

PLANNING COMMISSION

JANUARY 14, 2019

6:30 O'CLOCK P.M.

AGENDA

1. Call to Order at 6:30
2. Swear in New Members
3. Minutes of the Previous Meetings – December 10, 2018
4. Public Hearing Preliminary Plat Stone Ridge 2nd
5. Hosington-Koegler
6. ADJOURN

MINUTES OF PLANNING COMMISSION MEETING
December 10, 2018

Pursuant to due call and notice thereof, a regular Planning Commission meeting was held at City Hall on the 10th day of December, 2018 at 6:30 PM

THE FOLLOWING MEMBERS WERE PRESENT: Commissioner Ferris, Commissioner Fitch, Commission Torkelson, Commissioner Tinsley, Commissioner Zelinske and Commissioner Burton.

THE FOLLOWING WERE ABSENT: Commissioner Borgstrom

THE FOLLOWING WERE ALSO PRESENT: Administrator Theresa Coleman, City Clerk Rappe, Aaron and Sonja Thompson

CALL TO ORDER: Commissioner Ferris called the meeting to order at 6:30 PM.

MINUTES OF PREVIOUS PLANNING COMMISSION MEETING: Motion to Approve the Minutes of October 8 as written made by Commissioner Tinsley, second by Commissioner Burton with All Voting Aye.

PUBLIC HEARING CUP FOR PUD THOMPSON DEVELOPMENT – Aaron Thompson - 504 16th St NE – Mr. Thompson stated that he is proposing a 4 plex and 8 plex townhomes. These will have a private drive so there is only one entrance onto 16th St NE. The utilities would run under the street. This will be affordable housing and are modeled after units in Byron selling for around \$240,000 each. These will be three bedroom, three bath units. The north end of the 8 plex will look like a normal house facing 16th St and that will be a 5 bedroom unit.

This would be a private association. Snow removal would be taken care of by the association and pushed onto the front lot or hauled off. Commissioner Tinsley was concerned that the private drive is only 16 feet wide. Commissioner Burton asked about three different designs for the 8 plex. Mr. Thompson stated the there is a design for the south end unit, the middle units and the larger north end unit. Commissioner Tinsley questioned a turnaround for fire trucks and Commissioner Fitch stated that the fire department will weigh in at platting time. Mr. Thompson stated that all units will have sprinklers. Commissioner Zelinske likes this and this is needed in Kasson. Commissioner Tinsley asked about fencing on the east side. Mr. Thompson stated that he was not planning on fencing at this time and stated that they could do some plantings.

Administrator Coleman stated that staff is proposing to put the sidewalk on the north border of the property as part of the safe routes to school. Mr. Thompson stated that a sidewalk is fine as long as it is going somewhere and he could put it in at any time.

Public Hearing Opened.
No Comments
Public Hearing Closed.

Motion to approve the Conditional Use Permit for the Planned Unit Development as presented made by Commissioner Zelinske, second by Commissioner Torkelson with All Voting Aye.

HOISINGTON-KOEGLER – Laura Chamberlain sent new proposed schedule with the results of the surveys that were put out.

Planning Commission Meeting October 8, 2018

Commissioner Burton asked about the balance on Planning and Zoning budget covering Hoisington Koegler and has read Brad Schieb's note and he is concerned about the quality Hoisington Koegler will be able to provide with such a limited budget. Administrator Coleman stated that there will be money next year. Commissioner Burton stated that the Zoning Code is the basis for almost all decisions that are made and we need to take great care in developing the new code.

OTHER BUSINESS – Commissioner Fitch asked if there is any update on Wilker that can be shared. Administrator Coleman stated that there is a court scheduling; it will be fall before the case will go before a judge.

ADJOURN 6:50PM

Respectfully Submitted,

Linda Rappe, City Clerk

Initial Staff Planning Review

Stone Ridge Second

Preliminary Plat

Owner: Michael Marti

Developer:

Public Works Director

Preliminary Plat - OK

Electric Supervisor

Preliminary Plat - OK

Park and Recreation Supervisor

11.12 Acres = \$8,896 parkland fees at final plat

Trail Access (possibly over water main easement)

Water/Wastewater

Water Access Charges and Sewer Access Charges

Twenty Foot Water Main Easement

Move Fire Hydrants to Lots 6 and 14

Streets

5 foot sidewalks

Half Cul-de-sac = A lot of Snow on Corner Properties

City Engineer

City Approval of Final Plat

City Approval of Final Plans (not limited to: Sanitary Sewer Manholes, Catch Basin Locations)

Verify Location of Gas Line Easement along 8th Avenue NW

Grade the Existing Trail Easement

Provide Storm Water Management

Zoning

Future Land Use Plan = Medium to High Density

Zoned R-1

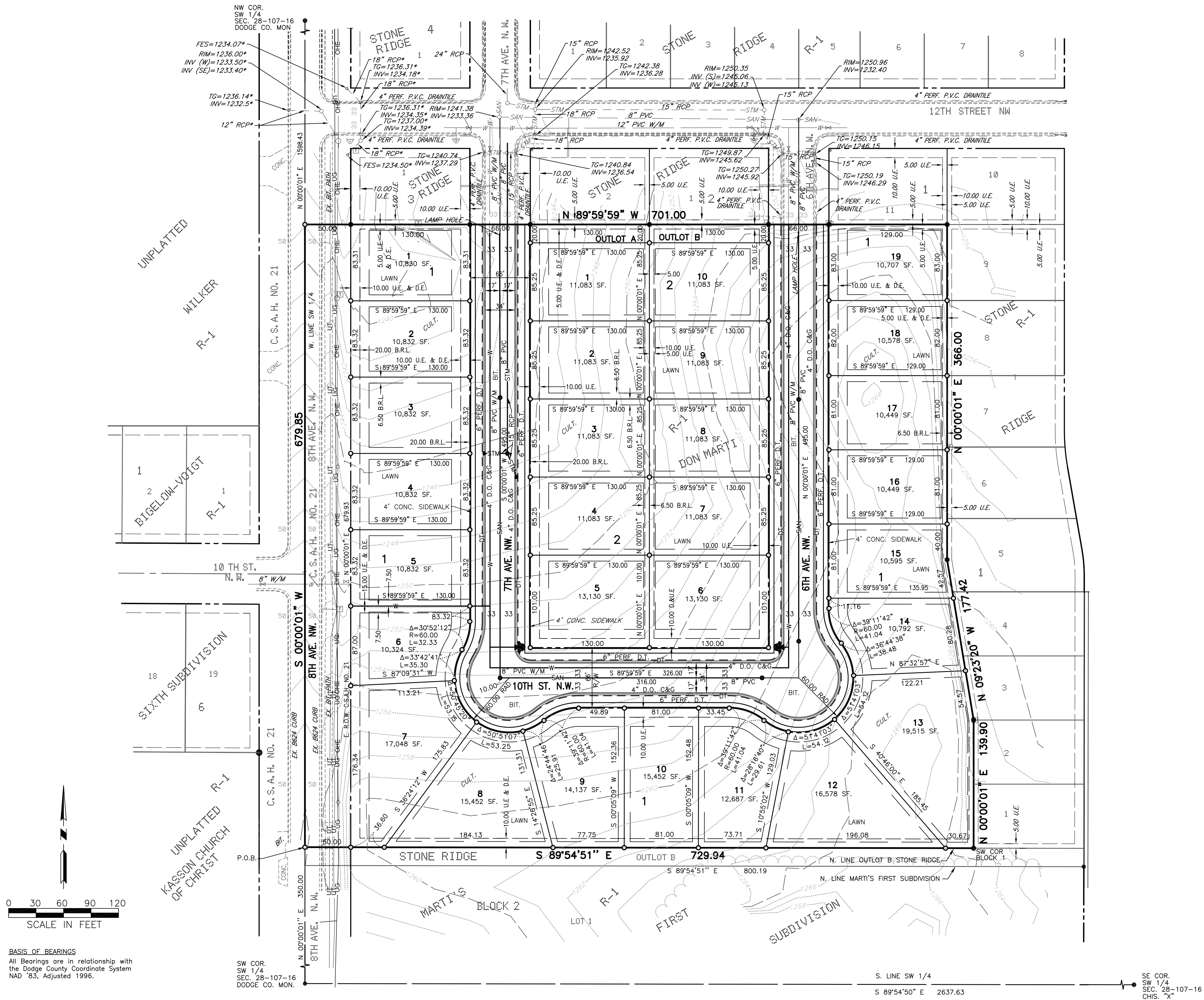
In Electric territory

Finance

Development Agreement

Fire

Awaiting Comment on Spacing of Fire Hydrants



LEGEND	
	PROPERTY LINE
	CENTER LINE
	EASEMENT LINE
	RIGHT OF WAY LINE
	BUILDING RESTRICTION LINE
	EXISTING WATER MAN, WATER SHUTOFF MANHOLE, REDUCER, GATE VALVE AND HYDRANT
	EXISTING SANITARY MANHOLE AND LINE
	EXISTING STORM SEWER MANHOLE, LINE, CATCH BASIN OR INTAKE AND OUTLET
	EXISTING LIGHT POLE
	EXISTING TELEPHONE PEDESTAL
	UTILITY POLE W/ GUY ANCHOR
	UNDERGROUND ELECTRIC
	OVERHEAD ELECTRIC
	GAS LINE
	UNDERGROUND TELEPHONE
	2' CONTOUR LINE
	10' CONTOUR LINE
	LAWN
	BITUMINOUS
	CULTIVATED
	ELEVATION FROM PREVIOUS PLAN
	PROPOSED STORM LINE
	PROPOSED STORM OR SANITARY SEWER MANHOLE
	PROPOSED INLET
	PROPOSED WATER LINE
	PROPOSED SANITARY LINE
	PROPOSED DRAIN TILE LINE
	PROPOSED LAWN
	PROPOSED BITUMINOUS PAVING
	PROPOSED AGGREGATE
	BUILDING RESTRICTION LINE
MONUMENTS	

OWNER/DEVELOPER
MICHAEL MARTI
63793 250TH AVE
KASSON, MN 55944

SURVEYOR & ENGINEER
MASSEY LAND SURVEYING & ENGINEERING
P.O. BOX 100
KASSON, MN 55944

DESCRIPTION

That part of the Southwest Quarter of Section 28, Township 197 North, Range 16 West, Dodge County, Minnesota, described as follows.

Commencing at the southwest corner of said Southwest Quarter; thence North 00 degrees 00 minutes 01 seconds East (Note: All bearings are in relationship with the Dodge County Coordinate System NAD '83, Adjusted 1996) along the west line of said Southwest Quarter, 350.00 feet to the westerly extension of the north line of Outlot B, STONE RIDGE, according to the plat thereof on file in the County Recorder's office, Dodge County, Minnesota, and to the POINT OF BEGINNING; thence South 89 degrees 54 minutes 51 seconds East, along said westerly extension and along said north line, 729.94 feet to the southwest corner of Lot 1, Block 1 of said STONE RIDGE; thence North 00 degrees 00 minutes 01 seconds East, along the west line of said block 1, a distance of 139.90 feet to the southwest corner of Lot 3, of said Block 1; thence North 09 degrees 23 minutes 20 seconds West, along said west line, 177.42 feet; thence North 00 degrees 00 minutes 01 seconds East, along said west line, 366.00 feet to the southwest corner Lot 10, of said Block 1; thence North 89 degrees 59 minutes 59 seconds West along the boundary of said STONE RIDGE, 701.00 feet to said west line of said Southwest Quarter; thence South 00 degrees 00 minutes 01 seconds West along said west line, 679.85 feet to the POINT OF BEGINNING.

Said parcel contains 11.12 acres, more or less.

BASE OF BEARINGS
All Bearings are in relationship with the Dodge County Coordinate System NAD '83, Adjusted 1996.

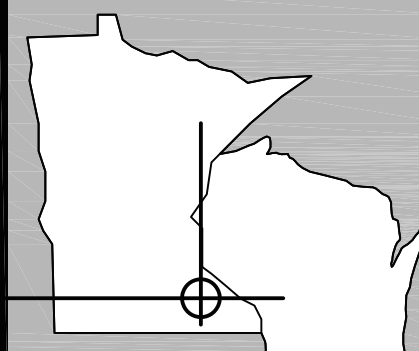
SW COR.
SW 1/4
SEC. 28-107-16
DODGE CO. MON.

SE COR.
SW 1/4
SEC. 28-107-16
CHIS. "X"

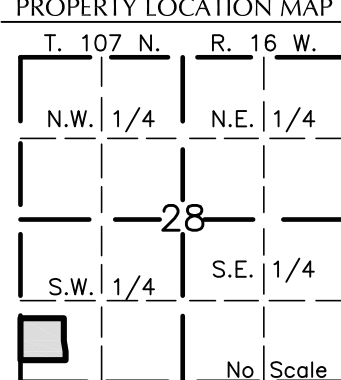
I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer under the laws of the State of Minnesota.

David A. Martin
Date 12/24/18
L.I.C. NO.: 51131

MASSEY
LAND SURVEYING & ENGINEERING
P.O. BOX 100, KASSON, MN 55944
PH. NO. 507-634-4505, FAX NO. 507-634-6560



PRELIMINARY PLAT
STONE RIDGE SECOND
PART OF THE SW 1/4, SECTION 28, T 107 N, R 16 W
CITY OF KASSON, DODGE COUNTY, MINNESOTA



SCALE: 1" = 60'
DATE: 12/24/2018
DRAWN BY: D.A.M.
CHECKED BY: R.J.M.
JOB NUMBER: 2924
DWG. FILE: 2924SP01
REVISION DATE:

MONUMENTS
● FOUND (AS INDICATED)
○ SET (5/8" PIPE UNLESS NOTED OTHERWISE)

THIS SURVEY AND DRAWING WAS PREPARED FOR THE EXCLUSIVE USE OF:
MIKE MARTI
ROCHESTER, MN

Kasson Zoning & Subdivision Ordinance Diagnosis & Annotated Outline

January 2019

Issues Identified

Simplification & Ease of Use

- » Current organization of ordinances are difficult to use for both the general public as well as city officials
- » A number of subjects have regulations that are scattered throughout the document, in various chapters or sections, sometimes with conflicting regulations
- » A reorganization of the chapters will:
 - Get rid of duplicate and conflicting information
 - Create ordinances that are straight-forward and easier to understand for the general public
 - Ensure that definitions are clear, and tied to regulations within relevant chapters
- » This is recommended as the first step in updating the zoning and subdivision ordinances, as a clear, organized structure will make the other identified issues easier to address

Compliance with Comprehensive Plan

- » There are some new land uses proposed through the Comprehensive Plan, and a thorough assessment of how zoning should relate to these new land uses is needed
 - Expansion of “Downtown” future land use designation and how it relates to current C-1 and C-2 zones; are Design Guidelines (outside of zoning) more appropriate?
 - Proposed future Eco/Tech business park on north border; does that need different zoning regulations than M-1 currently has?
- » Are there mechanisms within zoning and subdivision regulations to aid in the implementation of the Greenbelt idea presented in the Comprehensive Plan?
- » A general assessment is needed for areas on the zoning map that are out of compliance with the Comprehensive Plan
 - Create a priority and process for rezoning properties to come into compliance

Subdivision Regulations

- » As the city continues to grow, there’s a need to make sure that subdivision regulations have clear, concise standards that developers can easily keep track of
- » The role of the current “General Development Plan” has been confusing in the past and needs clarification/transition into “Concept Plan Review”

- » Responsibilities for construction and maintenance of infrastructure needs to be referenced clearer in the subdivision ordinance, and specified within individual development agreements
- » As industry design standards for infrastructure elements (streets, stormwater, utilities, etc.) can evolve and be refined over time, it may be better to explore having a Design Standards manual maintained by the City Engineer, that sits outside of the ordinance language so that amendments don't need to be made every time industry standards change

Enforcement & Implementation

- » Feedback from the general public showed that most people don't mind going through the city for permits and other things, but the process itself can be confusing and information is not consistently given at all levels
- » Create reference sheets that are usable for the public as well as city officials
- » Clear, concise explanations and training for city officials on the different elements and requirements for different processes:
 - Variances
 - Conditional Use Permits
 - Subdivisions

Detailed Review of the Current Ordinances

Chapter 150: Building Regulations; Construction

Article I: General Provisions

Sections:

- » 150.01 Adoption of State Building Code
- » 150.02 Board of Appeals; created
- » 150.03 Building Official; appointment
- » 150.04 Removal or restoration of unsafe or dangerous buildings
- » 150.05 Permits; fees
- » 150.06 Permit fee surcharge
- » 150.07 Building records retrieval and copying charges
- » 150.08 Definitions
- » 150.99 Penalty

Chapter 150 only has one Article (General Provisions); this chapter/article relates to the permitting, inspecting, and recording of buildings within the city. In general, the language is dictated by Building Code and doesn't need much variation. There is, however, an issue with how the hierarchy of chapters has now put all of the definitions of this and chapters 151-154 under 150. As a matter of organization, I think it would make more sense to have Definitions be its own

chapter (150) and the Building Regulations; Construction elements be combined with Mobile Homes below (as those are also related to construction) into a second chapter.

Alternatively, having definitions outside of the chapter they're applicable to can be confusing, so each chapter should have its own definitions section, with an emphasis on cleaning up, simplifying, and cross-referencing duplication of definitions.

Chapter 151: Mobile Homes

Sections:

- » 151.01 Permit required
- » 151.02 Application; fee
- » 151.03 Inspection generally
- » 151.04 Permit required for installation of accessory building or structure; application; fee; inspection
- » 151.99 Penalty

Since this chapter is about the construction/installation of mobile homes/manufactured homes, it would make sense to combine it with the building construction chapter above, and make this its own article.

Chapter 152: Subdivisions

Article I: General Provisions

Sections:

- » 152.002 Purpose
- » 152.003 Authority
- » 152.004 Administration
- » 152.006 Amendments
- » 152.009 Fees

The General Provisions Article sets up the authority of the City to regulate the subdivision of land. No major changes to this article are suggested, as the language is relatively the same for every city.

Article II: Required Improvements

Sections:

- » 152.020 Generally
- » 152.021 Monuments
- » 152.022 Public works
- » 152.023 Open space reservations

The elements found under the Required Improvements Article are a bit confusing. The regulations within section 152.020 Generally seem to pertain only to erosion control, steep slopes, and

drainageways; and those topics seem to conflate the issues during construction and after construction. Reorganization of these standards is recommended. Public works and Open Space Reservations sections could use modernization as well as organizational movement to perhaps other parts of the chapter.

Proposed changes:

- » Organize site standards for construction and separate those from site standards post-construction
- » Verify the need for section 152.021, and remove if possible
- » Modernize 152.022 & 152.023 and reorganize

Article III: Variances

Sections:

- » 152.035 Generally

Variances for subdivisions are complicated and have requirements at the state level. Further discussion with the City Attorney would be appropriate regarding this Article.

Article IV: Plats

Sections:

- » 152.050 General development plan
- » 152.051 Preplat investigation
- » 152.052 Preliminary plat generally
- » 152.053 Final plat
- » 152.054 Minor subdivision

The Plats Article looks into the steps of the subdivision process and the procedure/requirements of each step. Raised as a concern by city staff, the “General Development Plan” and “Preplat Investigation” sections will be changed and replaced with a process called “Concept Plan Review,” with the specification that the Concept Plan gives neighbors, City Staff, the Planning Commission, and the City Council an opportunity to give feedback on a concept plan before the developer invests a lot of money into a preliminary plat. It is not an approval, no action is taken by any city authority, and does not guarantee any development rights.

Minor adjustments will be made to the Preliminary Plat, Final Plat, and Minor Subdivision sections to make sure they meet state standards and do not have extra regulations that put unnecessary burden on the city.

Proposed changes:

- » Replace 152.050 & 152.051 with Concept Plan Review

- » Minor adjustments to 152.052-152.054
- » Verify with County that city cannot regulate lot combination at all, or under Minor Subdivision

Article V: Design Standards

Sections:

- » 152.070 Generally
- » 152.071 Street design
- » 152.072 Open ditch street design
- » 152.073 Intersections
- » 152.074 Alleys
- » 152.075 Easements
- » 152.076 Construction setback requirements from pipelines
- » 152.077 Lots
- » 152.078 Blocks
- » 152.079 Walkways
- » 152.081 Storm sewer
- » 152.999 Penalty

Regulating design standards of subdivisions has to find a balance between providing enough information that developers can integrate into their site design, while wanting flexibility so that the ordinance doesn't need to be amended every time new industry standards/best practices are developed for subdivision. All of these standards need to be evaluated closely between the project team and the City Engineer. Issues relating especially to storm sewer and drainage will be a top priority. Additional design standards may be added and others removed, depending on the results of that work. Above all, the priority will be to leave the city with clear design standards that are easy to enforce and administer.

Proposed changes: TBD

Appendix A: Residential Developments & Appendix B: Commercial/Industrial Developments

These two appendices are a bit confusing, and seem to more be a reference for procedure than actual policy. Recommended that these sections be removed from code and any relevant information put instead on an information sheet available to developers.

Proposed changes: Remove

Chapter 153: Floodplain Management

Floodplain regulations are an important (and required) element of zoning administration within a city. While the regulations regarding what elements need to be reflected in the code are established by FEMA and the DNR, the City has some options as to where in the code these regulations should live and how they are applied. As the City has already taken the step to

combine the Floodplain Management definitions with other definitions in 150.008, it may be appropriate to move the regulations of these sections to the proposed Overlay Districts sections of the Zoning Chapter. Alternatively, these regulations may stay within their own chapter, but references to the Floodway Overlay District and Flood Fringe Overlay District need to be established within the Zoning Chapter, as they are elements of zoning.

The city is also going to be getting a new FEMA FIRM map soon, with updated boundaries to the floodway and flood fringe. It may be beneficial for the city to currently focus on the organization of floodplain regulations within the code for now and wait on updates to specific language until the new FIRM maps have been established (and any new FEMA/DNR requirements can be assessed at that time).

Proposed Changes:

- » Possible reorganization of chapter so that elements are within Zoning Chapter (or at least referenced)
- » Addition of Flood Way Overlay and Flood Fringe Overlay to official zoning map adopted in zoning chapter

Article I: General Provisions

Sections:

- » 153.001 Statutory authorization
- » 153.002 Findings of fact
- » 153.003 Methods used to analyze flood hazards
- » 153.004 Statement of purpose
- » 153.005 Lands to which chapter applies
- » 153.006 Establishment of official zoning map
- » 153.007 Regulatory flood protection elevation
- » 153.008 Interpretation
- » 153.009 Abrogation and greater restrictions
- » 153.010 Warning and disclaimer of liability

Article II: Establishment of Zoning Districts

Sections:

- » 153.025 Districts established
- » 153.026 Compliance

Article III: Floodway District (FW)

Sections:

- » 153.040 Permitted uses
- » 153.041 Standards for floodway permitted uses
- » 153.042 Conditional uses

- » 153.043 Standards for floodway conditional uses

Article IV: Flood Fringe District (FF)

Sections:

- » 153.055 Permitted uses
- » 153.056 Standards for flood fringe permitted uses
- » 153.057 Conditional uses
- » 153.058 Standards for flood fringe conditional uses
- » 153.059 Standards for all flood fringe uses

Article V: Subdivisions

Sections:

- » 153.070 Review criteria
- » 153.071 Removal of special flood hazard area designation

Article VI: Public Utilities, Railroads, Roads and Bridges

Sections:

- » 153.085 Public utilities
- » 153.086 Public transportation facilities
- » 153.087 On-site sewage treatment and water supply systems

Article VIII: Nonconforming Uses

Sections:

- » 153.115 Conditions of nonconforming uses

Article IX: Administration

Sections:

- » 153.130 Zoning Administrator
- » 153.131 Permit requirements
- » 153.132 Board of Adjustment
- » 153.133 Conditional uses
- » 153.134 Amendments to zoning map or ordinance
- » 153.999 Penalty

Chapter 154: Zoning

Article I: General Provisions

Sections:

- » 154.001 Title
- » 154.002 Authority
- » 154.003 Intent and purpose
- » 154.004 Scope and application
- » 154.005 Relation to comprehensive municipal plan
- » 154.006 Uses not provided for within zoning districts
- » 154.007 Definitions
- » 154.008 Net revenue loss payment fee

The General Provisions Article of the Zoning chapter includes relatively standard language regarding the City's authority to regulate and administer zoning and land uses. A lot of the language is technical in nature, as a result of referencing state statutes and rules; this causes it to be difficult to read for the average audience, but the language is required to be in there, so no major changes are proposed.

Proposed Changes:

- » Elements currently found within Section 154.007 Definitions will likely be combined with other definitions of Chapters 150-153, located currently in 150.008.
- » Section 154.008 could potentially move to an area of the code regarding subdivision fees or annexation fees

Article II: Administration and Enforcement

Sections:

- » 154.020 Enforcing agent
- » 154.021 Zoning Administrator; specific powers and duties
- » 154.022 Zoning certificate
- » 154.023 Compliance required
- » 154.024 Conflicting provisions
- » 154.025 Relief from personal responsibility
- » 154.026 Planning and Zoning Commission
- » 154.027 Annual review
- » 154.028 Zoning amendments
- » 154.029 Conditional use permits
- » 154.030 Variances
- » 154.031 Appeals
- » 154.032 Vote required for passage
- » 154.033 Fees

The Administration and Zoning Article establishes the roles and responsibilities of different entities within the City to administer the zoning ordinance. It establishes the Zoning Administrator as well as the Planning Commission, and gives the context for those roles and how they enforce the zoning ordinance. The Article also lays out different Land Use Applications and

their processes; these include Zoning Amendments (which includes Rezoning), Conditional Use Permits, and Variances.

There are some minor issues with elements within the Administration and Zoning Article. Section 154.022 requires a “zoning certificate” issued by the Zoning Administrator for any use or occupancy stating that the use conforms to the requirements of the Zoning Chapter. Under 154.007 Definitions, “Zoning Certificate” is defined as:

A document signed by the Zoning Administrator, as required in this chapter, as a condition precedent to the commencement of a use, or the erection, construction, reconstruction, restoration, alteration, conversion or installation of a structure or building, that acknowledges that the use, structure or building complies with the provisions of the municipal zoning ordinance or authorized variance therefrom.

This definition of “zoning certificate” appears to only apply to buildings (which would be verified through building permits), while the reference within 154.022 speaks to land uses beyond just structures. Further clarification on this matter, plus what permits may act as the “zoning certificate” may be appropriate.

Related to the “zoning certificate” language above, this article may be the most appropriate place to add Zoning Permits as a mechanism to enforce uses that don’t require a building permit but still are regulated by zoning (fences, sheds, etc.). The purpose and procedure of the new Zoning Permit would be included in the new section.

The language within the “procedure” of Zoning Amendments, Conditional Use Permits, and Variances could use some minor updating to make sure the City is meeting all current state statutes (for example the City has 15 days by statute to find completeness of an application, not just 10).

Proposed Changes:

- » Clarification of “zoning certificate” and what permits/processes fulfill that certification (154.022)
- » Addition of new section allowing Zoning Permits for non-building uses that still require zoning verification
- » Adjustments to procedures of 154.028-154.030
- » Recommend the addition of “Site Plan Review” process for new Non-Residential uses that do not require a subdivision
- » *Should Interim Uses be proposed as part of the Zoning Ordinance Update, this article is where Interim Use Permits would be detailed*

Article III: General Regulations

Sections:

- » 154.045 Effect of chapter on construction in progress

- » 154.046 Nonconforming buildings, structures and uses
- » 154.047 Nonconforming lots of record
- » 154.048 Dwelling units prohibited
- » 154.049 Temporary dwellings
- » 154.050 Lot area; reducing
- » 154.051 Yard encroachments
- » 154.052 Height limitations
- » 154.053 Measuring building height
- » 154.054 Lots fronting more than one street
- » 154.055 Erection of more than one principal building
- » 154.056 Buildings; distance between
- » 154.057 Manufactured/mobile homes
- » 154.058 Accessory buildings
- » 154.059 Relocating structures
- » 154.060 Bufferyards and screening
- » 154.061 Fences and landscaping
- » 154.062 Outside storage
- » 154.063 Refuse
- » 154.064 Glare
- » 154.065 Bulk storage (liquid, gas, grain and the like)
- » 154.066 Visual obstructions to vehicular traffic
- » 154.067 Vacated streets
- » 154.068 Access drives and access
- » 154.069 Essential services
- » 154.070 Satellite dishes
- » 154.071 Short wave towers
- » 154.072 Outdoor furnace systems
- » 154.073 Solar energy systems and solar and earth-sheltered structures
- » 154.074 Wind energy conversion system (WECS)
- » 154.075 Sewage disposal
- » 154.076 Floodplain classification
- » 154.077 Frost depth footings
- » 154.078 Soil erosion and sedimentation control
- » 154.079 Preservation of natural drainageways
- » 154.080 Off-street parking
- » 154.081 Loading spaces
- » 154.082 Sign regulations
- » 154.083 Home occupations
- » 154.084 Home businesses
- » 154.085 Single-family attached dwellings
- » 154.086 Apartments, townhouses and other multi-family structures
- » 154.087 Fuel and auto service station standards

- » 154.088 Drive-in business standards
- » 154.089 Bed and breakfast
- » 154.090 Animal hospitals
- » 154.091 Country club or golf course
- » 154.092 Golf driving range and amusement parks
- » 154.093 Nursing homes
- » 154.094 Hospital, church or other religious or eleemosynary institutions
- » 154.095 Fertilizer plants and yards
- » 154.096 Inflammable liquid storage in industrial/manufacturing districts
- » 154.097 Cemeteries, crematories, mausoleums and columbarium
- » 154.098 Extraction of materials and minerals, open pits and impounding of water
- » 154.099 Swimming pools

The General Regulations Article appears to have become the “catch all” for regulations that don’t apply to specific districts or administration. The sheer bulk of these regulations make them difficult to navigate as well as keep them from having a meaningful impact. There may be individual elements within these sections that need addressing or updating to meet state regulations or to help the City achieve its overall goals, but the first priority is getting them organized in a meaningful way to make them much more usable and easier to understand.

Most of these sections generally fall under three different categories:

- » Zoning District General Provisions
- » Development Standards
- » Use-Specific Standards

The reorganization of this Article will be part of the major reorganization of the chapter and individual changes will not be highlighted here.

Article IV: District Regulations Generally

Sections:

- » 154.110 Established
- » 154.111 Zoning map
- » 154.112 Interpretation of boundaries
- » 154.113 Classification of annexed territory

The District Regulations Generally Article addresses the adoption of Zoning Districts, the Zoning Map as the official record of those zoning districts, and how those elements impact parcels, boundaries, and annexations. The text within these sections is relatively straight-forward and shouldn’t change too much, however, with the reorganization of the chapter, these elements may be moved to different sections.

The reorganization of this Article will be part of the major reorganization of the chapter and individual changes will not be highlighted here.

Articles V through XIV: AG – Agricultural District through M-1 – Manufacturing and Industrial District

These ten Articles cover the different Zoning Districts within the City.

Districts:

- » AG district: Agricultural district
- » R-1 district: Single-family residential district
- » R-2 district: Single-family, older-core, residential district
- » R-3 district: Multi-family residential district
- » R-C district: Residential-commercial mixed use district
- » C-1 district: Central business district
- » C-2 district: General commercial district
- » C-3 district: Highway commercial district
- » C-M district: Commercial-manufacturing mixed use district
- » M-1 district: Manufacturing/industrial district

Each of these Articles is generally organized in the same way, with the same sections.

Sections:

- » Purpose
- » Permitted uses
- » Conditional uses
- » Prohibited uses
- » (Accessory uses – only found listed in C-M District & M-1 District)
- » Lot area, frontage and yard regulations
- » Lots fronting more than one street
- » Maximum lot coverage
- » Height regulations
- » Bufferyards and screening
- » General provisions

The largest change for this ordinance update is recommending a complete shift in how these Articles are organized. Rather than listing each district with uses and standards, tables showing what uses are allowed where and other tables showing lot size standards and other standards would make the zoning chapter much easier to navigate. The evaluation of the specific standards of these districts will be much easier to do once the chapter has been reorganized.

The reorganization of these Articles will be part of the major reorganization of the chapter and individual changes will not be highlighted here.

Article XV: Planned Unit Developments

Sections:

- » 154.335 Intent and purpose
- » 154.336 Conditional use permit required
- » 154.337 Land ownership
- » 154.338 General provisions
- » 154.339 Types and restrictions
- » 154.340 Procedure

The Planned Unit Developments Article lays out the purpose, circumstances, and procedure for PUDs. In general, having PUD regulations that allow for flexibility for development is very important, especially as a result of preserving natural features, promoting quality site design, or other benefits of the City. Typically, PUDs are processed through a Conditional Use Permit or Rezoning/Overlay Zoning. Looking at the specifics of this section, Kasson's PUD process appears to have both: PUDs require a CUP, but are also considered an Overlay Zoning District. For clarity and ease of implementation, the City should determine which of those two processes to use. That decision will also determine where in the new organizational structure these sections will live. If it is a Conditional Use, it would be appropriate to put under Use-Specific Standards. If it is a Zoning Overlay District, it would be appropriate under Overlay Districts.

Generally, I believe using an overlay district approach is more straight-forward and puts less responsibility on the City to check that conditional uses are met.

The reorganization of this Article will be part of the major reorganization of the chapter and individual changes will not be highlighted here.

Article XVI: Manufactured Home Parks

Sections:

- » 154.355 Generally
- » 154.356 Size
- » 154.357 Access
- » 154.358 Setback requirements
- » 154.359 Building height
- » 154.360 Interior requirements
- » 154.361 Required improvements
- » 154.362 Commercial operations restricted
- » 154.363 Parking restrictions
- » 154.364 Conditional use permit required
- » 154.365 New application required for enlargement, extension or transfer of permit
- » 154.366 Storm shelter facilities
- » 154.367 Promulgation of additional regulations

The Manufactured Home Parks Article addresses both the zoning requirements of manufactured home parks as well as their site standards for development. This is one of several places throughout the code where Manufactured Homes are mentioned. Through the code updating process, it's recommended that as much of this information be combined as possible so repetitive/conflicting standards do not happen. Once those elements are compiled, it might make sense to then separate out the *development* of manufactured home parks as more of a subdivision process, while the *zoning* regulations of individual units within a manufacture home park could stay within zoning. Further discussion is needed with the City to determine the best course.

Article XVII: Wireless Communications Facilities

Sections:

- » 154.380 Purpose
- » 154.381 Definitions
- » 154.382 Conditional use
- » 154.383 Design standards

The Wireless Communications Facilities Article has general provisions related to the installation of WCFs. It seems like all of this information could easily be moved to the new Use-Specific Standards section under the chapter's new organization. The definitions of this section will be evaluated and likely combined with all other definitions.

Proposed Changes:

- » Move all provisions to Use-Specific Standards
- » Evaluate and move definitions

Annotated Outline of the New Ordinances

1. POSSIBLE NEW CHAPTER: Definitions
2. Chapter: Building Regulations; Construction
 - I. Article: General Provisions
 - II. Article: Mobile [Manufactured]Homes
3. Chapter: Subdivisions
 - I. Article: General Provisions
 - II. Article: [Required Site Improvements]
 - III. Article: [Variances]
 - IV. Article: Plats
 - A. Concept Plan Review
 - B. Preliminary Plat
 - C. Final Plat
 - D. Minor Subdivision
 - V. Article: Design Standards
 - A. Move Manufacture Home Park Development requirements here

- VI. [Possible New Article to include Floodplain section & Shoreland Section]
- 4. [Possible: Keep Floodplain as its own chapter]
- 5. Chapter: Zoning
 - I. Article: General Provisions
 - II. Article: Administration & Enforcement
 - A. New Section: Zoning Permit
 - B. New Section: Site Plan Review
 - C. [Possible New Section: Interim Use Permit]
 - III. Article: Zoning Districts
 - A. General Provisions
 - B. Base Districts
 - 1. Purpose Statements
 - 2. Use Tables
 - 3. Principal Uses
 - 4. Accessory Uses
 - 5. Lot Dimension Standards
 - 6. Site Dimension Standards
 - C. Overlay Districts
 - 1. [Floodplain] (Possible: Move Floodplain regulations here)
 - 2. [Shoreland] (Possible addition)
 - 3. [Planned Unit Development] (Possible: Move PUD Regulations here)
 - IV. Article: Development Standards
 - A. Performance Standards
 - 1. Applicability
 - 2. General
 - B. Parking, Loading and Circulation
 - 1. Off-street parking
 - 2. Loading spaces
 - C. Landscaping, Screening, Walls, and Fences
 - 1. Bufferyards and screening
 - 2. Fences and landscaping
 - 3. Outside storage
 - 4. Refuse
 - 5.
 - D. Exterior Lighting
 - E. Possible New: Grading, Drainage, Tree preservation, etc.
 - F. Use Specific Standards
 - 1. (Possible: Move PUD regulations here)
 - 2. Move Manufactured Homes Zoning Requirements here
 - 3. Move Wireless Communications Facilities here

MEMORANDUM

TO: Kasson Planning Commission
FROM: Laura Chamberlain, Project Manager
DATE: January 14, 2019
SUBJECT: Zoning & Subdivision Ordinance Update – Annotated Outline

Background

The City of Kasson kicked off the Zoning & Subdivision Ordinance Update project in October, 2018. The need for this project arose after the completion of *Kasson Upward*, Kasson's Comprehensive Plan for 2040. In October, the consultant team met with City Staff and the Planning Commission to discuss key issues and opportunities within the existing Zoning Ordinance and Subdivision Ordinance.

Using those conversations as starting points, the consultant team developed online surveys for the general public and for developers and others involved in the development process. Both surveys were distributed by the City and available for a month. Fifteen people responded to the general public survey and eleven people responded to the development related survey.

Annotated Outline

Using the input from City Staff, the Planning Commission, and the public engagement results, the consultant team identified four over-arching issues with the zoning and subdivision ordinances that could be addressed through the project. Those identified issues were:

- » Simplification and Ease of Use
- » Compliance with the Comprehensive Plan
- » Subdivision Regulations
- » Enforcement and Implementation

Using this framework, we have prepared the attached Diagnosis and Annotated Outline. The outline expands upon the issues identified, then has a detailed analysis of each Chapter and Article of the existing ordinances, then presents the proposed approach for going forward. Also attached is a rough draft of the Uses Table.

Next Steps

Once the Annotated Outline is finalized, then each element within will be assessed for a budget and timeframe to complete. The City will then decide on the best schedule to update the ordinances.

Zoning Use Table
January 14, 2019

Use Type	Residential			Commercial							Notes
	R-1	R-2	R-3	R-C	C-1	C-2	C-3	C-M	M-1	AG	
Residential											
Household Living											
Single-family residences										P	
Single-family detached dwellings	P	P									
Single-family detached and attached dwellings				P							
Single-family attached dwellings (zero lot line) as specified in 154.085	C	C	C								
Two-family dwellings (duplex)	C	C	P	P							
Apartments, provided they are located above the first floor level, the first level of which is occupied by a use permitted in the district;					C	C					
Residence when included as an integral part of the principal building to be occupied by the owner or his or her employee					P	P					
Multi-family dwellings				C							
Multi-family dwellings including townhouses, garden apartments, triplexes and quadruplexes in groups of not more than 24 dwelling units in any one building			P								
Multi-family dwellings including townhouses, garden apartments, triplexes and quadruplexes in groups of more than 24 units in one building			C								
Mobile home parks subject to standards herein			C								
Group Living											
Residential programs with a licensed capacity of seven to 16 persons			C	C							
Residential programs with a licensed capacity of six or fewer persons	P	P	P	P							
Lodging											

Zoning Use Table
January 14, 2019

Use Type	Residential			Commercial							Notes
	R-1	R-2	R-3	R-C	C-1	C-2	C-3	C-M	M-1	AG	
Bed and breakfast facilities with up to four guest rooms, subject to the standards in 154.089	C										
Bed and breakfast facilities with up to six guest rooms, subject to the standards in 154.089			C	P							
Bed and breakfast facilities, seven to ten guest rooms, subject to standards in 154.089				C							
Boarding house, with no more than ten living units				C							
Lodging services such as hotel and motel					P	P					
Public & Institutional											
Cemeteries, mausoleums, columbarium, including animal cemeteries	C	C								C	
Churches and similar places of worship	C	C	C	C						C	
Community buildings	C	C								C	
Government and utility buildings					P	P		P			
Historic sites	P	P	P	P	P	P	P			P	
Hospitals, mental institutions, sanitariums and funeral homes	C	C	C								
Hospitals, sanitariums, mental institutions and other similar or related institutional centers										C	
Intermediate, extended and long-term care facilities	C	C	C	C						C	
Municipal buildings and areas										C	
Public, parochial, private and nursery schools	C	C								C	
Schools (except trade schools), hospitals, clinics and other institutions for human care, except where incidental to a permitted principal use;								Pro	Pro		
Trade schools								C			

Zoning Use Table
January 14, 2019

Use Type	Residential			Commercial							Notes
	R-1	R-2	R-3	R-C	C-1	C-2	C-3	C-M	M-1	AG	
Commercial											
Food, Beverage, & Indoor Entertainment											
Art galleries and dance halls						P					
Bowling alleys, lodges, dance halls								P			
Drive-in or drive-through facilities associated with banks, restaurants, liquor stores and the like					C	C	C				
Food services including grocery stores, fruit, vegetable and meat markets, supermarkets, restaurants, delicatessens, candy shops and bakeries whose products are sold primarily at retail on the premises					P	P	C				
On- and off-sale liquor establishments					C	C					
Restaurants, cafes and supper clubs					P	P					
Retail Sales											
Camera and photographic supplies						P					
Convenience stores						C	P				
Craft shops and studios, antiques and tea rooms				C							
Department, variety, clothing, furniture, antique, gift, drug, hardware and book stores, news shops, flower shops, show rooms for articles to be sold at retail					P	P		C			Listed twice as permitted in C-1
Flower shops and commercial greenhouses							C				
Gift shops and retail sales associated with and incidental to hospitals, professional offices, clinics when located on the same property as the principal permitted use				C							
Gift shops when directly related to historic sites										C	
Home businesses	C	C	C	C						C	
Home occupations	P	P	P	P						P	

Zoning Use Table
January 14, 2019

Use Type	Residential			Commercial							Notes
	R-1	R-2	R-3	R-C	C-1	C-2	C-3	C-M	M-1	AG	
New and used auto sales lots, trailer sales areas					C	C					
One temporary stand for the sale of agricultural products produced on the site										P	
Open air display areas for the sale of manufactured products such as outdoor furniture, hardware items and nursery stock							P				
Open air display areas for the sale of products such as outdoor furniture, hardware items, nursery stock or areas used to display rental equipment such as tools or trailers					C						
Open air display areas for the sale of products such as outdoor furniture, hardware items, nursery stock or automobiles or areas used to display rental equipment such as tools or trailers and other outdoor storage;						C					
Paint, wallpaper and home decorating supplies					P	P					
Retail and food sales activities incidental to the permitted uses of this district								C			
Retail clothing services including dry cleaning and laundry establishments, laundromats, dressmaking, tailor shops, shoe sales and repair shops					P	P					
Retail sales of art, art supplies, school and office supplies, books and stationary, art galleries, art studios, picture framing					P	P					
Personal Services											
Animal clinics with no exterior storage								C			
Auto supply and parts (indoor display and sales only)					P	P					

Zoning Use Table
January 14, 2019

Use Type	Residential			Commercial							Notes
	R-1	R-2	R-3	R-C	C-1	C-2	C-3	C-M	M-1	AG	
Automobile body shops, body painting, repair and service shops (not including fuel stations or convenience stores)								C			
Automobile service stations, and including as an accessory use the sale of household and grocery convenience items							C				
Automobile service stations, and including as an accessory use the sale of household and grocery convenience items and washing services					C	C					
Automobile, truck, boat and trailer and implement sales and service establishments including equipment sales, washing service and commercial garages							P				
Banks, finance, insurance and real estate services					P	P					
Child care facilities					C	C	C				
Child care facilities serving 12 or fewer persons	P	P		P						P	
Child care facilities serving 13 or more persons	C	C		C						C	
Child care facilities serving 16 or fewer persons			P								
Child care facilities serving 17 or more persons			C								
Commercial laundries and dry cleaning plants									C		
Dog kennels										C	
Funeral homes							C				
Funeral homes, mortuaries				C							
Group day care centers (including adult)					C						
Medical and animal clinics							C				

Zoning Use Table
January 14, 2019

Use Type	Residential			Commercial							Notes
	R-1	R-2	R-3	R-C	C-1	C-2	C-3	C-M	M-1	AG	
Medical and dental clinics, hospitals, pharmacies				C							
Office of veterinary and animal clinics											
Personal services including barber and beauty shops, reducing salons, photographic shops and funeral homes					P	P					
Personal services including tanning, beauty salons and barber shops, tailors				C							
Pet grooming					P						
Services including dry cleaning and laundry establishments, laundromats, dressmaking, millinery and tailor shops, shoe repair shops, barber and beauty shops, reducing salons and photographic shops							C				
Veterinary clinics for small animals only (dogs, cats and the like) with no outdoor cages or exercise areas					C	P					
Business & Technical Services											
Art galleries, art studios and framing shops				C							
Business and professional offices								P			
Business services including banks, offices and postal stations							C				
Business services including offices, postal stations, photocopy centers and office and school supplies					P	P					
Equipment services including radio and television shops, appliance sales and small appliance repair					P	P					
Equipment services including radio and television shops, electrical appliance shops, show room of a plumber, decorator or similar trade;							C				

Zoning Use Table
January 14, 2019

Use Type	Residential			Commercial							Notes
	R-1	R-2	R-3	R-C	C-1	C-2	C-3	C-M	M-1	AG	
Medical, dental and optical laboratories								C			
News and communications offices and studios					P	P					
Plumbing, heating and electrical sales and show rooms					P	P					
Printing establishments					C	C					
Printing shops (on metal, paper or fabric)								P			
Professional offices and services such as medical, dental clinics and eye clinics, architects and attorneys, surveyors and engineers offices					P						
Professional offices, real estate and financial offices				C							
Professional services and offices such as medical and dental clinics, architects and attorneys, travel, accountant, surveyor and engineer offices						P					
Industrial											
Any use not listed as permitted, conditional or prohibited which would not be appropriate in any other zoning district, but is consistent with the purpose and character of the M-1 district, which is compatible with other uses in the M-I district and which would not result in a threat to the community									C		
Auto reduction yards and recycling centers									C		
Building materials storage yards and lumber yards									P		
Carting, expressing and hauling companies and their related storage buildings								P	P		
Contractors equipment rental and storage yards								C			
Contractors' offices, shops, yards and storage facilities								C	P		
Distribution centers, wholesale, warehouse, cold storage								P			

Zoning Use Table
January 14, 2019

Use Type	Residential			Commercial							Notes
	R-1	R-2	R-3	R-C	C-1	C-2	C-3	C-M	M-1	AG	
Electrical, appliance or equipment assembly									P		
Inflammable liquid storage									C		
Lumber, building supplies and materials								P			
Machine shops									P		
Mining, excavation or extraction of sand, gravel, rock or related									C		
Mining, quarrying excavating of sand and gravel										C	
Outdoor storage of vehicles or materials or open sales lots								C			
Stone and monument works and display area								P	P		
The manufacture and/or assembly of boats, cameras, electrical appliances, electronic devices, musical instruments, medical appliances and photographic equipment, except film								P	P		
The manufacture and/or assembly of sporting and athletic equipment, small tools, toys, children's vehicles								P			
The manufacture of pottery and figurines or other similar ceramic products, using only pulverized clay and kiln fired only by electricity or gas								C	C		
The manufacture, compounding, processing, packing or treatment of such products as candy, cosmetics, drugs, perfumes, pharmaceuticals, toiletries and food products, except the rendering of fats and oils								C	C		
Tool and die manufacture, sheet metal shops, welding shops									P		
Upholstery shops								P			
Wholesale business establishments including warehousing and storage buildings								P	P		
Wholesale, warehouse, distribution centers							P				

Zoning Use Table
January 14, 2019

Use Type	Residential			Commercial							Notes
	R-1	R-2	R-3	R-C	C-1	C-2	C-3	C-M	M-1	AG	
Woodworking shops, sign manufacturing shops, photo engraving, pattern shops, optical goods manufacturing, bottling plants								P	P		
Recreation & Open Space											
Carnivals, outdoor circuses and migratory amusement enterprises										C	
Hobby farms, stables and riding academies										C	
Public and private campgrounds, golf courses and country clubs, golf driving ranges, museums and related uses										C	
Public and private stables and riding academies										C	
Public hiking and/or biking trails									P		
Public recreation including parks and playgrounds and hiking and/or biking trails	P	P	P	P	P	P	P	P		P	
Recreation facilities including theaters, bowling alleys, pool and billiard rooms, dance halls, roller and ice skating rinks					C	C	P				
Recreational buildings, community centers, churches, private and public educational institutions, government and public utility buildings and structures				C							
Recreational camping areas										C	
Natural Resources & Agriculture											
Gardens and nurseries	C	C									
General farm buildings, field crops, horticulture, nurseries, greenhouses and tree farms										P	
General farming including horticulture, forestry and similar agricultural enterprises										P	
Grain elevators; fertilizer manufacturing, storage and sales									C		
Keeping of horses and livestock										C	

Zoning Use Table
January 14, 2019

Use Type	Residential			Commercial							Notes
	R-1	R-2	R-3	R-C	C-1	C-2	C-3	C-M	M-1	AG	
Wildlife, forest and wetland preserves or management areas and game refuge areas	P	P	P	P	P	P	P	P		P	
Utilities & Transportation											
Airports, landing fields and platforms, hangars, masts and other facilities for the operation of aircraft when the operation is for other than the private use of the land owner										C	
Essential services	P	P	P	P	P	P	P	P	P	P	
Government vehicle and equipment garages and offices							P				
Municipal garages						C					
Public transportation terminals, public utility buildings and transformer stations without storage yards							C				
Public utility buildings such as substations, transformer stations and regulator stations without service or storage yards	C	C									
Public utility service buildings and yards, electrical transformer stations, substations and gas regulator stations								P	P		
Short wave towers, radio and TV towers and commercial radio and television towers and transmitters										C	
Short wave, radio, television and other communications towers and commercial towers									C		
Short wave, radio, television and other communications towers;							C	C			
Solar energy systems, subject to standards in 154.073										P	
Wind energy conversion systems									C	C	
Miscellaneous											

Zoning Use Table
January 14, 2019

Use Type	Residential			Commercial							Notes
	R-1	R-2	R-3	R-C	C-1	C-2	C-3	C-M	M-1	AG	
Buildings combining residential and nonresidential uses permitted or conditional in the district				C							
Buildings used for research and testing laboratories, storage buildings, distributing stations and distribution centers							C				
Conversion of homes into not more than four-unit multiple-family dwellings		C									
Conversion of single-family dwelling into no more than four-unit multi-family				P							
Hotels, motels, private clubs and lodges, taverns and night clubs, restaurants, supper clubs and delicatessens							P				
Hotels, motels, private clubs and lodges; wholesale establishments, taverns, night clubs, on- and off-sale liquor stores, trade schools, commercial parking garages and ramps						C					
Parking lots as defined in 154.007 and regulated in 154.080			P/C	P/C	P/C	P/C	P/C	P/C	P/C	P/C	
Planned unit developments	C		C	C	C	C	C	C	C	C	
Planned unit residential developments		C									
Private clubs and lodges; wholesale establishments, taverns, night clubs, on- and off-sale liquor stores, trade schools, commercial parking garages and ramps					C						
Rental of manufactured products or equipment such as household equipment and small tools							P				
Rental storage garages and rental equipment (party supplies, tents, tables and the like)								P			
Rental storage units								P			

Zoning Use Table
January 14, 2019

Use Type	Residential			Commercial							Notes
	R-1	R-2	R-3	R-C	C-1	C-2	C-3	C-M	M-1	AG	
Satellite dishes									P		
Satellite dishes more than 36 inches in diameter	C	C	C	C	C	C	C	C		C	
Satellite dishes not more than 36 inches in diameter	P	P	P	P	P	P	P	P		P	
Accessory Uses											
Accessory buildings and uses customarily incidental to the permitted principal use when located on the same property and which will not be detrimental to the surrounding neighborhood by reason of odor, smoke, noise, dust or vibration	P	P	P	P	P/C	C	C			P	
Accessory uses and retail sales directly associated with a historic site and located on the same property as the historic site			C								
Accessory uses in the C-M district are as follows: uses secondary and incidental to the primary use								P			
Buildings and uses customarily necessary to any of the above permitted uses, which will not be detrimental to the surrounding neighborhood by reason of odor, smoke, noise, dust or vibration									P		
Buildings and uses customarily necessary to permitted principal use; the use shall not be detrimental by reason of odor, smoke, noise, dust or vibration;						P	P				
Off-street parking									P		
Uses secondary and incidental to the primary use									P		
Prohibited Uses											

Zoning Use Table
January 14, 2019

Use Type	Residential			Commercial							Notes
	R-1	R-2	R-3	R-C	C-1	C-2	C-3	C-M	M-1	AG	
Any industry that creates an excessive odor, noise or air environmental pollution problem								Pro	Pro		Pro = prohibited
Compost or storage processing of garbage, offal, dead animals, refuse or rancid fats									Pro		
Distillation of bone, coal, tar, petroleum, grain or wood								Pro	Pro		
Dwelling units of any type								Pro	Pro		
Fertilizer manufacturing, compost or storage or processing of garbage, offal, dead animals, refuse or rancid fats								Pro			
Livestock feeding yards or slaughter houses or processing plants								Pro	Pro		
Manufacturing or bulk storage of explosives								Pro	Pro		
Off-site parking and/or parking lots, as defined in § 154.007 and regulated in § 154.080	Pro	Pro									