 meeting.

Motion – Storms to approve February 16, 2016 meeting minutes. Second by Lagergren. With all in favor the minutes were approved 6-0. Grundahl noted he may have a correction in the future potentially related to spelling of last name.

4. Parks and Recreation Commission Representative Appointment.

Grundahl noted his work schedule prevented him from accepting an appointment. Kemp noted hers did as well. Storms noted he already sat on two committees. Hoernemann stated he did not wish to be appointed. Lagergren noted he was unable to do so. All inquired as to whether or not a pool of representatives could share duties, similar to attending City Council meetings. Administrator Helget noted he preferred a singular appointment but was open to alternatives if needed.

Motion – Storms to nominate Hoernemann to attend as often as he felt he could. Second Kemp. Motion carried 5-0 with Hoernemann abstaining.

5. Public Hearings.

None.

6. Old Business

A. Vickerman Companies Warehouse Expansion Site Plan Review.

Chairperson Heher introduced the expansion site plan review agenda item.

Strack noted Vickerman Company has submitted plans for a 28,812 sf (105' 8" X 272' 8") addition to an existing structure at 675 Tacoma Boulevard. The use is consistent with the Comprehensive Plan and a permitted use in the I-1 Light Industrial District. The proposed expansion was consistent with lot performance, building setback, building height, and lighting standards.

Proof of parking has been provided, however, the Applicant is requesting the City enter into an agreement to defer parking until a future event such as a change in use or an addition to staff.

The City Building Official was requiring a 'link' between buildings one and two be brought up to building code as part of the proposed expansion. Removal of the link in the event of a sale of building one or two was also suggested for inclusion in the agreement alluded to earlier.

Landscaping standards meant an additional 29 trees were to be added to the lot. Additional signage would require a separate sign permit.

Simmons from the City Engineer's Office reviewed a staff memo included in the packet. He noted the Fire Chief was requiring a second fire hydrant to accommodate hose lengths. The City Engineer recommended the hydrant be placed on the southwest side of the building for maximum usability and efficiency. In addition an easement to accommodate sludge removal across the property.

Storms inquired as to how the hydrant on the southwest side of the building and the non-improved parking lot would function in winter/spring. Simmons stated that would be the responsibility of the property owner. The property owner had to make sure the hydrant was accessible at all times.

Kemp inquired as to whether or not public access to the compost site would be curtailed with access to the hydrant. Simmons noted if the hydrant was located on the east side of the property there would be an issue during construction, but not on the southwest side.

Jeurissen commented on the hydrant noting the property owner had partially paid for hydrant installation with the construction of building two. He noted at that time the presumption was the hydrant would be located on the east side.

Kemp opined placement of the hydrant on the southwest side appeared to be more cost effective when factoring in closing of Tacoma if the hydrant was placed to the east.

Heher inquired as to whether reconfiguration of the drainage pond meant it would hold more water.

Simmons agreed it would function as well as it had in the past, if not better.

Lagergren inquired as to whether the pond would be public or private property.

Simmons noted a public easement would be required over the pond. The Applicant would remain the fee owner of the property but the City would have an easement.

Storms inquired as to if the hydrant would be accessed from the existing street. Simmons stated trucks would need to access the hydrant from Tacoma. He stated the Fire Chief was requiring a second hydrant to be able to service the back of the building, presumably to accommodate hose length limits.

Lagergren clarified the Fire Chief wanted the second fire hydrant on the southwest side of the building. Simmons clarified the Fire Chief wanted the second fire hydrant on the rear of the building and the City Engineer was suggesting the location on the southwest side of the building.

Storms inquired as to how the hydrant could be accessed if the parking lot was not constructed.

Heher asked Jeurissen how the exterior material will relate to what is existing. Jeurissen noted it would be the same. The roof line would be the same except for a bit more fall to accommodate rainwater shed. Heher inquired as to height of the building. Jeurissen noted height would be equal.

Storms noted he was concerned with a fire truck being able to access the hydrant in the event the parking lot was not constructed. He suggested adding a gravel access road which could be clearing of snow in the winter and able to withstand frost going in/out.

Storms clarified there was one door to the rear of the structure included in the addition. Jeurissen confirmed.

Storms asked Simmons what access to hydrant could/should look like. Simmons noted a gravel drive would be sufficient, as could pavers or some sort of chipped surface – anything that could be plowed during snow season.

Kemp inquired as to whether or not elevation issues addressed in the City Engineer's memo were taken care of at this time. Simmons noted those would likely be addressed in the revised plan set.

Heher inquired as to whether or not other members had questions. Lagergren stated that in looking through the plans he concurred with Storms that the southwest fire hydrant should be accessible.

Jeurissen inquired as to whether the southwest fire hydrant would be as cost effective as the southeast location. Kemp stated southwest could be less expensive when the cost of closing Tacoma was factored into the equation.

Storms inquired of Jeurissen as to whether or not regrading of the pond could easily grade an access road to the hydrant. Jeurissen noted soil correction was likely going to be needed with the building expansion because it was an issue with the second building. Significant quantities of soil needed to be removed/replaced.

Storms noted he didn't like the additional costs associated with building an access road to the fire hydrant but he felt the benefit outweighed the cost.

Hoernemann opined the access road probably won't require a great deal of gravel.

Storms noted if it was graded in the winter frost would be an issue so it may have to be a bit higher quality.

Lagergren inquired as to where the existing hydrant was located. Jeurissen noted it was in front of the building on the north side. He inquired as to whether or not the location of the second hydrant remained in flux.

Lagergren inquired of Strack whether the site plan could be approved without identifying the exact location of the fire hydrant. Strack noted that would be possible provided review/approval of City Engineer was given.

Storms inquired as to whether the hydrant could be located to the west versus the southwest. Simmons noted the Fire Chief requested a second hydrant to the rear of the building.

Heher inquired as to potential approval conditions for the site plan resolution. Strack reviewed proposed conditions.

Heher inquired as to whether or not Administrator Helget had anything to add. Helget summarized the language in the proposed agreement.

Lagergren suggested location of the fire hydrant be added as another condition.

Heher suggested the following be added as condition #12: "Based on City Engineer and Fire Chief agreement regarding fire hydrant location and road access to the hydrant."

Motion – Lagergren, second Grundahl to approve the site plan with the conditions contained in the resolution plus the additional condition suggested by Heher. Motion carried 6-0.

B. Solar Energy Systems.

Heher introduced the agenda item. Strack stated the PC discussed solar energy systems as permitted accessory and/or principal uses within certain zoning classifications at their February meeting. The PC reached consensus to pursue solar uses if the City Council agreed. The City Council discussed the issue at a recent meeting. The Council agreed solar energy systems as accessory uses were of interest, however, SES as principal uses was not something the Council was interested in at this time.

Strack noted she had several discussion points included in her memo intended to provide a framework for discussion in advance of drafting of language.

Strack asked the Commission to comment on whether accessory SES should be limited to rooftops and building integrated system components or if ground-mounted uses should be considered as well.

Heher inquired as to what would happen if a vacant lot was next to an industrial use and the vacant lot was proposed for solar. Strack noted a principal use is required prior to establishment of an accessory use. Alternatively, the lots could be combined with solar accessory to the principal industrial use.

Grundahl inquired as to whether or not impervious surface coverage standards would apply. Strack noted for ground-mounted systems the panel surface would likely be totaled in aggregate to determine impervious surface coverage.

Kemp stated she supported rooftop and building integrated systems but not ground mounted systems as accessory uses.

The PC reached consensus in that roof mounted and building integral systems were appropriate accessory uses but not ground mounted systems.

The PC then discussed zoning districts where SES as accessory uses made sense. After discussion the Commission agreed accessory SES seemed appropriate for most zoning classes.

The PC then discussed whether or not neighbors should be able to comment on proposed rooftop and/or building integral systems. The Commission reached consensus that an interim or conditional use permit would not be needed for accessory SES.

The PC discussed whether systems should be off-grid only or be able to be connected to the power grid. The PC requested additional information.

The PC addressed SES accessory uses and historic buildings. Strack was instructed to bring sample language back to the PC.

The PC discussed maximum percentage of the roof that could be covered by panels. The PC decided a limitation was not necessary.

The PC then suggested a roof top solar expert be invited to the next PC meeting, someone who could bring panels and mounting brackets and be able to speak to rooftop installation. Storms suggested Todd Miller could be helpful.

Strack noted a workshop session would probably be most beneficial.

Additional discussion was postponed in favor of additional information.

C. ADU Survey Results.

Heher introduced the agenda item and noted the item could and potentially should involve significant discussion. He suggested postponing consideration to a future meeting in the interest of time. The PC concurred.

7. **New Business**

A. Highway 212 Corridor Feasibility Study

Chairperson Heher introduced the agenda item. Strack noted SRF Consulting Group has been contracted by MnDOT to conduct a Corridor Feasibility Study between Highway 5/25 and CR 34 (Tacoma) in NYA. The purpose of the study is to identify safety, mobility, and access improvements along the corridor for all modes of transportation (pedestrian, bicycle, freight, autos). The study will help align future improvements with MnDOT's scheduled mill/overlay in 2020 and grant submittals. Administrator Helget was seeking appointment of a volunteer to attend focus group meetings.

Kemp noted she would be interested in attending. Storms noted he would as well. The PC agreed.

B. Joint Meeting with EDC and Chamber.

Chairperson Heher introduced the agenda item and noted the joint meeting scheduled for March 22nd.

8. **Commissioner's Reports**

Grundahl noted the building permit report was not included in the packet. Helget noted it would be in future packets.

Lagergren said he attended the City Council meeting. He noted the Council approved a change to parking in front of the school to one hour maximum duration during school hours.

Storms said the EDC was crunching ideas on identity and that a commercial market study was just finished.

Heher said the Parks and Recreation Committee talked about improvements and needs at the Pavilion and Willkommen Memorial Park. They also reviewed 2016 goals.

Heher requested volunteers to attend the City Council meetings on April 11th and the 25th. Storms will attend the April 25th meeting, Hoernemann will attend April 11th.

9. Adjourn

Motion – Lagergren, seconded by Kemp all in favor, the meeting was adjourned at 8:44 p.m.

Respectfully submitted,

Steve Helget
Zoning Administrator



To: Chairperson Heher
Members of the Planning Commission
Administrator Helget

From: Cynthia Smith Strack, Consulting Planner

Date: April 19, 2016

Re: Definitions of Light, Heavy Industrial

BACKGROUND

The PC held a work session in March to discuss potential uses of an existing industrial/commercial structure. During the work session the precise definitions of 'light industrial' and 'heavy industrial' were scrutinized. During the work session the PC suggested working toward better defining said terms.

Attached please find several definitions and purpose statements for light and heavy industrial and applicable zoning classifications. The text is from several different community ordinances that I have personally updated.

ACTION

Review and input on definitions.

CITY OF NORWOOD YOUNG AMERICA:

Definitions are as follows:

Industry, Heavy. A use engaged in the basic processing and manufacturing of materials or products predominately from extracted or raw materials, or a use engaged in storage of, or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions.

Industry, Light. A use engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales, and distribution of such products, but excluding basic industrial processing.

Following are purpose statements for the B-I District and I-1 District:

B-I Business Industrial District

The B-1, Business Industrial District is intended to provide an area identified for light industrial and large-scale office-park development.

I-1 Light Industrial District

The purpose of the I-1, Light Industrial District, is to create industrial areas within the City that will be acceptable and will not adversely affect adjacent business or residential neighborhoods. The overall character of the I-1 District is intended to have low-impact manufacturing/warehouse character. Industrial uses allowed within the District shall be either:

- A. Those whose operations are relatively free from objectionable influences; or
- B. Those whose objectionable features will be mitigated by design or appropriate devices.

CITY OF ARLINGTON:

The following purpose statements are included in respective industrial classifications:

I-1 Limited Industrial District. The I-1 District is intended for administrative, wholesaling, manufacturing and related uses which can maintain high standards of appearance, including open spaces and landscaping, and limit external effects such as noise, odors, smoke and vibration.

I-2 General Industrial District. The I-2 District is intended for general industrial uses which, due to their size and nature, would not be appropriate in the I-1 District.

CITY OF BELLE PLAINE:

The following definitions apply:

Manufacturing, Heavy. The manufacture, compounding, processing, packaging, treatment or assembly of products and materials that may emit objectionable and offensive influences beyond the lot on which the use is located.

Manufacturing, Light. All uses which include the compounding, processing, packaging, treatment or assembly of products and materials, provided such use will not generate offensive odors, glare, smoke, dust, noise, vibration or other objectionable influences that extend beyond the lot on which the use is located.

The following purpose statements are included in the Belle Plaine code:

Industrial/Commercial District. It is the purpose of the I/C District to allow for development of areas where there is a transition in use occurring, but sites are not available which would allow for compliance with other district requirements. Industrial or commercial development will be allowed only as a conditional permitted use to (1) ease land use transition, (2) control development so that it is compatible with surrounding property, and (3) establish dimensional requirements on an individual basis.

General Industrial District. It is the intent of the I-2 General Industrial District to provide areas suitable for the location of general industrial activities which have adequate and convenient access to thoroughfares and provide effective controls for nuisance and pollution characteristics. It is further the intent of this district to encourage industrial development in a compact and orderly manner consistent with the general locations shown in the Comprehensive Plan providing a compatible relationship with other land uses where a full complement of urban services are provided.

CITY OF CLEARWATER:

The following purpose statements are included in the zoning ordinance:

I-1 Light industrial District. The purpose of the I-1, Light Industrial District is to provide for the establishment of warehousing and light industrial development. The overall character of the I-1 District is intended to have low impact manufacturing/warehouse character. Industrial uses allowed in this district shall be limited to those which can compatibly exist adjacent to both lower intensity business uses and high intensity manufacturing uses and which have limited amounts of truck traffic in comparison to higher intensity industrial districts. Because I-1 areas may abut residential neighborhoods, I-1 uses are regulated in height, lot coverage, setbacks, landscaping, loading and use type, so as to facilitate compatibility between these uses and residential development.

I-2 General Industrial District. The purpose of the I-2, General Industrial District is to provide for the establishment of warehousing and industrial development and large volume truck oriented uses.

CITY OF COLD SPRING:

Purpose statements for each district follow:

I-1 Limited Industrial/Commercial District

The purpose of this district is to accommodate the commercial and limited industrial type of land uses which by the nature of operation or appearance are more compatible with light industrial than retail commercial activities. These uses generally are not visited by customers, but rather involve service operations from headquarters with some on-site fabrication of parts and, in some cases, substantial open air storage of large service vehicles, raw materials or finished products. This district is intended to provide areas for research, administrative, lighter manufacturing, wholesale and heavy service commercial uses not suitable to general commercial districts, while maintaining a high standard for appearance and limit on external nuisance effects.

I-2 General Industrial District

The purpose of the Industrial District is to provide areas in which areas of general industrial activities, including heavy manufacturing and other such activities that, because of the nature of the product or character of operation, require isolation from non-industrial uses. Business/Industry located in this district will produce the greatest degree of nuisances and hazards to locate in areas of the City, which are of a manufacturing, processing, assembling, storing, testing or similar industrial character. These uses are generally large-scale or specialized industrial operations requiring ready access by road and/or railroad, open and outdoor storage, large sites and extensive public and utility services. All uses in this district shall be subject to initial and continued compliance with performance standards set forth by the City so as to not cause adverse effects on surrounding properties or on the City as a whole.

CITY OF FREEPORT:

The following definitions apply:

Industry, Heavy. A use engaged in the basic processing and manufacturing of materials or products predominately from extracted or raw materials, or a use engaged in storage of, or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions.

Industry, Light. A use engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales, and distribution of such products, but excluding basic industrial processing.

The following purpose statement is included in the zoning ordinance for the industrial district:

It is the purpose/intent of this district to provide for and allow a wide range of industrial, warehousing, and wholesale bulk commercial activities in locations that will not conflict with other uses.

CITY OF GREEN ISLE:

The following definitions are included in the zoning ordinance:

Industry, Heavy. A use engaged in the basic processing and manufacturing of materials or products predominately from extracted or raw materials, or a use engaged in storage of, or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions.

Industry, Light. A use engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales, and distribution of such products, but excluding basic industrial processing.

The following purpose statements are apply to individual industrial districts:

I-1 Light Industrial District. The purpose of the I-1 Light Industrial District is to provide space for light manufacturing activities as defined in Section 2, Subdivision 2 (Definitions) of this Ordinance and involving a minimum degree of refuse byproducts and air or noise pollution, and requiring a relatively low level of on premise processing. These activities may include secondary commercial functions which are conducted on site. Heavy manufacturing activities as described in Section 2, Subdivision 2 (Definitions) are prohibited within the I-1 District.

I-2 Heavy Industrial District. The purpose of the I-2 Heavy Industrial District is to provide space for heavy manufacturing activities as defined in Section 2, Subdivision 2 (Definitions) of this Ordinance.

CITY OF JORDAN:

The City employs a single industrial district and doesn't define industrial uses.

The following purpose statement applies:

Industrial District (I). This district is established to allow and preserve areas in the City for manufacturing, processing, assembly and fabrication, storage and warehousing and other industrial uses and to allow certain retail and service business.

CITY OF MADISON LAKE:

The following definitions apply:

Manufacturing – Heavy. The manufacture, compounding, processing, packaging, treatment or assembly of products and materials that may emit objectionable and offensive influences beyond the lot on which the use is located.

Manufacturing – Light. All uses which include the compounding, processing, packaging, treatment or assembly of products and materials, provided such use will not generate offensive odors, glare, smoke, dust, noise, vibration or other objectionable influences that extend beyond the lot on which the use is located.

The following purpose statement is included in the “I” industrial district:

The purpose of the Industrial District is to establish, preserve and regulate areas in the City for manufacturing, processing, assembly and fabrication, storage and warehousing and other industrial and related uses. These uses shall maintain a high level of performance and appearance, including open spaces and landscaping and encouraging development that is compatible with abutting districts.

CITY OF NEW MUNICH:

The following definitions apply:

"Manufacturing, Heavy" shall mean the manufacture, compounding, processing, packaging, treatment or assembly of products and materials that may emit objectionable, hazardous and/or offensive influences; including but not limited to: odors, material/byproduct discharges, dust, glare, ash, smoke, vibration and noise beyond the lot on which the use is located.

"Manufacturing, Light" shall mean uses which include the manufacture, compounding, processing, packaging, treatment or assembly of products and materials provided such use will not generate objectionable and/or offensive influences; including but not limited to: odors, material/byproduct discharges, dust, glare, ash, smoke, vibration and noise beyond the lot on which the use is located.

The following purpose statement is included in the zoning ordinance:

To provide space for light and heavy manufacturing activities as defined in the definitions section of this Ordinance and involving a minimum degree of refuse byproducts and air or noise pollution, and requiring a relatively low level of on-premise processing. These activities may include secondary commercial functions which are conducted on site.

CITY OF SPRINGFIELD:

Definitions are as follows:

"Manufacturing" shall mean combining machinery, tools, power and labor to bring material closer to a final state.

"Manufacturing, Heavy" shall mean the manufacture, compounding, processing, packaging, treatment or assembly of products and materials that may emit objectionable, hazardous and/or offensive influences; including but not limited to: odors, material/byproduct discharges, dust, glare, ash, smoke, vibration and noise beyond the lot on which the use is located.

"Manufacturing, Light" shall mean uses which include the manufacture, compounding, processing, packaging, treatment or assembly of products and materials provided such use will not generate objectionable and/or offensive influences; including but not limited to: odors, material/byproduct discharges, dust, glare, ash, smoke, vibration and noise beyond the lot on which the use is located.

CITY OF SPRINGFIELD, CONTINUED:

Purpose statement for the single industrial district follows:

I – Industrial Zone

The purpose of the I- Industrial District is to provide space for light and heavy manufacturing activities as defined in the Section 18.01 of this Ordinance and involving a minimum degree of refuse byproducts and air or noise pollution, and requiring a relatively low level of on-premise processing. These activities may include secondary commercial functions which are conducted on site.

CITY OF WAITE PARK:

Waite Park is located within the St. Cloud MSA in central Minnesota. Population is 6,700. The City by nature has a much greater than typical portion of tax base generated by retail and service commercial establishments. The City has some industrial uses which are primarily warehouse and storage in nature. The City doesn't define industrial uses or manufacturing uses and has a single industrial land use district.

The purpose statement for the single industrial district follows:

I-1 Light Industrial District

The I-1 Light Industrial District provides space for industrial activities involving a minimum degree of refuse by-products and air or noise pollution and requiring a relatively low level of on premises processing. The I-1 Industrial District is appropriate in areas guided to future industrial use.



To: Chairperson Heher
Members of the Planning Commission
Administrator Helget

From: Cynthia Smith Strack, Consulting Planner

Date: April 19, 2016

Re: ADU Survey Results

BACKGROUND

Last fall the PC drafted and reviewed a draft survey instrument regarding accessory dwelling units. Copies of the survey were emailed to all Chamber Members with email addresses, and City staff distributed a survey link to all elected and appointed officials and staff.

The survey was to be made available in written form for distribution to those without email addresses. A link was to be posted on the City's website and the City Facebook page.

Attached please find draft survey results. A total of 29 responses were received. A total of 13 community members asked for updates if the City moves forward with drafting language.

A bill is currently moving through the state house and senate relating to temporary dwellings or 'drop homes' which would require cities to allow temporary ADU's established to take care of medically challenged family members. The bill is much more city-friendly then when first introduced. The bill appears to have broad support. I've been providing input to the LMC regarding land use and building code issues related to the bill. Attached is the latest version of the senate bill.

ACTION

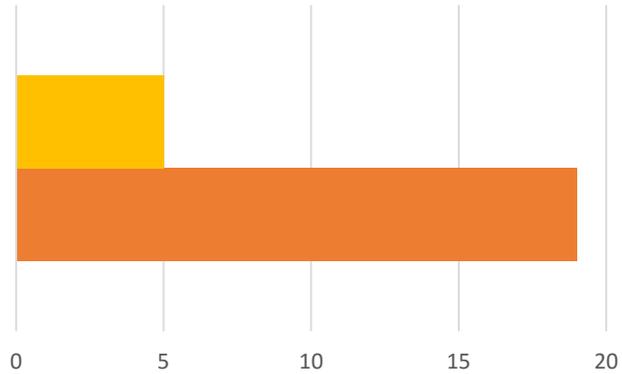
This item is for information purposes.



- Only on existing structures.
- The purpose of an ADU is for elderly or invalid family members. I hope the intent in NYA is not to encourage cheap rental units in backyards.
- If needed for a parent or adult child
- Depends on size of lot and if it would be rentable to anyone

Question 2

For which of the following purposes would you consider establishing an ADU on your property

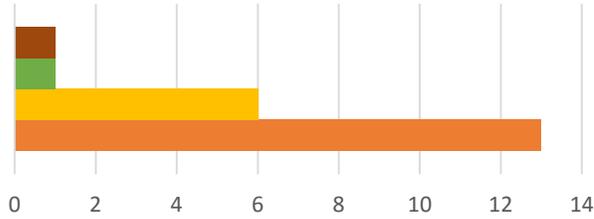


For which of the following purposes would you consider establishing an ADU on your property	
Place for a relative to live	5
To earn extra income	19

- Aging parents and college age students
- ADU should not be used in NYA as rental properties. Most lots in the city aren't big enough for second units. Would an ADU be allowed its own garage and/or storage shed? Would we end up with four or five buildings on a city lot (two houses, garages, sheds, etc. plus extra vehicles.) ?
- NO! What happens when people move...the ADU will become vacant and then turn into a nuisance and potential for a trashy property. We have too many shady rental houses in town that are not regulated...the last thing we need is these and no oversight by the C
- It may be a friend in need of a small unit. I believe that rent will vary from no dollars for a parent to less than market rent for others. Extra income may allow a new home buyer to afford a larger home.
- Place for visitors and guests to stay. With no hotel I town, they currently go to Glencoe or Waconia.

Question 3

If you were to establish an ADU how much rent would you likely charge?

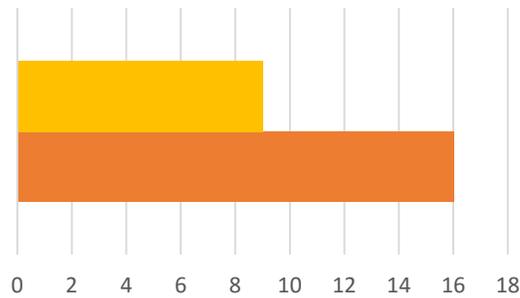


If you were to establish an ADU how much rent would you likely charge?	
More than \$1,000 per month	1
\$751 to \$1,000 per month	1
\$500 to \$750 a month	6
Less than \$500 per month	13

- ADUs should not be built for rental purposes in NYA. Too much potential for cheap dwellings that end up with maintenance issues, police calls, etc.
- This question is too vague to make any real contribution to the results. The rent would depend on many factors and without them it cannot be determined.

Question 4

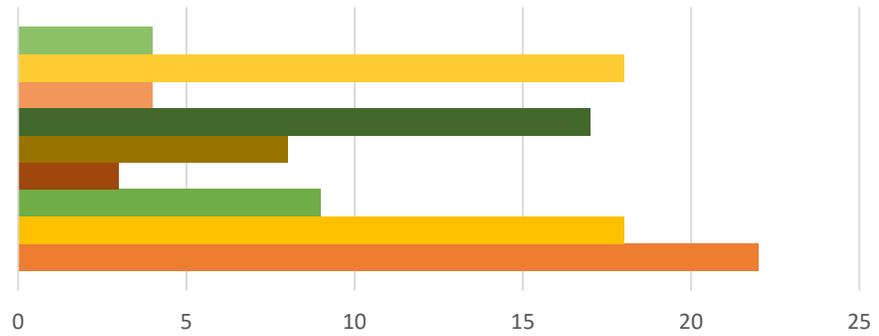
Do you have enough room on your property to provide off-street parking if an ADU is established



Do you have enough room on your property to provide off-street parking if an ADU is established	
Yes	9
No	16

Question 5

What type of accessory dwelling units would be acceptable in your neighborhood? Check all that apply.



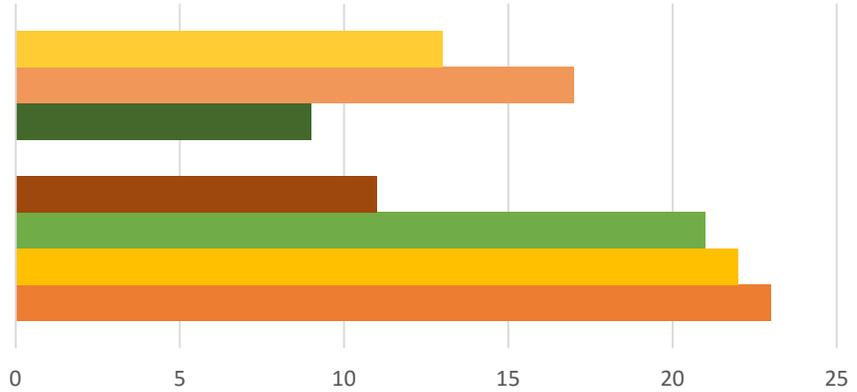
What type of accessory dwelling units would be acceptable in your neighborhood?
Check all that apply.

■ ADU's are not acceptable in my neighborhood	4
■ An apartment above an attached garage	18
■ A second house	4
■ An apartment over a detached garage/shed	17
■ A 'tiny' house (less than 200 sq ft)	8
■ A manufactured home	3
■ A breezeway converted to an ADU	9
■ An addition to an existing house	18
■ A basement converted to an ADU	22

- Walkout basements, apartments above garages, or additions to existing houses are the best solutions for NYA.
- These will add NO value to the existing homes, especially if they become vacant!
- A lot would depend on exterior finish materials

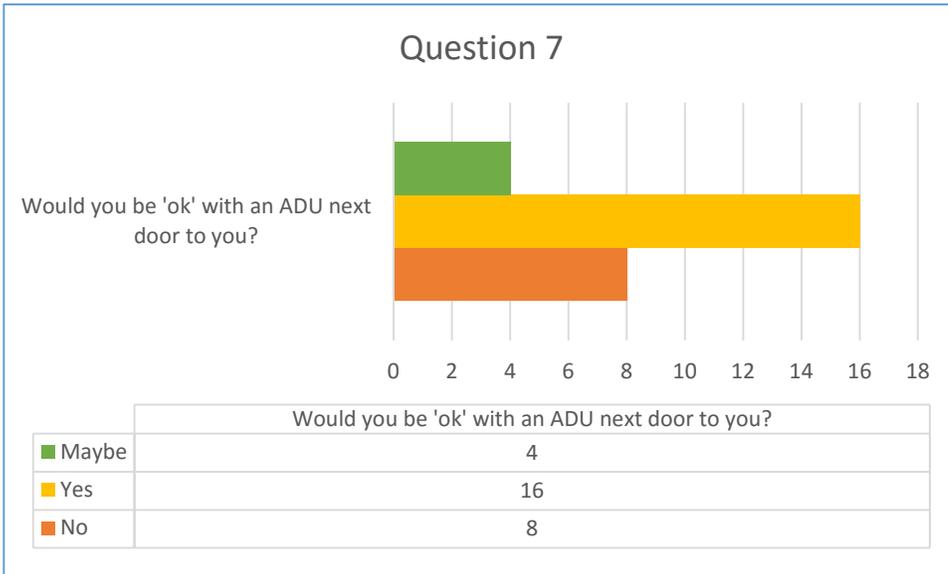
Question 6

What types of standards should apply to ADUs in your neighborhood

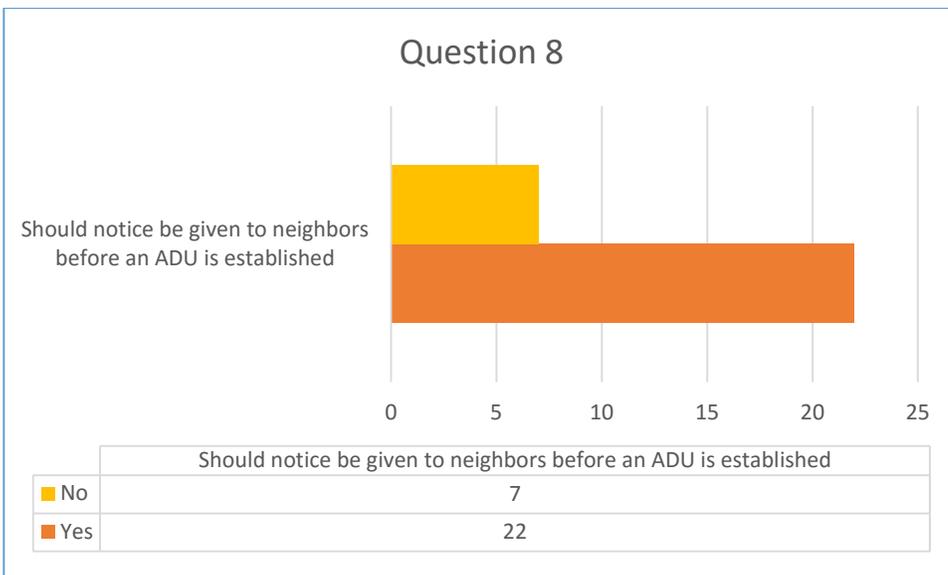


What types of standards should apply to ADUs in your neighborhood	
■ A 'tiny' house (less than 200 s.f.) should not be allowed as an ADU	13
■ People should not be able to bring a manufactured home in as an ADU	17
■ Detached ADUs like a freestanding guest house should not be allowed	9
■ Both the ADU and the existing dwelling should be required to use the same front door	0
■ A separate front door to the ADU should be required	11
■ The size of the ADU should be smaller than the main dwelling unit	21
■ At least one of the dwellings (principal or ADU) should be occupied by the owner of the property	22
■ Parking for residents of the ADU should be off street	23

- 1.) It would have to match and complement the existing house in style and color. 2.) It would have least at a 20 ft. setback from from all property lines and from the existing house. 3.) A garage, storage shed and "outside" storage would not be allowed. 4.) The house must have have a foundation and be "attached" to the ground. 6.) It could not be a "seasonal" or RV type of dwelling. 5.) There would be no parking on lawn or widening of the existing driveway. 6.) The house could never be partitioned off the main lot and sold separately. 7.) The city could grant "variances" on city lots over one acre provided there are no objections from the adjoining properties.
- Please don't allow this. We have many housing options for elderly individuals in our town....part of why Oak Grove was built was to keep the Go-Goers in town. We have Peace Villa and the Harbor and the new memory care unit as well. Add on to those if we want to allow our family members to keep aging adults near us.
- As a business this does not apply
- If other rental units in our City do not have off street parking then we must take that into account for ADU units. While I understand the questions, do most that fill out this survey understand the questions?

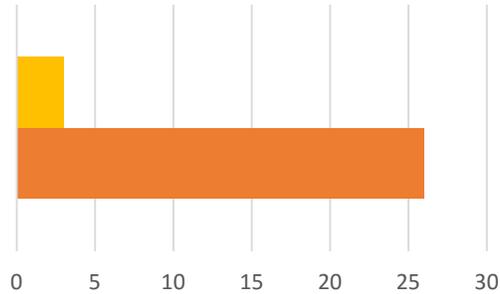


- It would depend on the circumstances, like what happens when the need for the ADU goes away.
- If they didn't take up all the public parking lot spaces.
- All the conditions listed in question (#6) would be required. (The "tiny houses" you see now on TV shows are mostly in rural or vacation type settings, or in the backyards of high-end houses in cities.
- Again, this question is "loaded". What if everyone agrees with ADU but not in my backyard. This would be a common response since it is change. Change is most often negative in feeling. Be very careful how this question is used. It will probably result in support for negative responses. I believe this question should not be used.



Question 9

Do you have an existing structure on your property that could be turned into an ADU?



Do you have an existing structure on your property that could be turned into an ADU?	
Yes	3
No	26

- Breezeway or basement
- I could add an addition off the back of my garage, but it would take too long to recoup the building cost in rental fees. It might make sense if NYA were a lake town, or a tourist area, but it isn't.
- Not sure if they would meet standards. I do not know what the standards for the dwelling would be so how can I answer this question. I have three structures available, plus a basement.

Question 10: What do you like or not like about the concept of ADUs?

- I like the idea of a place for an elderly relative, but not sure what is done with structure once the elderly relative moves on.
- Don't like an unattached separate structure on a "single family dwelling." Like the ability to give independence to an aging parent, yet also being able to care for them by having them close.
- While the concept of ADU's is good in itself, NYA is not a good place for this. Most lots in the "old" towns aren't big enough and we have enough garages, storage units, extra vehicles, etc, that we shouldn't risk adding any future "junk" to the mix. Examples: Some of the mobile homes on Raidroad St. are looking quite shabby...barely livable, and the "landscaping business" in the house on Central Ave in YA is still operating there.
- EVERYTHING
- There are many quality senior housing options in the City, including the complex currently under construction. I am not convinced this is needed in a city the size of NYA.
- I like that it gives people of all ages more flexibility for housing arrangements.
- ADU's are fine for a family member, not as a rental property
- Any way to bring more people to our small town is a good thing.
- Bad ideal
- I believe that if we do not allow many options for current homeowners and new ones, they will go to a city that will give them more options. We must expand our options. Do not resist change just because it is change. Often surveys like this cause citizens to become concerned by change. They are fine so do not change anything. A minority will voice for change and the we must weigh their importance to the community as a whole. If this concept is rejected have very valid reasons.
- It keeps people in town. There is a lack of lower priced homes so younger families end and elders end up looking west.
- Like the idea of keeping people who want to stay in nya in nya.
- ADU's for aging parents are fine, but I do worry about property condition if being rented out for incomes sake. How does existing NYA rental ordinances apply to ADU's?
- After having a mother with cancer and went through hospice it would have been great to have had a dwelling for her to give more care to.
- I feel there is a need for them but don't believe they should be permitted in every residential neighborhood especially our new developments.
- I think it is family friendly for those wishing to take care of elderly family members. My concern is down the road they would turn into multi-family rental properties in residential neighborhoods.

SENATE
STATE OF MINNESOTA
EIGHTY-NINTH SESSION

S.F. No. 2555

(SENATE AUTHORS: HOFFMAN, Rosen, Eken, Koenen and Abeler)

DATE	D-PG	OFFICIAL STATUS
03/10/2016	4960	Introduction and first reading Referred to State and Local Government
04/06/2016	5675a	Comm report: To pass as amended and re-refer to Health, Human Services and Housing
04/07/2016	5715a	Comm report: To pass as amended and re-refer to Finance

1.1 A bill for an act
 1.2 relating to local government; regulating zoning of temporary family health
 1.3 care dwellings; establishing temporary dwelling permits; amending Minnesota
 1.4 Statutes 2014, section 144D.01, subdivision 4; proposing coding for new law in
 1.5 Minnesota Statutes, chapters 394; 462.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2014, section 144D.01, subdivision 4, is amended to read:

1.8 Subd. 4. **Housing with services establishment or establishment.** (a) "Housing
 1.9 with services establishment" or "establishment" means:

1.10 (1) an establishment providing sleeping accommodations to one or more adult
 1.11 residents, at least 80 percent of which are 55 years of age or older, and offering or
 1.12 providing, for a fee, one or more regularly scheduled health-related services or two or
 1.13 more regularly scheduled supportive services, whether offered or provided directly by the
 1.14 establishment or by another entity arranged for by the establishment; or

1.15 (2) an establishment that registers under section 144D.025.

1.16 (b) Housing with services establishment does not include:

1.17 (1) a nursing home licensed under chapter 144A;

1.18 (2) a hospital, certified boarding care home, or supervised living facility licensed
 1.19 under sections 144.50 to 144.56;

1.20 (3) a board and lodging establishment licensed under chapter 157 and Minnesota
 1.21 Rules, parts 9520.0500 to 9520.0670, 9525.0215 to 9525.0355, 9525.0500 to 9525.0660,
 1.22 or 9530.4100 to 9530.4450, or under chapter 245D;

1.23 (4) a board and lodging establishment which serves as a shelter for battered women
 1.24 or other similar purpose;

1.25 (5) a family adult foster care home licensed by the Department of Human Services;

2.1 (6) private homes in which the residents are related by kinship, law, or affinity with
 2.2 the providers of services;

2.3 (7) residential settings for persons with developmental disabilities in which the
 2.4 services are licensed under Minnesota Rules, parts 9525.2100 to 9525.2140, or applicable
 2.5 successor rules or laws;

2.6 (8) a home-sharing arrangement such as when an elderly or disabled person or
 2.7 single-parent family makes lodging in a private residence available to another person
 2.8 in exchange for services or rent, or both;

2.9 (9) a duly organized condominium, cooperative, common interest community, or
 2.10 owners' association of the foregoing where at least 80 percent of the units that comprise the
 2.11 condominium, cooperative, or common interest community are occupied by individuals
 2.12 who are the owners, members, or shareholders of the units; ~~or~~

2.13 (10) services for persons with developmental disabilities that are provided under
 2.14 a license according to Minnesota Rules, parts 9525.2000 to 9525.2140 in effect until
 2.15 January 1, 1998, or under chapter 245D; or

2.16 (11) a temporary family health care dwelling as defined in sections 394.307 and
 2.17 462.3593.

2.18 **Sec. 2. [394.307] TEMPORARY FAMILY HEALTH CARE DWELLINGS.**

2.19 **Subdivision 1. Definitions.** (a) For purposes of this section, the following terms
 2.20 have the meanings given.

2.21 (b) "Caregiver" means an individual 18 years of age or older who:

2.22 (1) provides care for a mentally or physically impaired person; and

2.23 (2) is a relative, legal guardian, or health care agent of the mentally or physically
 2.24 impaired person for whom the individual is caring.

2.25 (c) "Instrumental activities of daily living" has the meaning given in section
 2.26 256B.0659, subdivision 1, paragraph (i).

2.27 (d) "Mentally or physically impaired person" means a person who is a resident of
 2.28 this state and who requires assistance with two or more instrumental activities of daily
 2.29 living as certified in writing by a physician, a physician assistant, or an advanced practice
 2.30 registered nurse licensed to practice in this state.

2.31 (e) "Relative" means a spouse, parent, grandparent, child, grandchild, sibling, uncle,
 2.32 aunt, nephew, or niece of the mentally or physically impaired person. Relative includes
 2.33 half, step, and in-law relationships.

3.1 (f) "Temporary family health care dwelling" means a mobile residential dwelling
3.2 providing an environment facilitating a caregiver's provision of care for a mentally or
3.3 physically impaired person that meets the requirements of subdivision 2.

3.4 Subd. 2. **Temporary family health care dwelling.** A temporary family health
3.5 care dwelling must:

3.6 (1) be primarily assembled at a location other than its site of installation;

3.7 (2) be no more than 300 gross square feet;

3.8 (3) not be attached to a permanent foundation;

3.9 (4) be universally designed and meet state-recognized accessibility standards;

3.10 (5) provide access to water and electric utilities either by connecting to the utilities
3.11 that are serving the principal dwelling on the lot or by other comparable means;

3.12 (6) have exterior materials that are compatible in composition, appearance, and
3.13 durability to the exterior materials used in standard residential construction;

3.14 (7) have a minimum insulation rating of R-15;

3.15 (8) be able to be installed, removed, and transported by a one-ton pickup truck
3.16 as defined in section 168.002, subdivision 21b, a truck as defined in section 168.002,
3.17 subdivision 37, or a truck tractor as defined in section 168.002, subdivision 38;

3.18 (9) be built to either Minnesota Rules, chapter 1360 or 1361, and contain an
3.19 Industrialized Buildings Commission seal and data plate or to American National
3.20 Standards Institute Code 119.2; and

3.21 (10) be equipped with a backflow check valve.

3.22 Subd. 3. **Temporary dwelling permit; application.** (a) Unless the county has
3.23 designated temporary family health care dwellings as permitted uses, a temporary family
3.24 health care dwelling is subject to the provisions in this section. A temporary family health
3.25 care dwelling that meets the requirements of this section cannot be prohibited by a local
3.26 ordinance that regulates accessory uses or recreational vehicle parking or storage, or
3.27 by any other ordinance.

3.28 (b) The caregiver or relative must apply for a temporary dwelling permit from the
3.29 county. The permit application must be signed by the primary caregiver, the owner of the
3.30 property on which the temporary family health care dwelling will be located, and the
3.31 resident of the property if the property owner does not reside on the property, and include:

3.32 (1) the name, address, and telephone number of the property owner, the resident of
3.33 the property if different from the owner, and the primary caregiver responsible for the care
3.34 of the mentally or physically impaired person; and the name of the mentally or physically
3.35 impaired person who will live in the temporary family health care dwelling;

4.1 (2) proof of the provider network from which the mentally or physically impaired
4.2 person may receive respite care, primary care, or remote patient monitoring services;

4.3 (3) a written certification that the mentally or physically impaired person requires
4.4 assistance with two or more instrumental activities of daily living signed by a physician,
4.5 a physician assistant, or an advanced practice registered nurse licensed to practice in
4.6 this state;

4.7 (4) an executed contract for septic service management or other proof of adequate
4.8 septic service management;

4.9 (5) an affidavit that the applicant has provided notice to adjacent property owners
4.10 and residents of the application for the temporary dwelling permit; and

4.11 (6) a general site map to show the location of the temporary family health care
4.12 dwelling and other structures on the lot.

4.13 (c) The temporary family health care dwelling must be located on property where the
4.14 caregiver or relative resides. A temporary family health care dwelling must comply with
4.15 all setback requirements that apply to the primary structure and with any maximum floor
4.16 area ratio limitations that may apply to the primary structure. The temporary family health
4.17 care dwelling must be located on the lot so that septic services and emergency vehicles
4.18 can gain access to the temporary family health care dwelling in a safe and timely manner.

4.19 (d) A temporary family health care dwelling is limited to one occupant who is a
4.20 mentally or physically impaired person. The person must be identified in the application.
4.21 Only one temporary family health care dwelling is allowed on a lot.

4.22 (e) Unless otherwise provided, a temporary family health care dwelling installed
4.23 under this section must comply with all applicable state law and local ordinances.

4.24 Subd. 4. **Initial permit term; renewal.** The initial temporary dwelling permit is
4.25 valid for six months. The applicant may renew the permit once for an additional six months.

4.26 Subd. 5. **Inspection.** The county may require that the permit holder provide
4.27 evidence of compliance with this section as long as the temporary family health care
4.28 dwelling remains on the property. The county may inspect the temporary family health
4.29 care dwelling at reasonable times convenient to the caregiver to determine if the temporary
4.30 family health care dwelling is occupied and meets the requirements of this section.

4.31 Subd. 6. **Revocation of permit.** The county may revoke the temporary dwelling
4.32 permit if the permit holder violates any requirement of this section. If the county revokes a
4.33 permit, the permit holder has 60 days from the date of revocation to remove the temporary
4.34 family health care dwelling.

5.1 Subd. 7. **Fee.** Unless otherwise specified by an action of the county board, the
5.2 county may charge a fee of up to \$100 for the initial permit and up to \$50 for a renewal
5.3 of the permit.

5.4 Subd. 8. **No public hearing required; application of section 15.99.** (a) Due to the
5.5 time-sensitive nature of issuing a temporary dwelling permit for a temporary family health
5.6 care dwelling, the county does not have to hold a public hearing on the application.

5.7 (b) The procedures governing the time limit for deciding an application for the
5.8 temporary dwelling permit under this section are governed by section 15.99, except as
5.9 provided in this section. The county has 15 days to issue a permit requested under this
5.10 section or to deny it, except that if the county board holds regular meetings only once per
5.11 calendar month the county has 30 days to issue a permit requested under this section
5.12 or to deny it. If the county receives a written request that does not contain all required
5.13 information, the applicable 15-day or 30-day limit starts over only if the county sends
5.14 written notice within five business days of receipt of the request telling the requester what
5.15 information is missing. The county cannot extend the period of time to decide.

5.16 Subd. 9. **Opt-out.** A county may by resolution opt-out of the requirements of
5.17 this section.

5.18 **Sec. 3. [462.3593] TEMPORARY FAMILY HEALTH CARE DWELLINGS.**

5.19 Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms
5.20 have the meanings given.

5.21 (b) "Caregiver" means an individual 18 years of age or older who:

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5.24 impaired person for whom the individual is caring.

5.25 (c) "Instrumental activities of daily living" has the meaning given in section
5.26 256B.0659, subdivision 1, paragraph (i).

5.27 (d) "Mentally or physically impaired person" means a person who is a resident of
5.28 this state and who requires assistance with two or more instrumental activities of daily
5.29 living as certified in writing by a physician, a physician assistant, or an advanced practice
5.30 registered nurse licensed to practice in this state.

5.31 (e) "Relative" means a spouse, parent, grandparent, child, grandchild, sibling, uncle,
5.32 aunt, nephew, or niece of the mentally or physically impaired person. Relative includes
5.33 half, step, and in-law relationships.

6.1 (f) "Temporary family health care dwelling" means a mobile residential dwelling
 6.2 providing an environment facilitating a caregiver's provision of care for a mentally or
 6.3 physically impaired person that meets the requirements of subdivision 2.

6.4 Subd. 2. **Temporary family health care dwelling.** A temporary family health
 6.5 care dwelling must:

- 6.6 (1) be primarily assembled at a location other than its site of installation;
 6.7 (2) be no more than 300 gross square feet;
 6.8 (3) not be attached to a permanent foundation;
 6.9 (4) be universally designed and meet state-recognized accessibility standards;
 6.10 (5) provide access to water and electric utilities either by connecting to the utilities
 6.11 that are serving the principal dwelling on the lot or by other comparable means;
 6.12 (6) have exterior materials that are compatible in composition, appearance, and
 6.13 durability to the exterior materials used in standard residential construction;
 6.14 (7) have a minimum insulation rating of R-15;
 6.15 (8) be able to be installed, removed, and transported by a one-ton pickup truck
 6.16 as defined in section 168.002, subdivision 21b, a truck as defined in section 168.002,
 6.17 subdivision 37, or a truck tractor as defined in section 168.002, subdivision 38;
 6.18 (9) be built to either Minnesota Rules, chapter 1360 or 1361, and contain an
 6.19 Industrialized Buildings Commission seal and data plate or to American National
 6.20 Standards Institute Code 119.2; and
 6.21 (10) be equipped with a backflow check valve.

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 6.23 designated temporary family health care dwellings as permitted uses, a temporary family
 6.24 health care dwelling is subject to the provisions in this section. A temporary family health
 6.25 care dwelling that meets the requirements of this section cannot be prohibited by a local
 6.26 ordinance that regulates accessory uses or recreational vehicle parking or storage, or
 6.27 by any other ordinance.

6.28 (b) The caregiver or relative must apply for a temporary dwelling permit from the
 6.29 municipality. The permit application must be signed by the primary caregiver, the owner
 6.30 of the property on which the temporary family health care dwelling will be located, and the
 6.31 resident of the property if the property owner does not reside on the property, and include:

- 6.32 (1) the name, address, and telephone number of the property owner, the resident of
 6.33 the property if different from the owner, and the primary caregiver responsible for the care
 6.34 of the mentally or physically impaired person; and the name of the mentally or physically
 6.35 impaired person who will live in the temporary family health care dwelling;

7.1 (2) proof of the provider network from which the mentally or physically impaired
7.2 person may receive respite care, primary care, or remote patient monitoring services;

7.3 (3) a written certification that the mentally or physically impaired person requires
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7.5 a physician assistant, or an advanced practice registered nurse licensed to practice in
7.6 this state;

7.7 (4) an executed contract for septic service management or other proof of adequate
7.8 septic service management;

7.9 (5) an affidavit that the applicant has provided notice to adjacent property owners
7.10 and residents of the application for the temporary dwelling permit; and

7.11 (6) a general site map to show the location of the temporary family health care
7.12 dwelling and other structures on the lot.

7.13 (c) The temporary family health care dwelling must be located on property where the
7.14 caregiver or relative resides. A temporary family health care dwelling must comply with
7.15 all setback requirements that apply to the primary structure and with any maximum floor
7.16 area ratio limitations that may apply to the primary structure. The temporary family health
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7.18 can gain access to the temporary family health care dwelling in a safe and timely manner.

7.19 (d) A temporary family health care dwelling is limited to one occupant who is a
7.20 mentally or physically impaired person. The person must be identified in the application.
7.21 Only one temporary family health care dwelling is allowed on a lot.

7.22 (e) Unless otherwise provided, a temporary family health care dwelling installed
7.23 under this section must comply with all applicable state law, local ordinances, and charter
7.24 provisions.

7.25 Subd. 4. **Initial permit term; renewal.** The initial temporary dwelling permit is
7.26 valid for six months. The applicant may renew the permit once for an additional six months.

7.27 Subd. 5. **Inspection.** The municipality may require that the permit holder provide
7.28 evidence of compliance with this section as long as the temporary family health care
7.29 dwelling remains on the property. The municipality may inspect the temporary family
7.30 health care dwelling at reasonable times convenient to the caregiver to determine if the
7.31 temporary family health care dwelling is occupied and meets the requirements of this
7.32 section.

7.33 Subd. 6. **Revocation of permit.** The municipality may revoke the temporary
7.34 dwelling permit if the permit holder violates any requirement of this section. If the
7.35 municipality revokes a permit, the permit holder has 60 days from the date of revocation
7.36 to remove the temporary family health care dwelling.

8.1 Subd. 7. **Fee.** Unless otherwise provided by ordinance, the municipality may charge
8.2 a fee of up to \$100 for the initial permit and up to \$50 for a renewal of the permit.

8.3 Subd. 8. **No public hearing required; application of section 15.99.** (a) Due to the
8.4 time-sensitive nature of issuing a temporary dwelling permit for a temporary family health
8.5 care dwelling, the municipality does not have to hold a public hearing on the application.

8.6 (b) The procedures governing the time limit for deciding an application for the
8.7 temporary dwelling permit under this section are governed by section 15.99, except as
8.8 provided in this section. The municipality has 15 days to issue a permit requested under
8.9 this section or to deny it, except that if the statutory or home rule charter city holds regular
8.10 meetings only once per calendar month the statutory or home rule charter city has 30 days
8.11 to issue a permit requested under this section or to deny it. If the municipality receives a
8.12 written request that does not contain all required information, the applicable 15-day or
8.13 30-day limit starts over only if the municipality sends written notice within five business
8.14 days of receipt of the request telling the requester what information is missing. The
8.15 municipality cannot extend the period of time to decide.

8.16 Subd. 9. **Opt-out.** A municipality may by ordinance opt-out of the requirements
8.17 of this section.

8.18 Sec. 4. **EFFECTIVE DATE.**

8.19 This act is effective September 1, 2016, and applies to temporary dwelling permit
8.20 applications made under this act on or after that date.



To: Chairperson Heher
Members of the Planning Commission
Administrator Helget

From: Cynthia Smith Strack, Consulting Planner

Date: April 19, 2016

Re: Solar Energy Systems

BACKGROUND

At the previous meeting the PC began discussion solar energy systems as accessory uses in various zoning classifications.

The PC suggested a rooftop solar installation contractor attend the next meeting for discussion/information. The PC suggested reaching out to Todd Miller from Xtreme Electric as a resource since he initiated the discussion.

I have reached out to Mr. Miller and am awaiting information.

ACTION

This item is for your information.



To: Chairperson Heher
Members of the Planning Commission
Administrator Helget

From: Cynthia Smith Strack, Consulting Planner

Date: April 19, 2016

Re: 309 1st Street NE

BACKGROUND

The property at 309 1st Street NE is currently for sale and being marketed as commercial property. Planned use and current zoning for the parcel is R-3 Medium Density Residential. Hydro Engineering currently stores a few miscellaneous items outdoors and has material stored indoors as well.

A buyer is interested in the property for a use including outdoor storage.

A work session has been scheduled to discuss potential options, including rezoning to C-3 and updating of C-3 District language to allow outdoor storage. Alternately, limiting potential outdoor storage to what is current (under non-conforming use language) is a potential discussion item.

No action is to be taken, discussion is in a work session and for conceptual purposes only.

Attached please find:

- Map of property
- Property "report card"
- Current zoning
- C-3 Downtown District guidelines

ACTION

This item is for discussion.



Carver County GIS

This map was created using Carver County's Geographic Information Systems (GIS), it is a compilation of information and data from various City, County, State, and Federal offices. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Carver County is not responsible for any inaccuracies contained herein.

Map Date: 4/8/2016

Property Card	Parcel ID Number 580510520
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Taxpayer Information
Taxpayer Name HYDRO REAL ESTATE LLC
Mailing Address 301 INDUSTRIAL BLVD NORWOOD YOUNG AMERICA, MN 55397-3000



Property Address
Address 309 1ST ST NE City NYA, MN 55397

Parcel Information			
Uses	Commercial	GIS Acres	1.05
		Net Acres	1.05
		Deeded Acres	
		Plat	CITY LOTS OF YOUNG AMERICA
		Lot	
		Block	010

Tax Description BLK 10 EXC W 100' THEREOF INCLUDING ABANDONED RR OLD # 95.0500570

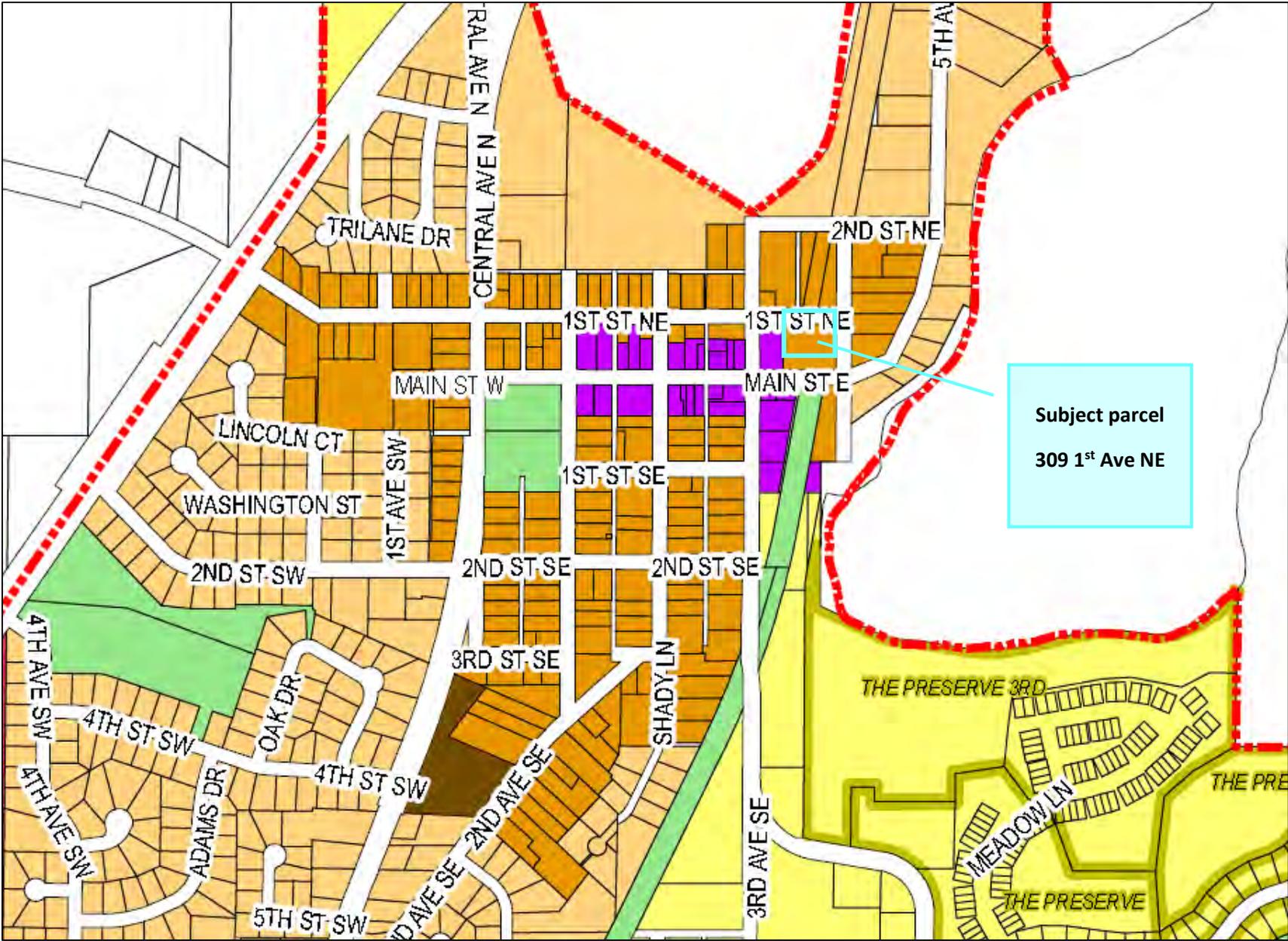
Building Information		
Building Style	Above Grade Finished Sq Ft	Bedrooms
Year Built	Garage N	Bathrooms

Miscellaneous Information				
School District 0108	Watershed District WS 067 CARVER CO WMO	Homestead N	Green Acres N	Ag Preserve N

Assessor Information			
Estimated Market Value	2015 Values (Payable 2016)	2016 Values (Payable 2017)	Last Sale
Land	\$26,000.00	\$26,000.00	Date of Sale
Building	\$24,000.00	\$23,100.00	Sale Value
Total	\$50,000.00	\$49,100.00	

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Current Zoning



Front yard:	25 feet
Side yard:	5 feet
Side yard:	30 feet (if adjacent to a residential district)
Street side yard:	25 feet
Rear yard:	20 feet
Rear yard:	30 feet (if adjacent to a residential district)

Accessory Structures:

Front yard:	not permitted in front yards
Side yard:	5 feet
Street side yard:	25 feet
Rear yard:	5 feet
Alley rear yard:	10 feet

Subd. 7 Architectural Standards and Guidelines. Architectural Standards and Guidelines shall follow the provisions of Section 1245.03 of this Chapter.

1230.10 C-3 Downtown Districts

Subd. 1 Intent. The C-3, Downtown Districts, which include the original Norwood downtown, known as “Downtown Business” and the original Young America downtown, known as “Community Uptown”, is intended to serve as the specialized service, retail, employment, and public business district for the community. The specific intent of this district is:

- A. To be the focal point for specialty services and goods focusing on neighborhood service related businesses;
- B. To allow for mixed commercial and residential uses since the district offers convenient access to services.
- C. To promote pedestrian-friendly design and development and encourage gathering areas.

Subd. 2 Permitted Uses. The following uses are permitted in the Downtown District:

- A. General commercial office space;
- B. Professional Services, such as medical/dental clinics, law offices, and accounting offices;
- C. Finance, Insurance and Real Estate;
- D. Personal or Business Services, such as laundry, barber, shoe repair, beauty salons, photography studios and physical fitness centers less than 5,000 square feet
- E. Public facilities serving all or portions of the city, such as municipal offices, library, post office.
- F. Retail Trade, such as grocery, hardware, drug, clothing, appliance and furniture stores.
- G. Dwelling units, if located above the street level in nonresidential structures.
- H. Specialty Shops, such as book and stationary stores, candy stores, ice cream parlors, tobacco, coffee, gift and florist shops;
- I. Standard restaurants
- J. On and off-sale liquor establishments
- K. Public Parks

Subd. 3 Permitted Accessory Uses. The following accessory uses are permitted in the Downtown Districts.

- A. Off-street parking and loading facilities, subject to Section 1250
- B. Fences, subject to Section 1245.05
- C. Lighting, subject to Section 1245.08
- D. Decks, patios and porches in conjunction with the principal use;
- E. Signs, subject to Section 1260

Subd. 4 Conditional Uses. The following uses are permitted, subject to the provisions of Section 1210.06:

Principal Uses:

- A. Contractor Operations (*Amended by Ord. 216; 8-24-2009*)
- B. Lodging Services, such as hotels, motels and bed and breakfasts.
- C. Entertainment Services, such as motion picture theaters and bowling alleys
- D. Licensed Daycare Facilities

Accessory Uses:

- A. Outdoor Dining;
- B. Recreational Facilities;

Subd. 5 Lot Requirements and Setbacks. The following requirements and setbacks are the minimum amount allowed in the C-3 District, with the exception of “Lot Coverage” and building height, which shall be the maximum amount allowed:

- A. Lot Area: no minimum established
- B. Lot Width: no minimum established
- C. Lot Coverage: no maximum established
- D. Building Height: 45 feet (principal structure) (*Amended by Ord. 216; 8-24-2009*)
25 feet (accessory structure)
- E. Setbacks:

Principal Structures:

- Front yard: 0 feet
- Side yard: 0 feet
- Side yard: 5 feet (if adjacent to a residential district)
- Street side yard: 0 feet
- Rear yard: 0 feet
- Rear yard: 10 feet (if adjacent to a residential district or alley)

Accessory Structures:

- Front yard: not permitted in front yards
- Side yard: 5 feet
- Street side yard: 0 feet
- Rear yard: 5 feet
- Alley rear yard: 10 feet

Subd. 6 Architectural Standards and Guidelines. Architectural standards and guidelines shall follow the provisions of Section 1245.02 of this Chapter.

1230.11 B-1 Business Industrial District