

IMPLEMENTATION

I. Introduction

The various chapters of the Belle Plaine Comprehensive Plan outline the City's overall plan for growth and redevelopment. This chapter identifies methods the City of Belle Plaine will employ to implement the Comprehensive Plan and associated goals and objectives as identified by the community.

As required by M.S. 473.859, Subd. 4, the Implementation Chapter of Belle Plaine's Comprehensive Plan includes a summary of the following:

- The City's Official Controls including its Zoning Ordinance and Subdivision Ordinance;
- The City's Capital Improvement Plan; and,
- A Housing Implementation Program.

This chapter also includes information relating to orderly annexation agreements and future comprehensive plan amendments.

II. Zoning Ordinance

The City of Belle Plaine Zoning Ordinance was adopted by the City Council over 20 years ago with major updates and revisions in 1988 and 2002. The Zoning Ordinance includes specific regulations governing land use and an official zoning map. With formal approval of the Comprehensive Plan, the City Council recognizes the Comprehensive Plan as the 'umbrella' policy guiding the overall growth and redevelopment of the City of Belle Plaine. The policies/goals identified are in part carried out through standards regarding land use set forth within the Zoning Ordinance.

The City shall administer the Zoning Ordinance on an on-going basis. As required by state statutes, the City shall achieve consistency between the Comprehensive Plan and the zoning ordinance.

Purpose: The purpose and intent of the Belle Plaine Zoning Ordinance is outlined in 14 statements within the Zoning Ordinance. In summary, the purpose is to protect the public health, safety, and general welfare by regulating the use of land, the location and use of building and the arrangement of buildings on lots, and the density of the population in the City.

Contents: Local controls relative to the Land Use portion of the Comprehensive Plan and provided by the Zoning Ordinance include, but are not limited to, the following:

- Intent, Purpose and Scope – Section 1100
- Definitions – Section 1101
- Non-Conforming Lots, Uses and Structures – Section 1102
- Zoning Administration – Section 1103
- General Provisions – Section 1104
- Zoning Districts and Zoning Map- Section 1105
- Conditional Uses in Residential Districts – Section 1106
- Special Provisions – Section 1107
- Violations and Penalty and Effective Date –Section 1108
- Land and Water Preservation – Section 1109

Official Zoning Map/District Descriptions: A copy of the City of Belle Plaine's Official Zoning Map is included as Map 6-1 within Chapter 6 of the Comprehensive Plan. The zoning district matrix in Table 10-1 depicts allowable densities/intensity of use and lot sizes.

**TABLE 10-1
ZONING DISTRICT DIMENSIONAL STANDARDS MATRIX**

District	Lot Area¹	Lot Width²	Average Minimum Density	Maximum Density³	Front Yard	Side Yard⁴	Rear Yard	Maximum Height⁵	Lot Coverage⁶
A-2 Rural Residential	12,000 sq ft	85'/100'	1 unit/ 2.5 acre	2.9 units/ac	30'	10'/20'	30'	35'	25%
R-1 Single Family (Low Density) Residential District	12,000 sq ft	85'/100'	Average 2.77 units/acre	2.9 units/ac	30'	10'/20'	30'	35'	25%
R-2 Single Family (Low Density) Residential District	20,000 sq ft	100'/100'	1.7 units/ac	1.7 units/ac	30'	10'/20'	30'	35'	25%
R-3 Single and Two Family (Low to Medium Density) Residential District	One-family: 8,000 sq ft Two-family: 10,500 5,250 per unit	One-family: 70'/85' 2-family: 75'/100'	Average 5.5 units/ac	One family: 4.4 units/ac Two Family: 6.6 units/ac	30'	5' 0' if share interior wall/ 20' to ROW	30'	35'	30%
R-7 Mixed Housing (Medium to High Density) Residential District	10,500 for up to 4 units, + 2,000 sq ft for each addt. Unit	75'/100'	Average 10 units/ac	One family: 3.3 unit/ac Two family: 6.6 units/ac 3-Family: 10 units/ac 4-Family 13.2 units/ac 6-Plex: 14.4 units/ac 8- Plex: 15 units/ac	30'	10' 0' if share interior wall 20 to ROW	20' or height of bldg, whichever is greater. 0' if principal bldgs share common wall	35'	60%
R-MH Manufactured Home District	5,000 sq ft if home is <14' wide; 6,050 sq ft if > 14' wide; & 6,500 sq ft if home is >18' wide	50' if home is < 14' wide; 55' if home is > 14' wide; & 65' if home is >18' wide	Average 6.0 unit/ac	7.0 units/ac if homes are < 14' wide; 5.8 units/ac if homes are > 14' wide; & 5.4 units/ac if homes are > 18' wide	30'	10'	10'	25' or one story; whichever is less	--
B-2 Highway Commercial District	No minimum	100'	Varies	Varies	35'	20' or 35' if adj. to residential district	20' or 35' if adj. to residential district	35'	70% including bldgs, parking & other impervious surface

District	Lot Area¹	Lot Width²	Minimum Density	Maximum Density³	Front Yard	Side Yard⁴	Rear Yard	Maximum Height⁵	Lot Coverage⁶
B-3 Central Business District	No minimum	No minimum	Varies	Varies	None	None unless adj. to residential than 20'	20'	35'	85%
I-2 General Industrial District	20,000 sq. ft	100'	Varies	1.7 lots/ac	35'	20' or 55' if abutting a residential district	25' or 55' if abutting a residential district	35'	85% including bldgs and impervious surface
I-C Industrial/Commercial District	20,000	100'	Varies	1.7 lots/ac	35'	20' or 55' if abutting a residential district	25' or 55' if abutting a residential district	35'	85% including bldgs and impervious surface
PD Planned Unit Development	varies	varies	varies	varies	Typically the same as underlying zoning district but may vary	Typically the same as underlying zoning district but may vary	Typically the same as underlying zoning district but may vary	35'	varies
FP Flood Plain District	--	--	--	--	--	--	--	--	--
FW Floodway District	--	--	--	--	--	--	--	--	--
FF Flood Fringe District	--	--	--	--	--	--	--	--	--
S-1 Shoreland District	10,000 sq ft	75' at bldg line	Varies by underlying district	3.5 units/ac	50' from Ord. High Water Level	Typically the same as underlying zoning district	Typically the same as underlying zoning district	35'	30%

1. Minimum lot area per unit.
2. Minimum lot width: First number identifies interior lots/second number is the minimum width for corner lots.
3. Maximum Units per net acreage (Assumes net acreage equals gross acreage less 20% for wetlands, surface water, floodplain, and existing road easements or rights-of-way divided by the minimum lot area allowed per Ordinance).
4. Side yards: First number identifies interior lots/second number is the minimum for corner lots abutting a public street.
5. Maximum height noted is for the principal structure. Maximum height for accessory structure is less.
6. Relationship of structure coverage to total lot area.
7. The City's zoning ordinance does not establish minimum units per acre, with the exception of the A-2 District. The above are averages.

In addition to the above zoning districts, general provisions and performance standards, the City's Zoning Ordinance addresses Soil Erosion and Sedimentation Control, Preservation of Natural Drainageways, Wetland Preservation, Tree and Woodland Preservation, Bluff Preservation, Groundwater Preservation, and Storm Water Management which are in place to implement natural resource goals and policies identified by the City.

Implementation: The Zoning Ordinance is reviewed and subsequently administered by planning staff, the Planning Commission and the City Council.

The Zoning Ordinance is subject to periodic review to ensure consistency with the City's Comprehensive Plan and overall goals/objectives as defined by the City. The City Council may amend the Ordinance provided the Council adheres to constitutional, statutory, and other lawful procedures. The City shall not approve zoning ordinance amendments which conflict with the current Comprehensive Plan.

In order to ensure the Zoning Ordinance is consistent with the goals and objectives of this Comprehensive Plan the Planning Commission and Council will within nine (9) months after approving the Comprehensive Plan amend the zoning ordinance to address the following:

Recommendations:

1. The Planning Commission and Council shall update its Zoning Ordinance, Section 1102.04 Non-Conforming Structures, #2, to be consistent with state statutes, 462.357, Subd. 1 e. which states a nonconforming use may be continued.... unless, "any nonconforming use is destroyed by fire or other peril to the extent of greater than 50 percent of its market value, and no building permit has been applied for within 180 days of when the property is damaged. In this case, a municipality may impose reasonable conditions upon a building permit in order to mitigate any newly created impact on adjacent property."
2. The Planning Commission and City Council should review uses allowed in the various zoning classifications, particularly the potential for issuance of Interim Use Permits as an optional alternative to Conditional Use Permits. The Interim Use Permit would be utilized in cases in which a use is associated with a specific time period or conditions, as outlined in state statutes. While a conditional use permit is recorded and runs with the land, an interim use permit, as outlined in MN. Statutes 462.3597 is for a set period of time or activity. This may assist the City in allowing temporary uses which are reasonable while achieving long term land use compatibility.
3. The Planning Commission and City Council shall review requirements for internal and/or external storm shelter requirements to protect the safety of residents who reside in more affordable slab-on-grade homes or townhomes, and implement this as either a part of its Zoning Ordinance or Hazard Mitigation Plan.
4. The Planning Commission and City Council should review the Zoning Ordinance performance standards relating to require landscaping within industrial parks on lots and parking lots in commercial and industrial districts to improve the aesthetic appeal of the districts and achieve the goals identified with the Economic Development and Land Use Chapters of this Plan.
5. With the future update of this Comprehensive Plan, the Planning Commission and City Council, with input from the community, should revisit the desirability of creating a "Residential-Business District" which would allow for the existing residential units to continue as conforming uses, while providing opportunities for compatible commercial uses to transition into areas such as the Highway 25 corridor north of Main Street and the now residential corridor along Main Street from the downtown to the Highway 169/ CR 64 interchange.

III. Subdivision Ordinance

The City of Belle Plaine Subdivision Ordinance was amended in November, 2003. This Ordinance regulates the division or platting of land within the City's corporate limits.

Purpose: As stated in the Subdivision Ordinance, "The City finds that the public health, safety and general welfare require that the division of land into two or more parcels requires regulation to assure adequate space, light and air; to provide proper ingress and egress to property; to facilitate adequate provision for water, waste disposal, fire protection, open space, schools, public uses and adequate street and highways to assure uniform monumenting, legal description and conveyance of subdivided land..."

Contents: The Subdivision Ordinance includes provisions that:

1. Dictate procedures for filing, submittal and review (including the required contents of and conditions for) preliminary and final plats.
2. Establish and ensure design standards including: blocks, lots, streets and alleys, and other standards which promote the public health, safety, and general welfare.
3. Define parks and open space requirements.
4. Require improvements according to City standards for general improvements, streets, sanitary sewer and water distribution and public utilities.
5. Address premature subdivisions and the basis for denial.
6. Allow for variances from this Ordinance provided unique circumstances exist.
7. Provide for enforcement of and penalties for violation.

Implementation: The Subdivision Ordinance is subject to periodic review to ensure consistency with the City's Comprehensive Plan and overall goals/objectives as defined by the City. The City Council may amend the Ordinance provided the Council adheres to constitutional, statutory and other lawful procedures. The City shall not approve Subdivision Ordinance amendments which conflict with the current Comprehensive Plan.

In order to ensure the Subdivision Ordinance is consistent with the goals and objectives of this Comprehensive Plan the Planning Commission and Council will within nine (9) months after approving the Comprehensive Plan amend the subdivision ordinance to address the following:

Recommendations:

1. The Planning Commission and City Council should periodically review park dedication standards to assure they are adequately addressing the needs of the park system through developer dedication. The City should require the Park Board review proposed parkland dedication and/or fee in lieu of parkland dedication and make a recommendation to the City Council relating to the adequacy of said dedication and its consistency with existing plans and ensure fees are appropriate to support capital improvement proposed in the capital improvement plan.
2. State Statute 462.358, Subd. 3c allows that unless the city and developer agree, no amendment to the city's comprehensive plan or other controls, which include the Subdivision Ordinance, shall apply to or affect the use one year after preliminary approval and two years after final approval of the use. The City may should to consider an amendment to reference this statute.
3. The Planning Commission and City Council should review the Subdivision Ordinance to include requirements for Common Interest Community Plats, in accordance with State Statutes 515.B

IV. Capital Improvement Plan

The City of Belle Plaine has instituted a Capital Improvement Program (CIP) which identifies projects, prioritizes expenditures by year to be completed, includes the estimated cost and identifies sources of funding. The CIP is reviewed as a part of the annual budget process.

The overall objective of the Capital Improvement Plan (CIP) is to provide for the efficient use of fiscal resources in funding future capital expenses. The CIP is a flexible, evolving tool the City uses as a guide for the future. The annual CIP update allows for capital necessity and prioritization changes. Along with anticipated expenditures, the CIP includes proposed sources of funding such as special assessments, enterprise funds (water, sanitary sewer, storm sewer), state aid, annual levy, etc. Expenditures for water, sewer, transportation (street/sidewalk/trail), equipment purchases and public facilities are included. The phasing in of projects which require the same sources of funds assists in retaining a level annual tax levy.

The 2006-2011 Capital Improvement Plan, as adopted by the City Council is attached to this chapter as Exhibit 1, as required by the Metropolitan Council.

V. Housing Plan

The Metropolitan Council requires the inclusion of a housing plan as a part of the City's Comprehensive Plan Implementation Strategies. Housing Objectives, Policies and a Housing Plan are included on pages 13 and 14 of Chapter 4 of this Comprehensive Plan. The Plan outlines strategies to achieve the following:

1. Maintain and offer a balanced supply of life cycle housing.
2. Maintain and offer a variety of housing types, such as owner-occupied vs. rental, attached versus detached, single-family and multiple-family.
3. Enforce ordinances to ensure well-maintained housing.
4. Provide linkages between housing, recreation and employment.

The Metropolitan Council, identified an "Allocation of Affordable Housing Need by City/Township" in May, 2006. They have suggested the City of Belle Plaine has a need for 202 new affordable units between 2011 and 2020. The City's Zoning Ordinance currently provides a variety of housing districts allowing a range of densities from 1.7 to 15 units per acre, allowing for the construction of affordable housing as well as move-up or more executive style housing. As noted in the Housing Chapter, of the 499 residential units constructed between 2002 and 2005, the average value of new homes in Belle Plaine, without the lot, was \$152,840, which is considered "affordable". The City, with its current ordinances and guided land uses for additional medium and high density residential housing should be able to achieve the identified need.

In June of 2006, the City Council, upon recommendation from the Planning Commission, approved a conditional use permit for the construction of a 45-unit independent senior living complex and a 36-unit assisting living complex (which includes 14 units for memory care and 22 one-bedroom and two-bedroom units) on the Lutheran Home campus in Belle Plaine. These proposed projects will assist in meeting housing goals and identified needs of the community.

VI. Growth Areas and Annexation

The City of Belle Plaine, through its comprehensive planning process, has identified land use needs to accommodate additional residential, commercial and industrial development both within the existing corporate limits as well as in potential annexation areas. The urban growth boundary (Map 6-2 included in Chapter 6) is anticipated to meet the needs of the city to the year 2030. The urban growth boundary will coincide with municipal utility service areas and projected capital infrastructure. Parcels within the urban growth boundary are to be annexed into the City of Belle Plaine prior to being developed.

In 2004 the City of Belle Plaine and Town of Belle Plaine adopted a “Joint Resolution for Orderly Annexation between the Town of Belle Plaine and the City of Belle Plaine”. The joint annexation area is depicted on Map 6-4 in Chapter 6.

The City of Belle Plaine and Town of Blakeley entered into a “Joint Resolution for Orderly Annexation between the Town of Blakeley and the City of Belle Plaine”, in 2005. The joint annexation area is depicted on Map 6-5, within Chapter 6.

At this time the City does not have a Joint Annexation Agreement in place with St. Lawrence Township. With the proposed Highway 169 interchange and ability to service the area to the northwest with utilities, the City and Town Board have discussed meeting to develop such an agreement.

State Statutes 462.358, Subd. 1 states, “A municipality may by resolution extend the application of its subdivision regulations to unincorporated territory located within two miles of its limits in any direction but not in a town which has adopted subdivision regulations; provided that where two or more noncontiguous municipalities have boundaries less than four miles apart, each is authorized to control the subdivision of land equal distance from its boundaries within this area.” The orderly annexation agreements in place note Scott County is the zoning authority within the growth boundary. The City does not anticipate extending its subdivision regulations within St. Lawrence Township.

VII. Comprehensive Plan Review and Revision

The Comprehensive Plan is intended to guide the growth of the community. As events and circumstances within the community change, the Comprehensive Plan shall be reviewed and updated, as appropriate. Amendments to the Comprehensive Plan shall not occur without public notice, a public hearing conducted by the Planning Commission, City Council final review and approval and approval by the Twin Cities Metropolitan Council. Amendments to the Comprehensive Plan should be considered if there have been changes within the community or issues arise which were not anticipated by the Plan.

Recommendations:

1. It is recommended the Planning Commission and City Council review and update the Comprehensive Plan at five to ten year intervals to ensure it is a current reflection of the city's growth patterns, community goals and land use needs.
2. The Comprehensive Plan may be amended upon petition from the public, initiation by the Planning Commission or direction from the City Council. No amendment shall be adopted until a public hearing has been conducted by the Planning Commission with recommendation to the City Council. A 2/3 affirmative vote of the City Council is required to amend the Plan.
3. It is recommended that on an annual basis the City Planner report to the Planning Commission and City Council (re) development issues which have occurred as they relate to the Comprehensive Plan, proposed projects which have an impact on the accuracy on the Plan projections, and a list of implementation goals identified within the Plan and the status of implementation.

**Exhibit 1
Chapter 10 Implementation, Belle Plaine Comprehensive Plan**

**Belle Plaine Capital Improvement Plan 5 Year
2006-2010**

8/22/2005						
Project	Year	Est. Cost	Source of Funding			
			Cash Amt.	Fund	Other's \$	Debt Amt.
Water Utility Projects						
Replace water valves	2006	\$ 25,000	\$ 25,000	Water		
WaterMain 3rd Cross (Hwy 169)	2006	\$ 50,000	\$ 50,000	Water		
Water Tower	2007	\$ 1,100,000				1,100,000
Water Treatment Facility	2006	\$ 7,000,000				7,000,000
Well # 5	2007	\$ 500,000	\$ 500,000			
Upper Pressure Water Main	2007	\$ 1,200,000				1,200,000
<i>Subtotal Water Projects</i>		<i>\$ 9,875,000</i>	<i>\$ 575,000</i>	<i>\$ -</i>	<i>\$</i>	<i>9,300,000</i>
Sewer Utility Projects						
Sewer Interceptor - South	2007	\$ 500,000			\$500,000	
Sewer Interceptor North	2007	\$ 2,000,000		Sewer /Debt		2,000,000
WWTF - Expansion	2010	\$ 6,000,000		Sewer /Debt		6,000,000
<i>Subtotal Sewer Projects</i>		<i>\$ 8,500,000</i>	<i>\$ -</i>		<i>\$500,000</i>	<i>\$ 8,000,000</i>
Street/Sidewalk/Trail Projects						
Handicap Curb Cuts	2006	\$ 65,000				65,000
2006Street Proj (1st/church/cedar/chest)	2006	\$ 800,000				800,000
Fire Dept- pave backlot	2006	\$ 10,000	\$ 10,000	General		
Sealcoating	2006	\$ 100,000	\$ 100,000	General		
South Street - Elk to W. S.Oaks 1	2007	\$ 1,000,000				1,000,000
Handicap Curb Cuts	2007	\$ 65,000	65,000			
Sealcoating	2007	\$ 100,000	\$ 100,000	General		
Handicap Curb Cuts	2008	\$ 65,000				
Sealcoating	2008	\$ 100,000	\$ 100,000	General		
2008 Street Project	2008	\$ 1,200,000				1,200,000
Handicap Curb Cuts	2009	\$ 65,000				
Sealcoating	2009	\$ 100,000	\$ 100,000	General		
2009 Street Project	2009	\$ 1,200,000				1,200,000
Handicap Curb Cuts	2010	\$ 65,000				
Sealcoating	2010	\$ 100,000	\$ 100,000	General		
2010 Street Project	2010	\$ 1,200,000				1,200,000
Handicap Curb Cuts	2011	\$ 65,000				
Sealcoating	2011	\$ 100,000	\$ 100,000	General		
2011 Street Project	2011	\$ 1,200,000				120,000
<i>Subtotal Street/Pedestrian Projects</i>		<i>\$ 7,600,000</i>	<i>\$ 675,000</i>	<i>\$ -</i>	<i>\$</i>	<i>\$ 5,465,000</i>

Equipment/Vehicles						
WWTF- Pickup	2005	\$ 20,000	20,000	Sewer		
WWTF - Service Truck	2005	\$ 50,000	50,000	Sewer		
Police Car/Vehicle	2006	\$ 30,000	30,000	General		
PW - Plow Truck	2006	\$ 100,000	100,000	General		
Fire - Generator	2006	\$ 25,000	25,000	Gen		
Fire - Turn Out Gear (5 Sets)	2006	\$ 10,000	10,000	General		
PW - Loader	2006	\$ 125,000	125,000	General		
Fire- 4 dr 1Ton Grass Rig	2006	\$ 60,000	60,000	General		
PW - Flatbed Pickup	2006	\$ 40,000	40,000	General		
PW - 1070 Tractor	2006	\$ 30,000	30,000	General		
Ambulance - 12 Lead Defib	2006	\$ 23,000	23,000	Ambulance		
Civil Defense Siren	2007	\$ 19,000	19,000	Devel. Fees /General		
Fire - Turn Out Gear (5 Sets)	2007	\$ 10,000	10,000	General		
City Land	2007	\$ 60,000	60,000	General		
Fire- Chief/ 1st Resp. Suburban	2007	\$ 45,000	45,000	General		
Fire- 4 dr 1Ton Grass Rig	2007	\$ 70,000	70,000	General		
Police Car/Vehicle	2007	\$ 35,000	35,000	General		
Civil Defense Siren	2008	\$ 18,000	18,000	Dev. Fees/ Gen.		
Fire - Turn Out Gear (5 Sets)	2008	\$ 10,000	10,000	General		
Ambulance	2008	\$ 150,000	150,000	Ambulance		
PW - Grader	2008	\$ 75,000	75,000	General		
PW- Jetter Vac	2008	\$ 100,000	100,000	General		
Fire- Replace Chassis Tank 2	2008	\$ 80,000	80,000	General		
Fire - Turn Out Gear (5 Sets)	2009	\$ 10,000	10,000	General		
Police Car/Vehicle	2009	\$ 35,000	35,000	General		
Civil Defense Siren	2010	\$ 22,000	22,000	Dev. Fees/ Gen.		
Fire - Turn Out Gear (5 Sets)	2010	\$ 10,000	10,000	General		
Fire - Pumper/Engine	2010	\$ 360,000	360,000	General		
PW - Paver	2010	\$ 20,000	20,000	General		
PW Sweeper	2010	\$ 15,000	15,000	General		

PW- Plow	2010	\$ 120,000	120,000	General		
PW- Pickup	2010	\$ 30,000	30,000	General		
PW - Skid Steer	2011	\$ 30,000	30,000	General		
Police Car/Vehicle	2011	\$ 20,000	20,000	General		
<i>Subtotal Equipment/Vehicles</i>		<i>\$ 1,857,000</i>	<i>\$ 1,857,000</i>			<i>\$ -</i>
Miscellaneous						
Public Works Facility	2006	\$ 500,000	\$ 500,000	Cap. 402/ DEBT		300,000
City Facilities	2006	\$ 200,000	\$ 200,000	Gen/Cap		
Library Repairs	2006	\$ 50,000	\$ 50,000	General		
Police Garage	2006	\$ 20,000	\$ 20,000	General		
<i>Subtotal Miscellaneous</i>		<i>\$ 770,000</i>	<i>\$ 770,000</i>			<i>\$ 300,000</i>
Totals		\$ 28,602,000	\$ 3,877,000		\$ 500,000	\$ 23,065,000