



MEMORANDUM

DATE: December 14, 2020

TO: Chairperson Cauley, Members of the Planning Commission, and Administrator Meyer

FROM: Cynthia Smith Strack, Community Development Director

RE: Public Hearing: Ordinance 20-14 An Ordinance Amending the Belle Plaine Zoning Map to be Consistent with Planned Land Uses in the 2040 Comprehensive Plan

BACKGROUND

The Planning Commission is to hold a public hearing on Ordinance 20-14 An Ordinance Amending the Belle Plaine Zoning Map to be Consistent with Planned Land Uses in the 2040 Comprehensive Plan.

The Planning Commission has previously reviewed the proposed map amendment. The amendment: (1) ensures the City's official zoning map is consistent with planned land use contained in the 2040 Comprehensive Plan and (2) reflects floodway and flood fringe districts as set by FEMA.

The proposed map amendment is a comprehensive amendment. Following are properties impacted by proposed rezoning.

Property Owner	Address	PID	Existing Zoning	Proposed Zoning
Bradley Stier	23661 Meridian	200690030	R-3 One & Two Family Residential	R-7 Mixed Housing
Devine Solar Field	NAA	209020110	A-2 Rural Residence	R-2 Single Family Low Density
John Fogarty	Aspen Lane	200520010	I/C Indust/Comm	R-7 Mixed Housing
Daniel Zilverberg	344 1 st St NE	209310031	R-1 SF Low Density Residential	R-3 One and Two Fam Residential
Kevin & Sandy Linn	127 1 st St NE	200380110	R-1 SF Low Density Residential	R-3 One and Two Fam Residential
Provence on the River	NAA	200780530	R-1 SF Low Density Residential	R-3 One and Two Fam Residential
Margaret Hunter	NAA	209060020	Blended: I/C, R-7, R-3	Blended R-7 Mixed Hsg & R-3 One & Two Fam Residential
John Fogarty Trust	NAA	209060080	Blended: I/C, R-7, R-3	Blended R-7 Mixed Hsg & R-3 One & Two Fam Residential
Lori & Dale Otto	P/O 904 Main St E, north of Old Hwy 169	P/O 200390041	I/C	R-7 Mixed Housing District

Lori & Dale Otto	P/O 908 Main St E, north of Old Hwy 169	P/O 200390051	I/C	R-7 Mixed Housing District
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Staff reached out via phone and mailed notices of public hearing to property owners of record. Attached please find a letter from Kimberly Devine Johnson pertaining to her family's property.

Resolution 20-15 is included in the packet for consideration.

ACTION

The Commission is to hold the public hearing and take action on the attached resolution.

ATTACHMENTS

- Ordinance 20-14
- Resolution 20-15 Recommending the City Council approve Ordinance 20-14

7 December, 2020

Belle Plaine Planning and Zoning Commission
218 N Meridian Street
Belle Plaine, MN 56011

Dear Planning & Zoning Commission Members,

This letter is to let you know of my opposition to the proposed re-zoning of a portion of the property I own in Belle Plaine (PID 209020110), from A-2 Rural Residential to R-2 Low Density Single Family Residential, of which I was notified in a letter last month from Community Development Director Cynthia Smith Strack. I have spoken by phone with Cynthia, who encouraged me to share my thoughts with you as well.

The parcel this change will affect was recently annexed into the city in order to allow for the creation of a solar garden on the site, to generate clean, renewable energy for decades to come. It is part of the farm I own on the southwest edge of town, which has been in my family for more than a century. My opposition to this proposed re-zoning is rooted in my family's long-standing commitment to conservation and environmental stewardship, which includes our consistent and ongoing choice to preserve the land and protect it from being developed.

Since Cynthia's letter notes that this proposed change is related to "planned future land uses," it seems important that I make clear that I have no desire or plans ever to allow "low density single family residential" or any other kind of development on our land. Nor do I foresee that my now young-adult children will do so once they inherit from me. The most likely scenario for this parcel, I believe, is that I or my inheritors will renew the solar-garden lease when the time comes, some 27 years from now, so that we can continue our legacy of contributing to climate justice or another conservation effort.

Thank you for your work, and for your consideration.

Sincerely,

Kimberly Devine-Johnson
507-351-4282
kdevinej@gmail.com

ORDINANCE 20-14
AN ORDINANCE AMENDING THE BELLE PLAINE ZONING MAP TO BE CONSISTENT WITH
PLANNED LAND USES IN THE 2040 COMPREHENSIVE PLAN

THE CITY COUNCIL OF THE CITY OF BELLE PLAINE ORDAINS:

Section 1. The City Council of the City of Belle Plaine, to achieve consistency with planned land use contained in Destination 2040 and required amendments to floodplains, hereby replaces the Belle Plaine Zoning Map referenced in Chapter 1105.01, Subd. 2 of the City Code with Exhibit A as hereto attached. This is a comprehensive amendment of the official zoning map.

Section 2. Effective Date. This ordinance shall be in full force and effect from and after its passage and approval and publication, as required by law and/or charter.

Passed and duly adopted by the City Council of the City of Belle Plaine this 21st day of December, 2020.

BY: _____
Christopher G. Meyer, Mayor

ATTEST:

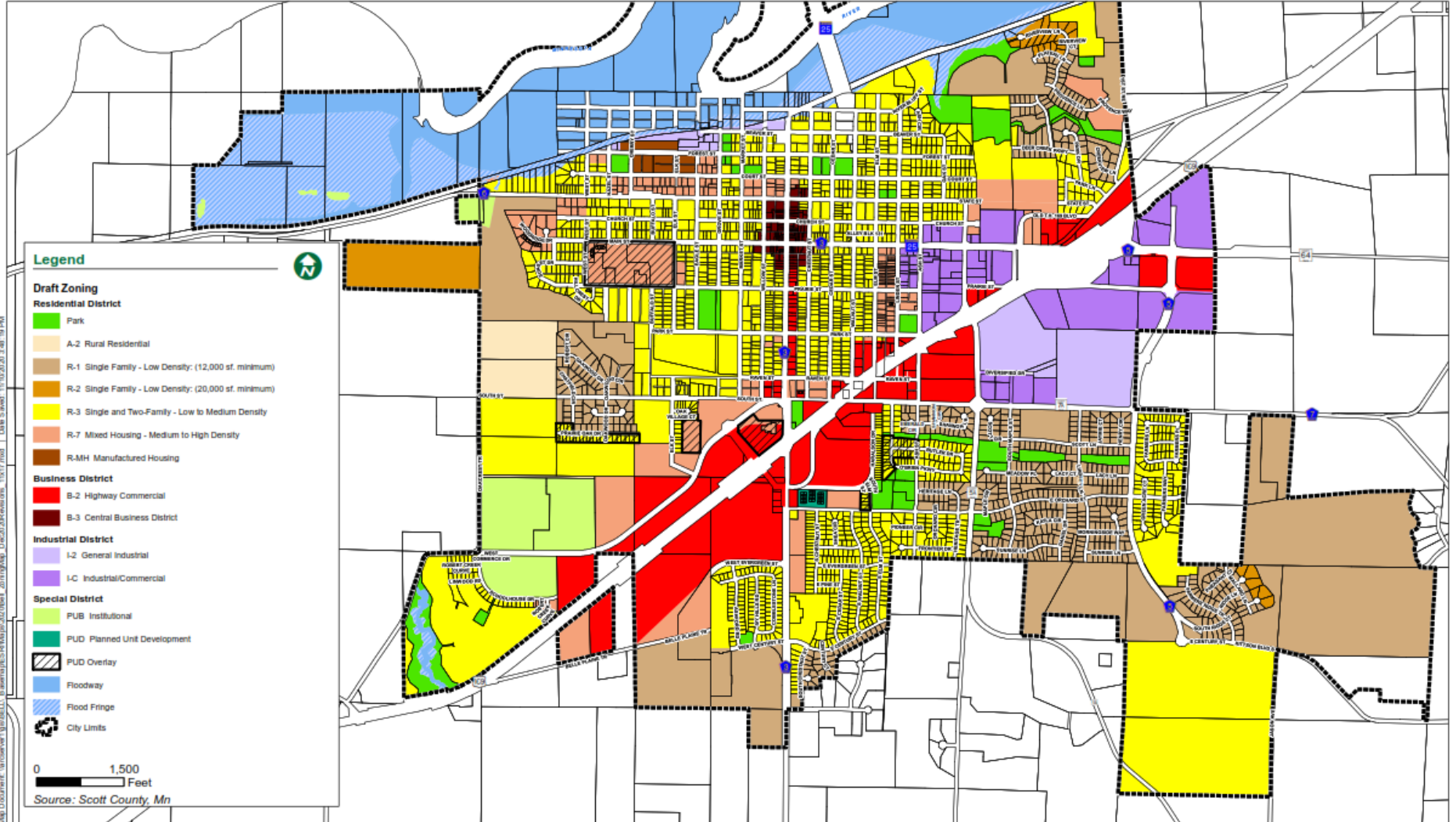
Dawn Meyer, City Administrator

EXHIBIT A ORDINANCE 20-14



City of Belle Plaine
Scott County, MN

2020 Zoning Map
November 2020



Map Document: \work\work\yup\0511_Bellevue\GIS\Map\2020\06a_2020ZoningMap_Draft.mxd Date Saved: 11/10/2020 3:48:19 PM

**BELLE PLAINE PLANNING COMMISSION
RESOLUTION PZ_20-015**

**RECOMMENDING APPROVAL OF ORDINANCE 20-14 AN ORDINANCE AMENDING THE BELLE
PLAINE ZONING MAP TO BE CONSISTENT WITH PLANNED LAND USES IN THE 2040
COMPREHENSIVE PLAN**

WHEREAS, the City placed *Destination 2040* the City's 2040 Comprehensive Plan into effect on October 21, 2019; and,

WHEREAS, *Destination 2040* includes language, exhibits, and illustrations representing planned land uses within the City; and,

WHEREAS, the Metropolitan Land Planning Act requires official controls, including the City's official zoning map be consistent with planned land uses; and,

WHEREAS, the Planning Commission has studied the issue and developed attached Ordinance 20-14 amending the City's official zoning map as contained in Chapter 1105.01, Subd. 2 of the City Code; and,

WHEREAS, the proposed zoning map amendment is a comprehensive amendment adjusting the zones of approximately ten (10) parcels within the City; and,

WHEREAS, the proposed comprehensive zoning map amendment also includes properties to be zoned floodway and flood fringe districts as prescribed by updated floodplain maps issued by the Federal Emergency Management Agency; and,

WHEREAS, the owners of property subject to changes under the comprehensive amendment have been notified of proposed changes; and,

WHEREAS, the Planning Commission conducted a public hearing on December 14, 2020 following duly published and posted notice to accept public comment on proposed Ordinance 20-14, An Ordinance Amending the Belle Plaine Zoning Map to be Consistent with Planned Land Uses in the 2040 Comprehensive Plan; and,

WHEREAS, Planning Commission following the public hearing discussed Ordinance 20-14.

NOW, THEREFORE BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF BELLE PLAINE, SCOTT COUNTY, MINNESOTA, THAT: It recommends the City Council approve Ordinance 20-14, An Ordinance Amending the Belle Plaine Zoning Map to be Consistent with Planned Land Uses in the 2040 Comprehensive Plan.

The adoption of the foregoing resolution was duly moved by Commissioner _____, and seconded by Commissioner _____, and after full discussion thereof and upon a vote being taken thereon, the following Commissioners voted in favor thereof: _____.

and the following voted against the same: _____.

Whereupon said resolution was declared duly passed and adopted. Dated this 14th day of December, 2020.

Ashley Cauley
Chairperson

Cynthia Smith Strack
Community Development Director