

**BELLE PLAINE PLANNING & ZONING COMMISSION
REGULAR MEETING
MAY 13, 2019**

PLEDGE OF ALLEGIANCE

Vice-Chair Cauley led those present in the Pledge of Allegiance.

1. CALL TO ORDER. 1.1. Roll Call.

The Planning and Zoning Commission met in Regular Session on Monday, May 13, 2019 at City Hall 218 north Meridian Street, Belle Plaine, MN. Vice Chair Cauley called the meeting to order at 6:30 PM with Commissioners Ryan Herrmann, Ashton Pankonin, Omni Kiecker and alternate Lee Petersen present. Chair Carter was not present.

Also present were Community Development Director Smith Strack and Council Liaison Chard.

2. APPROVAL OF AGENDA.

MOTION by Commissioner Pankonin, second by Commissioner Kiecker to approve the agenda as presented. ALL VOTED AYE. MOTION CARRIED.

3. APPROVAL OF MINUTES.

3.1. Regular Session Minutes of April 8, 2019.

MOTION by Commissioner Pankonin second by Commissioner Petersen, to approve the Regular Session Minutes of April 8, 2019. ALL VOTED AYE. MOTION CARRIED.

3.2. Joint Session April 30, 2019.

MOTION by Commissioner Pankonin second by Commissioner Herrmann, to approve the Joint Session Minutes of April 30, 2019. ALL VOTED AYE. MOTION CARRIED.

4. RECOGNITION OF INVOLVED CITIZENS.

*Persons may make statements to the Planning Commission pertaining to items **not** on the agenda. Maximum of three (3) minutes per speaker. No official action will be taken.*

No one stepped forward.

5. PUBLIC HEARINGS. None.

6. BUSINESS.

6.1. Discussion: Draft Ordinance 19-10 Providing for Accessory Dwelling Units.

Community Development Director Smith Strack explained the Planning Commission developed a framework to allow certain accessory dwelling units. Smith Strack noted framework was presented at a work session to the City Council in November of 2018 citing the Council is open to further discussion. Smith Strack explained a drafted code amendment was included in the packet and will also be reviewed by department heads. Smith Strack explained draft amendment reflects framework parameters including: ADU limited to internal and attached units, detached ADU are prohibited; ADU allowed as accessory to one-family detached dwellings, but not duplexes, attached townhomes, apartments, twin homes, etc.; Either the principal or accessory dwelling unit must be owner occupied, homesteaded, and both dwellings must be under unified ownership without possibility of being split; No more than one dwelling entry can face the front street; Two off-street parking spaces required; these are in addition to those needed for the principal dwelling unit; Size restrictions: maximum one bedroom per ADU, one ADU per principal dwelling. Minimum ADU size 300 sf; maximum 900 sf or 40% of the principal structure whichever is less; Allowed by interim use permit with

expiration at point of sale; Water/sewer service has to be shared; ADU shall be designed and constructed to maintain the outward appearance of a single family dwelling.

Commissioner Cauley requested clarification of whether staff is requesting discussion or review and move forward to Council. Smith Strack explained staff is looking for discussion and comment. Commissioner Pankonin inquired if 300 square feet is the minimum for efficiency apartments. Smith Strack explained the number is a minimum size. Commissioner Kiecker inquired on 1107.25 subdivision C regarding ownership expiration citing expire should happen upon sale of property rather than change of ownership to allow for LLC and trusts. Commissioner Cauley explained concern over how to regulate what happens to the unit if new owner does not want to use as an ADU, inquiring how to regulate the permits. Commissioner Pankonin explained regulation is on a complaint basis, once a complaint is filed the owner would be required to get an ADU permit. Cauley explained her belief that the permit should run with the land. Smith Strack explained the idea behind the interim use permit (IUP) for an ADU is that it would discourage long term rentals but allow for family living with shared services. Commissioners Pankonin and Cauley expressed concerns with an annual renewal. Commissioner Cauley additionally expressed concern with new owners having to reconvert the area or go after permit. Smith Strack explained rental licenses run on renewals every two years, and IUP are recorded at the County so tracking of existing permits was possible. Commissioner Pankonin noted realtors should be responsible for marketing the home as having an IUP explaining it may limit the sales market. Commissioner Herrmann requested clarification on what triggers an IUP. Smith Strack explained when the area is functioning as a separate living unit with a full kitchen, full bath, and sleeping area. Smith Strack explained the IUP fee would be \$300.00 and it would be a onetime fee per owner. Smith Strack also noted staff are not interested in regulating family rather trying to discourage rentals.

Community Development Director Smith Strack explained the next steps of taking ADU ordinance back to Work Session for review. It was determined to move forward with an IUP and not a conditional use permit as a means of authorizing ADU. The Commission reached consensus on the IUP citing the allowance for the City to inspect which would insure the maintenance of the unit for what it is supposed to be.

6.2. Discussion: Residential Density.

Community Development Director Smith Strack explained the Commission received information pertaining to residential density requirements under Metropolitan Council Policy guidelines. Smith Strack noted under the policy Belle Plaine must achieve: a) an overall minimum density of three to five dwelling units/ acre, b) provide for medium/high density uses at a minimum of eight du/acre and c) provide for high density uses at a minimum of 15 du/ac. Smith Strack explained the City's highest density zoning classification is R-7 mixed housing, noting the minimum lot size results in a maximum density of 14 du/ac. Smith Strack requested discussion on minimum lot size, maximum building height, and minimum dwelling unit size.

Discussion regarding minimum lot size and its variables resulted in the consensus for lot size of 10,500 sf for first 4 units plus 1,600 sf per unit thereafter. This results in a maximum net density of approximately 19.01 du/ac. The Commission reached consensus to consider maximum height of four stories or 45 feet likely structures with 3-4 stories and a non-flat roof. The recommendation comes with the stipulation staff research the need for purchase of a ladder truck if necessitated by fire code. Discussion yielded the consensus of a front yard setback remaining as current with acknowledgement that building heights of 3-4 stories with a maximum of 45 feet, were tied to other required setbacks.

Community Development Director explained the minimum dwelling unit square footage under current code and noted efficiency/studio apartments are not provided for. Discussion yielded the recommendation to decrease the minimum dwelling square footage to the average square footage for one, two and three bedroom apartments locally and in other Scott County cities. It was the consensus of the committee to recommend 300 square feet for the minimum of an efficiency apartment.

6.3. Call for special meeting (Joint Session with Council) – May 20, 2019

MOTION by Commissioner Pankonin, second by Commissioner Petersen, to call for a special meeting on May 20, 2019. ALL VOTED AYE. MOTION CARRIED.

7. ADMINISTRATIVE REPORTS.

7.1. Commissioner Comments.

No Commissioner Comments were made.

7.2. Director's Report.

Community Development Director Smith Strack highlighted items on the Directors report.

7.3. Upcoming Meetings.

1. Next Regular Meeting, 6:30 p.m., Monday June 10, 2019.

The Commissioners were reminded of the upcoming meetings as listed.

8. ADJOURNMENT.

MOTION by Commissioner Herrmann, second by Commissioner Pankonin, to adjourn the meeting at 7:37 PM. ALL VOTED AYE. MOTION CARRIED.

Respectfully submitted,

Renee Eyrich
Recording Secretary