
CITY OF LONG BEACH

ZONING MEETING PACKET FOR December 12, 2018



CITY OF LONG BEACH
AGENDA
BOARD OF ADJUSTMENT / PLANNING AND ZONING COMMISSION
December 12, 2018
6:30 PM

1. Call to Order
2. Roll Call
3. Additions or Deletions to the Agenda
4. Public Hearings
 - a. Request to rezone property from MHD – Medium & High Density Residential to LD – Low Density Residential. Applicant: City of Long Beach. Sec/Twp/Range: 10-125-38. Property Address: 17861 247th Avenue. Parcel number(s): 24-0188-000.
5. Zoning Administrator's Report
 - a. Permits
 - b. Correspondence
 - c. Enforcement Actions
6. Other Business
 - a. Resolution and summary of amendments to zoning ordinance and map
 - b. Report on permits issued in 2018
7. Adjournment

This agenda is not exclusive. Other business may be discussed as deemed necessary.

STAFF REPORT

Application: Request to rezone property from current MHD – Medium & High Density Residential classification to LD – Low Density Residential.

Applicant: City of Long Beach

Property Owner: Dean Razink

Background Information:

- **Proposal:** The proposal is to rezone this property from MHD – Medium & High Density to LD – Low Density Residential. The rezoning has been proposed to make it consistent with its current allowed nonconforming usage as an owner-occupied single family home.

The Razink property is located along the shore of Pelican Lake to the west. Rezoning for this property, if approved, would be contiguous with single family homes in the LD district to the east. Long Beach Park to the south of the property is zoned CD – Conservation, Parks and Open Space. To the north of the subject property are multi-family units that are part the Pelican Lake Estates Cooperative, zoned MHD and further north is the Green Valley Resort, zoned RC - Recreational/Commercial.

- **Location:**
 - Legal Description: Section 10, Twp 125, Range 38
 - Property Address: 17861 247th Avenue
 - Parcel number(s): 24-0188-000
 - **Current Zoning:** MHD – Medium & High Density Residential
 - **Proposed Zoning:** LD – Low Density Residential
 - **Lake Designation:** Recreational Development Lakeshore (Pelican Lake)
 - **Parcel size:** Approx. 0.85 acres (Pope Co GIS estimate)
-

Applicable Statutes/Ordinances:

City of Long Beach Comprehensive Plan (2008)

The City's Comprehensive Plan ("Future Land Use" map) identifies the subject property as appropriate for "Medium and High Density Residential"

Medium and High Density Residential - This category depicts those areas that are now developed, or appropriate to be developed, in a lot to moderate density residential manner; and to recognize such areas as primarily well suited for residential uses.

Other categories for future land use in this area include:

Low to Medium Density Residential - This category depicts those areas that are now developed, or appropriate to be developed, in a low to moderate density residential manner; and to recognize such areas as primarily well suited for residential uses.

Seasonal Recreational/Commercial - The District is to provide space for the resort areas and commercial properties within the community. This would include any expansion or new commercial activities.

Open Space/Golf Course - This land category includes either publicly or privately owned lands and/or facilities and may include parks, playgrounds, golf courses, wildlife management areas, recreation centers and similar uses.

City of Long Beach Zoning Ordinance

SECTION 6 - LD LOW DENSITY RESIDENTIAL DISTRICT

6.01: PURPOSE. The purpose of the LD, Low Density Residential District is to provide for an environment of predominantly low density, single family residential uses, including detached and attached single family and two family homes, triplexes and quadraminiums, along with directly related, complementary uses.

6.02: PERMITTED USES. Subject to applicable provisions of this Ordinance, the following are permitted uses in the LD District:

- A. Single-family detached dwellings.
- B. Single-family attached dwellings not exceeding four attached housing units.
- C. Licensed day care facility serving twelve (12) or fewer persons.
- D. Group family day care facility licensed under Minnesota Rules, parts 9502.0315 to 9502.0445 to serve fourteen (14) or fewer children.
- E. Parks, trails and playgrounds.
- F. Essential services.

6.03: CONDITIONAL USES. Subject to applicable provisions of this Ordinance, the following are conditional uses in the LD District and are governed by Section 19 of this Ordinance:

- A. Church/worship facility, cemetery, crematory, mausoleum, government buildings, public utilities and public service uses, hospitals, homes for the aged, institutions of an education, philanthropic or charitable nature and related facilities when required for the public health, safety or welfare provided that:
 - 1. The requirements of Section 19 of this Ordinance relating to Conditional Uses are considered and satisfied.
 - 2. When abutting a residential use in an area guided toward future residential development within the Long Beach Comprehensive Plan, no building shall be located within thirty (30) feet of any lot line of an abutting lot in a Residential District and a landscaped buffer yard shall be provided. The required landscaped buffer yard shall screen the buildings/structures and parking lots from the view of the abutting residential use. The City Council shall approve the appropriateness of the landscaped buffer yard after consulting the standards for buffer yards contained in Section 11:16 of this Ordinance.

3. The requirements of Section 11.17 of this ordinance relating to off-street parking are considered and satisfied.
- B. Bed and breakfast establishments, provided that:
1. A maximum of four (4) bed and breakfast units be established in the structure.
 2. The facility shall have a State license (hotel and food), and comply with building and fire codes as may be required or applicable.
 3. The facility shall be owner or manager occupied.
 4. The bed and breakfast units are located within the principal structure.
 5. Not more than one (1) full time person, who is not a resident of the structure, shall be employed by the bed and breakfast facility.
 6. Dining and other facilities shall not be open to the general public but shall be used exclusively by the registered guests and residents.
 7. Two (2) off-street parking spaces shall be provided for the home plus one (1) off-street parking space for each bed and breakfast unit.
 8. Not more than one (1) identification sign not exceeding four (4) square feet in area may be attached to each wall which faces a street. The sign shall be reflective of the architectural features of the structure and may not be internally or externally illuminated.
 9. Adequate lighting shall be provided between the principal structure and the parking area for safety purposes. Any additional external lighting is prohibited.
- C. Golf courses and country clubs.

6.04: INTERIM USES. Subject to applicable provisions of this Ordinance, the following are interim uses in the LD District and are governed by Section 20 of this Ordinance:

- A. Short term vacation home rentals.

SECTION 7 - MHD Medium & High Density Residential

7.01: PURPOSE. The purpose of the MHD, Medium & High Density Residential District is to provide for an environment of predominantly medium (three to eight units) to high density (over eight units), which consist of townhouses, apartments, condominiums and congregate living arrangements, along with directly related, complementary uses.

7.02: PERMITTED USES. Subject to applicable provisions of this Ordinance, the following are permitted uses in the MHD District:

- A. Multiple Family Dwellings (Townhouses & Apartments): three (3) to eight (8) units.
- B. Residential condominiums or cooperative housing (processed as a PUD).

- C. State licensed residential facility serving from seven (7) through sixteen (16) persons.
- D. Group family day care facility licensed under Minnesota Rules, parts 9502.0315 to 9502.0445 to serve thirteen (13) to sixteen (16) children.
- E. Parks, trails and playgrounds.
- F. Essential services.

7.03: CONDITIONAL USES. Subject to applicable provisions of this Ordinance, the following are conditional uses in the MHD District and are governed by Section 19 of this Ordinance:

- A. Multiple Family Dwellings (Apartments): over eight (8) units.
- B. Congregate Care Housing.
- C. Church/worship facility, cemetery, crematory, mausoleum, government buildings, public utilities and public service uses, hospitals, homes for the aged, institutions of an education, philanthropic or charitable nature and related facilities when required for the public health, safety or welfare provided that:
 1. The requirements of Section 19 of this Ordinance relating to Conditional Uses are considered and satisfied.
 2. When abutting a residential use in an area guided toward future residential development within the Long Beach Comprehensive Plan, no building shall be located within thirty (30) feet of any lot line of an abutting lot in a Residential District and a landscaped buffer yard shall be provided. The required landscaped buffer yard shall screen the buildings/structures and parking lots from the view of the abutting residential use. The City Council shall approve the
 appropriateness of the landscaped buffer yard after consulting the standards for buffer yards contained in Section 11:16 of this Ordinance.
 3. The requirements of Section 11.17 of this ordinance relating to off-street parking are considered and satisfied.

7.04: INTERIM USES. Subject to applicable provisions of this Ordinance, the following are interim uses in the MHD District and are governed by Section 20 of this Ordinance:

- A. Short term vacation home rentals.

SECTION 16 - AMENDMENTS TO ZONING ORDINANCE

16.01: INITIATE. The City Council or Planning Commission may, upon their own motion, initiate a request to amend the text or the district boundaries of this Ordinance. The procedural requirements of Section 16.02 shall not apply to such proposed amendments initiated by the City except to the extent required by Minnesota State Statute. Any person owning real estate within the City may initiate a request to amend the district boundaries or text of this Ordinance so as to affect the said real estate.

16.02: APPLICATION AND PROCEDURE. An amendment to this Ordinance (text or map) requires a public hearing and is to be processed in accordance with the procedures set forth in Section 21 (Zoning Applications Procedures), of this Ordinance. The information required for all amendment applications generally consists of items outlined in Section 21 (Zoning Applications Procedures) of this Ordinance, and shall be submitted unless exempted by the City.

16.03: APPROVALS REQUIRED. Approval of a proposed amendment shall require a majority vote of all members of the City Council. Amendments which change all or part of the existing classification of a zoning district from residential to either commercial or industrial shall require a two-thirds ($\frac{2}{3}$) majority vote of all members of the City Council which is four (4) out of five (5) members of the City Council.

16.04: EFFECTIVE DATE. The amendment shall not become effective until such time as the City Council approves an Ordinance and the Ordinance is published in the official newspaper.

16.05: CRITERIA. The Planning Commission and City Council shall consider possible effects of the proposed amendment. Factors to be considered in determining the possible effects of the proposed amendment shall include, but are not limited to, the following:

- A. The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the Comprehensive Plan.
- B. The proposed application is or will be compatible with present and future land uses of the area.
- C. The proposed application conforms to all performance standards contained in this Ordinance.
- D. The proposed application can be accommodated with existing public services and will not overburden the City's service capacity.
- E. Traffic generation by the proposed use is within capabilities of streets serving the property.

Findings of Fact: The following findings of fact are presented by Staff for consideration by the Planning Commission:

1) Current Zoning:

- Subject Property: MHD – Medium & High Density Residential
- Surrounding Properties:
 - North: MHD Medium & High Density Residential
 - East: LD – Low-Density Residential
 - South: CD – Conservation, Parks and Open Space

2) Current Land Use:

- Subject Property: Single family dwelling

- Surrounding Properties:
 - North: Pelican Lake Estates
 - East: Single family homes
 - South: Long Beach Park
- 3) **Lot size:** Approx. 0.85 acres
- 4) **Sewer/Water:** The property is served with City sewer/water.
- 5) **Natural Features:**
- Floodplain: There are no mapped floodplains in the City of Long Beach. The elevation of the property ranges from 1140-1148 sq ft. The minimum required elevation for the lowest floor of structures along Lake Minnewaska is 1139.6 ft (NGVD29).
 - Bluff/Steep Slopes: The property does not contain any bluffs or steep slopes.
 - Wetlands: There are no wetlands on the property.
- 6) **Consistency with the Comprehensive Plan:** “The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the Comprehensive Plan.”
- The Comprehensive Plan identifies this area as suitable for low to medium density residential use.
- 7) **Compatibility with Present and Future Land Uses:** “The proposed application is or will be compatible with present and future land uses of the area.”
- The existing land uses in the area are mostly low-density and medium-density residential, also resort properties with seasonal usage. The current nonconforming use as a single family home is not inconsistent with other nearby uses.
- 8) **Conformance to Performance Standards:** “The proposed application conforms to all performance standards contained in this Ordinance.”
- There are no specific performance standards for rezonings, outside of those listed here in the “Findings of Fact” section of this report.
- 9) **Impact on Public Services:** “The proposed application can be accommodated with existing public services and will not overburden the City’s service capacity.”
- No change from the current use has been proposed for this site.
- 10) **Traffic Impact:** “Traffic generation by the proposed use is within capabilities of streets serving the property.”
- The only traffic is with the current use as a residential dwelling. No other use has been proposed.

Staff Comments:

1. The current usage of the site as a single family home is appropriate for the proposed rezoning to LD zoning district.
2. The current use and future use of the site as a single family home or other permitted uses as may pertain to the LD district would be allowable if the rezoning is approved. Conditional and interim uses for the LD district may also allowed for this site if approved through the permit process.

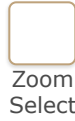
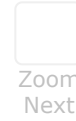
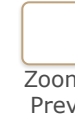
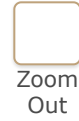
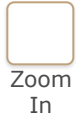
Planning Commission/City Council Direction: The Commission/Council may approve the request, deny the request, or table the request if it should need additional information from the applicant. If the Commission/Council should approve or deny the request, it should state the findings which support either of these actions.

Staff Recommendation: Based on the findings noted above, Staff would recommend approval only if the Commission finds that the rezoning is appropriate, compatible with the Comprehensive Plan, would not be incompatible with nearby residential uses, and the site is adequately served with sewer/water.

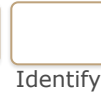
Razink property



Pope County



Navigation



Commands



Tools



Scale 1: 1128