
ALEXANDRIA TOWNSHIP

PLANNING COMMISSION

MEETING PACKET FOR
January 26, 2015



PRELIMINARY AGENDA
Alexandria Township Planning Commission
January 26, 2015
6:00 p.m. – Township Conference Room

Call to Order

Adopt Agenda

Approve Minutes

December 22, 2014

Public Hearing

1. None

Zoning Administrator's Report

New Business:

1. Discussion – Proposed Douglas County Ordinance Amendments regarding temporary second dwellings

Old Business:

1. Discussion – Comprehensive Plan Update

Adjournment

****NOTE:** This is a preliminary agenda, subject to change at any time.

STAFF REPORT

Issue: Discussion - Proposed Douglas County Ordinance Amendments regarding temporary second dwellings

Agenda Item: New Business - 1

Background: Douglas County sent an e-mail to Staff on January 12 regarding proposed language to amend their zoning ordinances regarding temporary second dwellings on a property. Staff was invited to meet with Douglas County staff regarding these changes and provide input. That meeting occurred on January 14th.

The proposed amendments are intended to, in some cases, simplify the process of being approved for a temporary second home on a property - usually while the landowners are building a new house. Currently, Douglas County ordinances are interpreted to allow for this to occur only with a conditional use permit - although temporary second dwellings are not specifically identified in current language as a potential use. Alexandria Township amended its ordinances in August 2014 to specifically identify temporary second dwellings as allowed by interim use permit (IUP). As you will recall, Alexandria Township has addressed two temporary second dwellings this past year via the interim use permit process.

The County is also seeking to be proactive in creating regulations to address the situation where a landowner wishes to have a second dwelling on their property to allow for aging or disabled parents/other family members to be living in close proximity and allow for appropriate health care in this setting.

Current Township Regulations

Alexandria Township currently regulates temporary second dwellings the same as Douglas County in that it requires a public hearing and approval by elected officials after receiving a recommendation from the Planning Commission (the Township requires an interim use permit while the County requires a conditional use permit). There are no specific standards and any timelines for the second home to be removed or converted to a non-dwelling status are imposed only as specific conditions of the approval.

Proposed Regulations - Douglas County

The County has proposed changes, which include the following:

1. Temporary second dwellings while a new home is being constructed would be considered a permitted use in their Agriculture, Rural Residential and Natural Environment shoreland districts. No public hearing would be required. These districts would be comparable to the Township's Rural Conservation Residential (RCR), Rural Residential and Natural Environment shoreland districts.

2. A conditional/interim use permit would continue to be required in the Residential (Alexandria Township = Urban Residential) district.
3. In General Development (GDS) and Recreational Development (RDS) shoreland districts (all of the lakes in Alexandria Township), temporary second dwellings during the construction of a new home would only be allowed on those properties exceeding five (5) acres in size. On GDS and RDS lakes where parcels were less than five (5) acres in size, such homes would not be allowed at all. Owners of these lands wishing to build new homes would need to tear down their existing homes (or convert them to non-dwellings) prior to beginning construction of the new home and would need to have an alternate place to live during construction.
4. Temporary second dwellings for the purpose of “family supportive care” would be allowed in all residential districts – either by CUP/IUP or as a permitted use. It would be a permitted use in all districts where lots exceeded five (5) acres in size except for GDS and RDS shorelands. For any lots less than five (5) acres in size, a CUP/IUP would be required.
5. The County would prohibit temporary second dwellings, for any purpose, in Commercial and Industrial districts.
6. Temporary second dwellings allowed during the construction of a new home would be allowed for up to eighteen (18) months. Longer time frames could be approved.
7. Temporary second dwellings for “family supportive care” would be subject to a number of specific standards affecting size, location and removal requirements when no longer being used as an approved temporary second dwelling.

A copy of the proposed amendments, as has been presented to the Douglas County Planning Advisory Commission is attached.

The public hearing for the County is scheduled for Tuesday January 27, 2015 at 6:45pm.

Proposed amendments to the Douglas County Zoning Ordinance as it relates to temporary dwelling uses within zoning districts and definitions of temporary dwellings.

- The County currently permits only one dwelling to be located on a parcel unless authorized by a special permit.
- Multiple dwellings on a property may create issues such as parking and traffic problems, noise and disturbance, and population density that may create a burden on the public infrastructure and the environment.
- These issues could lead to altering the essential character of a neighborhood and thereby affecting the public health, safety, and welfare, as well as neighboring property values.
- Agricultural producers and owners of larger tracts of land in rural areas may seek to replace dwellings that have been present for many generations, yet need to remain on the property to continue farming, ranching, or operating a home-based business.
- Recent trends in the United States and in Minnesota are that people are living longer into retirement and seeking to age-in-place, more care for the disabled is being provided at home, and multiple generations of families are more frequently living together.

The purpose and intent of these proposed amendments is to address the various temporary housing needs that have frequently arisen or are expected to arise in the county. The purpose and intent of these amendments are to:

- a. Regulate the type of use and occupancy of dwellings within the County in order to protect and promote the public's health, safety, and welfare.
- b. Preserve the character of rural areas as well as single- and two-family neighborhoods within certain zoning districts.
- c. Support diversified housing options that preserve neighborhood character in areas where the use is compatible while serving the needs of county residents.
- d. Provide for fair and consistent enforcement of regulations related to housing set forth herein under the zoning authority of the County.

Definitions

*Family - An individual, or two or more persons, each related by blood, marriage, adoption, foster care arrangement, court order, or any unrelated person(s) who resides therein as though a member(s) of the family, living together as a single housekeeping unit, but as distinguished from a group occupying a boarding house, lodging house or hotel.

*Dwelling Unit - Any structure or portion of a structure, or other shelter designed as short- or long-term living quarters for one or more persons, including rental or timeshare accommodations such as motel, hotel, and resort rooms and cabins.

*Dwelling, Single-family - A freestanding (detached) residential structure consisting of one or more rooms, including a bathroom and complete kitchen facilities, which are arranged, designed or occupied as living quarters for one (1) family or household.

*Dwelling, Two-family - A dwelling designed, arranged, or used so as to provide separate cooking, sleeping, living and sanitary facilities for two (2) families. Separation may be but not limited to wall, floor or lockable door.

Dwelling, Temporary during construction – a lawfully established single-family dwelling that continues to be used as the primary residence during the construction of a new dwelling.

Dwelling, Temporary family supportive care – a second dwelling temporarily placed on a lot or parcel already occupied by a legally established principal dwelling to accommodate the care of a family member(s) or an on-site licensed home-healthcare provider for a family member(s).

*existing definitions included for reference

Permit type by zoning district						
Use	Ag	Rural Res	Res	Shore GD-RD	NES	Com/Ind
Temp during construction > 5 acres	Permitted	Permitted	CUP/IUP	CUP/IUP	Permitted	NA
Temp during construction < 5 acres	CUP/IUP	CUP/IUP	CUP/IUP	NA	CUP/IUP	NA
Family supportive care >5 acres	Permitted	Permitted	Permitted	CUP/IUP	Permitted	NA
Family supportive care <5 acres	CUP/IUP	CUP/IUP	CUP/IUP	CUP/IUP as a two family dwelling or guest house	CUP/IUP	NA

Standards for Temporary Second Dwelling for Construction of a New Dwelling:

- The following lot/parcel size minimum shall be met:
 - The lot/parcel where the temporary second dwelling is to be located must be five (5) acres or larger; or
 - The applicant possess contiguous parcels of land greater than 40 acres in size; or
 - A conditional use permit has been granted.
- A land use permit for the new primary dwelling must be issued.
- Use as a temporary second dwelling shall be for not longer than 18 months from the date of the issuance of the land use permit for the new primary dwelling. A conditional use permit shall be required for temporary second dwelling use longer than 18 months in all zoning districts were permitted.
- Within 18 months from the date of the issuance of the land use permit for the new primary dwelling, the temporary second dwelling shall be removed from the property or rendered non-inhabitable and converted to an accessory structure that conforms to the standards for accessory structures in the zoning ordinance for the applicable zoning district and a land use permit for accessory structure obtained. This standard shall not apply in cases where a CUP has been approved for a longer period of time.

Standards for Temporary Second Dwelling for Family Supportive Care:

- The lot/parcel on which the temporary dwelling is placed shall be five (5) acres or larger in size.
- The temporary second dwelling shall be accessory to the principal dwelling.
- A land use permit for the temporary dwelling must be issued.
- The temporary second dwelling shall be located within the existing building site and shall meet all the setback requirements of the applicable zoning district for dwellings.
- The temporary second dwelling shall meet the following dimensional and construction requirements:
 - The dwelling or portion of an accessory structure finished as a dwelling shall be no greater than 1200 sq ft.
 - If the proposed temporary dwelling is not a portion of a permitted accessory structure, then it shall be limited to a manufactured home or park model recreational vehicle placed upon temporary footings with trailer tongue, axles and wheels attached.
 - The temporary dwelling shall meet the dimensional standards for accessory structures.
- The occupant(s) of either the temporary second dwelling or the principle dwelling must be family members or a licensed health care provider.
- Access to the temporary second dwelling shall be from an existing approach to the public road.
- The temporary second dwelling shall be connected to an approved individual septic treatment system (ISTS), or connected to the compliant ISTS of the

primary dwelling if it is sized to accommodate the additional bedrooms of the temporary dwelling, or connected to a central sanitary sewer system (ALASD).

- Within 180 days after the use of the temporary second dwelling for family supportive care ceases, the structure shall be removed from the property or rendered non-inhabitable and converted to an accessory structure that conforms to the standards for accessory structures in the zoning ordinance for the applicable zoning district, and a land use permit for an accessory structure obtained.
- Only one (1) temporary second dwelling shall be permitted per lot/parcel.

STAFF REPORT

Issue: Discussion - Comprehensive Plan Update

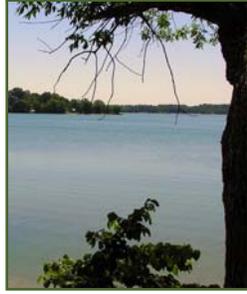
Agenda Item: Old Business - 1

Background: At the December 2014 meeting, the Commission discussed that it would like to review changes to Section IV of the 2007 Plan based on the initial review and that occurred at the September 2014 meeting.

A copy of Section IV - with proposed edits - is attached, for your review.

IV. Issues & Trends

Early in the Comprehensive Planning process of 2006-2007, township officials, residents and property owners within the Township developed and refined statements about the primary issues facing the Township in each of four topic areas – land use, public infrastructure and services, parks and recreation, and governance. These statements were reviewed and updated in 2015 by the Township's Planning Commission after holding a public hearing on the proposed updates. A summary of the issues and trends identified in each of ~~these~~ the four topic areas is provided in this section.



Land Use

Agriculture

- International, national and regional trends in the agricultural economy, ~~and in~~ land prices fluctuations and the growth of the Alexandria region have contributed to the loss of some farms and the consolidation of others. These trends are largely beyond the ability of the Township and individual farmers to control. While many farmers will continue to operate successfully within the Township, this Township expects that this broader trend will continue.
- Population growth in the Alexandria Lakes area, and throughout Alexandria Township, has increased the demand for new development. While the pace of growth has slowed since the nationwide 2008 economic downturn, it is expected to remain the long-term trend. Such new development results in the conversion of productive farmland, wildlife habitat, and scenic open space to urban uses ~~and is a trend that is likely to continue.~~
- High densities of non-farm development, and particularly residential development, present an inherent conflict with intense agricultural activities. Development patterns that mix the two uses often results in conflict between property owners, unnecessary expenditures to mitigate the conflicts, and lowered property values for both uses.
- Despite the economic ~~challenges with~~ fluctuations of the agricultural economy nationwide and the pressures to convert agricultural land to non-farm uses, agriculture remains a valuable part of the local economy and contributes to the rural character of the Township. Many local farmers are adapting to these challenges and have been able to continue operating successfully.



Housing Development

- While the pace of new housing development has slowed between 2008 and 2015, there continues ~~There has been to be significant population growth in the region. a strong demand for new housing over the last several years as the population of the Alexandria Lakes Area has grown.~~ Between ~~1990-2000~~ and ~~2000-2010~~, the number of households in the City of Alexandria and its surrounding Townships increased by ~~374-1,485~~ homes (16.3%) and the population increased by ~~746-2,340~~ people (10.5%). This trend is expected to continue due to the Township's proximity to the City of Alexandria, the relatively strong employment opportunities in the area ~~area's status as a~~



Alexandria Township



regional center for both employment and retail opportunities, and the scenic amenities in the region, although the net impact on the Township will be affected by the completion of the annexation agreement with the City of Alexandria in 2012 (see below).

- While the region expects continued population growth, Alexandria Township – like much of the broader region – has a significant inventory of approved, platted lots which have not yet been developed. This is likely to reduce the demand for the creation of new residential subdivisions until the supply of undeveloped platted lots is reduced.

- Due to the orderly annexation agreement reached in 2002 with the City of Alexandria, the number of households and people in the Township has decreased. According to ~~estimates from the State U.S. Census data~~, the number of households in the Township dropped by ~~about 100~~256 and the population decreased by ~~about 400~~662 people between 2000 and ~~2004~~2010. Further household and population reductions ~~will occur in 2006, 2009 and have occurred since the last phase of the annexation agreement was completed in 2012 as the annexation plan is implemented.~~

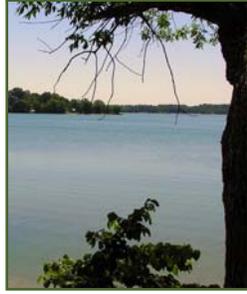


- The Township is part of a larger, regional housing market that has a need for a variety of types, sizes, and costs of housing as well as diversity in neighborhood designs and amenities.
- The continued economic viability of the Alexandria Lakes Area depends, in part, on the availability of housing that is affordable and meets the needs of all residents and workers in the area as they move through the various life stages.

- Zoning regulations, subdivision design standards, investments in roads, parks and trails, and other public investments play a significant role in determining the designs of neighborhoods, the types and cost of housing available, and the efficiency with which they can be served with public infrastructure and services.
- As the population of the Township and the larger region grows there will be a need to plan for the expansion of central sewer and water infrastructure. It is anticipated that the current areas ~~identified for annexation into the City of Alexandria or within the ALASD boundaries will accommodate this growth for the next twenty years or more, but that current lot size and lot width requirements could make further expansion of central sewer and water impractical or excessively costly.~~ The Township has amended its ordinances so as to prevent the creation of lots outside of the ALASD boundaries that would be too large to make future sewer expansion economically feasible.
- New housing developments create the potential for significant public safety and quality of life concerns within and outside of the development area if not thoughtfully designed and constructed. These concerns include flooding from inadequate drainage controls, poor access for emergency service vehicles due to inadequate snow removal or disconnected street patterns, and dangerous traffic conditions for both vehicles and pedestrians.
- New housing developments create demands for additional public services, such as road construction and maintenance, snow removal, public sewer or water, public safety services, parks and trails and others.
- A number of Planned Unit Developments (PUDs) with lakeshore access ~~have had~~ been proposed and approved in ~~recent years~~ the 2000s. The intent of the regulations applicable to these developments is to allow greater flexibility in lot layout and size, encourage a variety of

Comprehensive Plan

subdivision designs throughout the community, create significant open spaces, and preserve sensitive or unique environmental features. In return, the developer may be allowed a higher number of lots than they would be in a standard “lot/block” subdivision. In practice however, the result of these subdivisions has tended to be higher density without the provision of significant open space or preservation of sensitive and unique environmental features. Due to broader economic trends and changes in housing markets, the demand for these types of developments has dropped significantly. Still, the Township has made several amendments to ordinances regulating PUDs to assure they are properly designed at the time they are proposed.



- Several recently approved Planned Unit Developments have presented other concerns, including the construction of private roads with inadequate widths to ensure public safety, lack of on-street parking, inappropriate housing densities and locations for common docks, and inadequate planning for stormwater management to protect property and lake water quality.
- As lakeshore property has become increasingly scarce and private lakeshore access has become limited, there has been an increased demand for second- and third-tier lots with a common lake access area to serve these “back lots.” Such practices can help to increase property values and tax revenues, but also have the potential to degrade sensitive shoreland, increase surface water degradation from runoff, and create safety concerns.



Commercial/Industrial Development

- The Township is part of a larger, regional economic market that has a need for a variety of commercial and industrial businesses. The Township benefits from increased business activity in other communities within the region, just as those communities benefit from increased business activity in Alexandria Township.
- There is likely to be a demand for additional commercial and light industrial development within the Township. Such uses create special concerns related to traffic flow and safety, visual appearance, noise, glare and other nuisance characteristics.
- Commercial and industrial development often conflicts with residential uses and should be located in areas where these conflicts can be eliminated or minimized. Heavy industrial development generating odors, heavy traffic, noise and other significant nuisances are particularly incompatible with residential uses.
- Supporting small, home-based businesses can have a positive effect on the local economy, but must not create traffic, noise, odor, pollution or other nuisances inconsistent with residential areas. The Township has adopted revised ordinances which seek to prevent harms to residential areas while still allowing for limited home-based business activities.
- There are certain commercial “adult use” businesses that have a harmful impact on surrounding property values, frequently become places of criminality, and which have objectionable characteristics, particularly when located in close proximity to areas which the youth of the community may frequent, such as churches, parks, schools, and residential areas.

Infrastructure & Public Services

Alexandria Township



- The increasing population of the Township requires that additional, or more frequent, infrastructure and services be provided to its residents and businesses. Additional infrastructure may also be required, although there are a significant number of undeveloped residential lots present in the Township which already are served with public infrastructure.
- The pattern and location of different types of development (residential, commercial, industrial, agricultural, etc...) has a significant impact on the cost of providing public infrastructure and services and ultimately the tax burden necessary for their provision. Policies and regulations that promote the efficient use of existing infrastructure before major investments in new infrastructure results in a lower tax burden for landowners within the Township
- That zoning regulations, subdivision design standards, the pattern of land uses and various public policies play a significant role in determining how efficiently public infrastructure and services can be provided.



- The Township is part of a larger, regional network of infrastructure and public services. The quality of this network of roads, sewage treatment, public water supply and public facilities plays an essential role in the continued economic stability of the larger region. Coordination with other townships, the Cities of Alexandria and Nelson, Douglas County, the Minnesota Department of Transportation and ALASD is required to ensure future investments are adequate and efficient.
- Several significant community assets currently located in the City of Alexandria have been discussed as needing to relocate in the near future – including the airport, and the County Fairgrounds, ~~the County Jail, and Jefferson High School.~~
- Several transportation investments may occur at the County or State level that would have a significant impact on the amount and type of traffic in Alexandria Township. These could include the construction of a new freeway entrance/exit

on I-94, the relocation of the Alexandria Airport, or the construction of a light rail line along the Central Lakes Trail.

Parks & Recreation

- Parks, trails, and other recreational opportunities add to the value of property, can help to improve the health of residents and visitors, and contribute to the overall quality of life of Township residents.
- Douglas County has ~~recently~~ adopted a “Park Dedication” ordinance requiring the dedication of land or ~~donation of monies~~ to create or expand parks. This ordinance provides an opportunity for the Township, in coordination with Douglas County, to create new parks and trails in the Township, although the amount of dollars placed into this fund is not expected to be significant enough for land acquisition anytime in the near future.;
- A coordinated network of parks and trails provides greater value to the community than “island” parks that are disconnected from each other.



- Acquisition of land to create parks and trails is much more orderly, efficient and practical at the time of subdivision, than after a subdivision is approved.
- The only parks present in the Township were annexed into the City of Alexandria during the various phases of the Orderly Annexation Agreement. The Township does not currently contain any public parks.

Governance

- Alexandria Township has recently adopted-completed an Orderly Annexation Agreement with the City of Alexandria that allows-allowed for identified portions of the Township to be annexed into the City on a scheduled basis. To facilitate the regulation development in areas not yet annexed, the City and Township have formed a Joint Planning Board for the regulation of land uses. The Township will continue to work cooperatively with the City on matters affecting both jurisdictions, but does not expect the need for any additional annexation in the foreseeable future.
- Alexandria Township has the authority to adopt and enforce a variety of general and specific regulations, as authorized in various sections of Minnesota State Statutes. The Township has acted upon this authority by adopting several ordinances related to the general welfare of the Township, including zoning and subdivision ordinances.
- ~~Among the regulations the Township is authorized to adopt and enforce are ordinances related to planning and zoning that include the authority to regulate the physical development of the town. Presently, Alexandria Township has not adopted any zoning ordinances and is subject to the Zoning and Subdivision Ordinances of Douglas County.~~
- ~~Alexandria Township does have the opportunity to provide input into zoning and subdivision decisions made by Douglas County. While the Township has taken advantage of this opportunity many times in the past, the County may or may not choose to make decisions consistent with Township recommendations.~~
- ~~In the course of reviewing various zoning and subdivision decisions made by the County in the past, Alexandria Township has found several areas of concern where existing County regulations are insufficient or contradictory to the wishes of the Township. Current areas of concern include inadequate permanent stormwater controls in new subdivisions; the failure to require preliminary grading plans which reveal the transformation of topography affecting drainage patterns; the improper handling of variances; and the approval of conditional use permits allowing for inappropriate mixing of residential, commercial, and industrial uses; the acceptance of incomplete applications; the approval of residential subdivisions (including Planned Unit Developments) in unsuitable locations or with inappropriate densities; the allowance of roads with inadequate widths to ensure public safety and which do not accommodate on-street parking within Planned Unit Developments; inconsistent enforcement of regulations; inadequate inspection of road, stormwater, and other improvements; and the inadequate provision of parks and trails to serve existing neighborhoods or new subdivisions.~~

