



**PLAINVIEW PLANNING COMMISSION
SPECIAL MEETING
AGENDA**

Tuesday, June 18, 2019, at 6:00 P.M.

- 1. Call to Order**
- 2. Approval of Agenda**
- 3. Approve March 27, 2019 Meeting Minutes (to be distributed)**
- 4. Discussion**
 - a. Discussion – Accessory Dwelling Units
- 5. Public Hearings**
 - a. Variance Request from Doug Heins
 - b. Zoning Code Amendment – Garage Setback Exception
- 6. Updates / Discussion**
 - a. Corridor Study / Downtown Master Plan
 - b. Comprehensive Plan Review & Implementation Strategies
 - c. Commissioner/Staff Updates
- 7. Adjourn**

PLAINVIEW PLANNING COMMISSION



Executive Summary

Planning Commission Special Meeting: June 18, 2019

AGENDA ITEM: Discussion – Accessory Dwelling Units		
PREPARED BY: Clarissa Hadler, City Administrator Judith Jordan, EDA Director		AGENDA NO. 4.a.
ATTACHMENTS: ADU comparison, ADU draft ordinances		
RECOMMENDED ACTION: Discussion		

SUMMARY

The Economic Development Authority (“EDA”) is recommending that the City incorporate an Accessory Dwelling Unit (“ADU”) ordinance into the City Code in order to promote affordable housing options.

Attached is research provided by Judith Jordan, EDA Director, relating to ADUs. Staff wished to provide Planning Commission an initial look at and opportunity to discuss this concept before creating an ordinance. Based on this meeting discussion, staff will create a draft ordinance, which could have a public hearing at a July meeting and be adopted by Council in August.

ADU Code Comparison – 3/13/2019

City	NUMBER OF ADUs ALLOWED PER LOT	TYPE OF ADUs	OFF-STREET PARKING SPACES REQUIRED	MUST PROPERTY OWNER LIVE ONSITE?	NUMBER OF PEOPLE ALLOWED PER LOT; PER ADU	SIZE & SETBACKS	DESIGN; MUST ADU MATCH HOUSE EXTERIOR?	ENTRANCES & WINDOWS; OTHER DESIGN SPECS	PERMIT & FEES
Apple Valley						Minimum lot size = 40,000 sq. ft. Max. ADU size = 40% primary residence Min. size = 300 sq. ft.			Requires CUP and ADU approval
Bloomington NOT permitted in conjunction with two-family units, townhomes/ rowhomes, or multiple family dwellings *Home occupations allowed in ADU but home business are not allowed	1 ADU	Attached "to a four season living space" or Internal in <u>single family home</u> <i>ADUs not allowed in detached garages or structures</i> <i>Must be fully separated from single family unit by means of a wall or floor, with or without a door</i> <i>Having a separate entrance</i>	Minimum single family parking standard must be met before ADU created= four (4) off-street spaces, two of which are within a garage or an area that could be occupied by a garage	Cannot be subdivided or otherwise separated in ownership from the associated single family dwelling	2 persons (must have annual rental license)	Minimum size = 300 sq. ft. Max. size = 960 sq. ft. Minimum <u>lot size</u> for single family home that allows ADU = 11,000 sq. ft. Cannot exceed 33% of the four-season living area of the associated single family home and associated single family unit must continue to meet minimum floor area requirements. Must conform to City Code for single family dwelling re: setback, height, impervious surface, motor vehicle, rec. vehicle and accessory structure standards	Must be designed and constructed to maintain the outward appearance of one single-family dwelling Must meet Mn State Building Code (fire resistance and insulation between units) Must connect to municipal sewer and water No more than two bedrooms permitted in ADU		Annual rental license required
Eagan Smoke detectors in all sleeping rooms and carbon monoxide detectors within 10 ft, if sleeping rooms	1 ADU	ADUs must be located in R1 or Estate Zoning -ADU must be <u>internal</u> or <u>attached</u> to primary residence	Two off-street parking spaces per ADU in addition to 2 off-street parking spaces for primary residence. Additional garage can be constructed	Property owner must reside in primary residence or the ADU as their permanent and legal address ¹ Not less than 185 days of calendar year	2 persons max. and no more than 2 bedrooms	<u>Min. floor area</u> – 300 sq. ft. <u>Max. floor area</u> – 960 sq. ft. (or 33% of primary residence footprint, whichever is less No ADU shall be permitted if the building coverage on the lot exceeds or will exceed 20% Must connect to city sewer and water and be served by only one service line from street to the primary residence.	Must match design, style, appearance and character of primary residence and cannot extend beyond height of primary residence ADU can be created by converting garage space as long as new two-car or larger garage is constructed on lot without needing a variance		ADUs must be registered with City Clerk for 12 month period and renewed annually

¹ Eagan – An ADU must not be subdivided or otherwise segregated in ownership from the primary residence; defines Accessory Dwelling Unit as “granny flat” or “mother-in-law apartment” – self-contained living unit located within the walls of an existing or newly constructed single-family home.

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Lakeville Defines ADU as "multi-generational housing" Property shall have one postal address			Must have minimum of three garage stalls with direct ext. access attached to principal building with a driveway access in front of each stall to allow direct vehicle maneuvering to each of the stalls			Minimum Lot size = 8,400 – 10,200 sq.ft. in R4 districts Minimum Lot size = 20,000 sq. ft. in R1 pre-1994; 40,000 sq. ft. in R1 post-1994 Must be served by single municipal water, sewer gas and/or electric utility line with single meter		Must have interior connection between main living area and ADU that can be unlocked from each side nad not secured by deadbolt or keyed lockset Must have one heating and AC system	
Minneapolis	1 per lot in residential districts	-Attached, internal and detached <i>-ADU is not considered principal residential structure or single family dwelling</i> <i>-Is not considered separate tax parcel</i>	Minimum of 1 off-street parking space per dwelling unit; but not required to provide an additional space for the ADU No more than two unenclosed vehicles per dwelling unit on zoning lot; ADU not considered a dwelling. Detached ADUs can be within 6 ft. of an open parking space	Either ADU or main unit must be owner-occupied for the entire calendar year; restriction recorded on deed		Min. floor area (all types) = 300 sq. ft. <u>Max. floor area (internal)</u> = 800 sq. ft. -- <i>cannot exceed size of gr. Fl. & must be on one level</i> <u>Max. floor area (attached)</u> = 800 sq. ft. <u>Max. floor area (detached)</u> = 1,000 sq.ft. ² <i>including parking areas and any half-story floor area.</i> <u>Maximum height (detached)</u> = 20 ft. Cannot exceed the highest point of the principal residential structure. <u>SETBACKS</u> <u>*Internal/attached:</u> as per zoning requirements <u>*When principal ADU entrance faces interior side lot line, set back 15 ft. (22 ft. if there is a driveway between entrance and side lot line</u> <u>*Detached only</u> o Interior side yard = 3 ft. o Rear yard = 3 ft. if garage doors face the side or front; 5 ft. if garage doors face rear; 5 ft. if rear lot line coincides with the side lot line o Reverse corner side yard = 2/3rds of the depth of the required front yard of adjacent property to the rear based on the yard requirements table of its zoning district o Distance to house = 20 ft.	Attached ADU - -exterior materials must match primary exterior materials -Rooftop decks are prohibited -Balconies shall not face an interior side lot line	<u>Attached/internal ADU</u> -no additional entrances facing public street of primary residence -Exterior stairways leading to upper story of <u>attached ADU</u> shall be enclosed -Exterior stairways leading to <u>detached ADU</u> shall be allowed as long as the railing finish matches the trim of the detached ADU (no raw or unfinished lumber) -No less than 10% of the entire elevation facing an alley or public street shall be windows.	App reviewed by Zoning – fee \$260
Minnetonka Allows ADUs through CUP	Defines ADUs as accessory	Internal - Considered accessory apts.		Owner must live in primary residence or		Minimum Lot size = 12,000 sq. ft. in R1; or 12,500 sq. ft. in R2		Can have either exterior entrances separate from principal unit or	

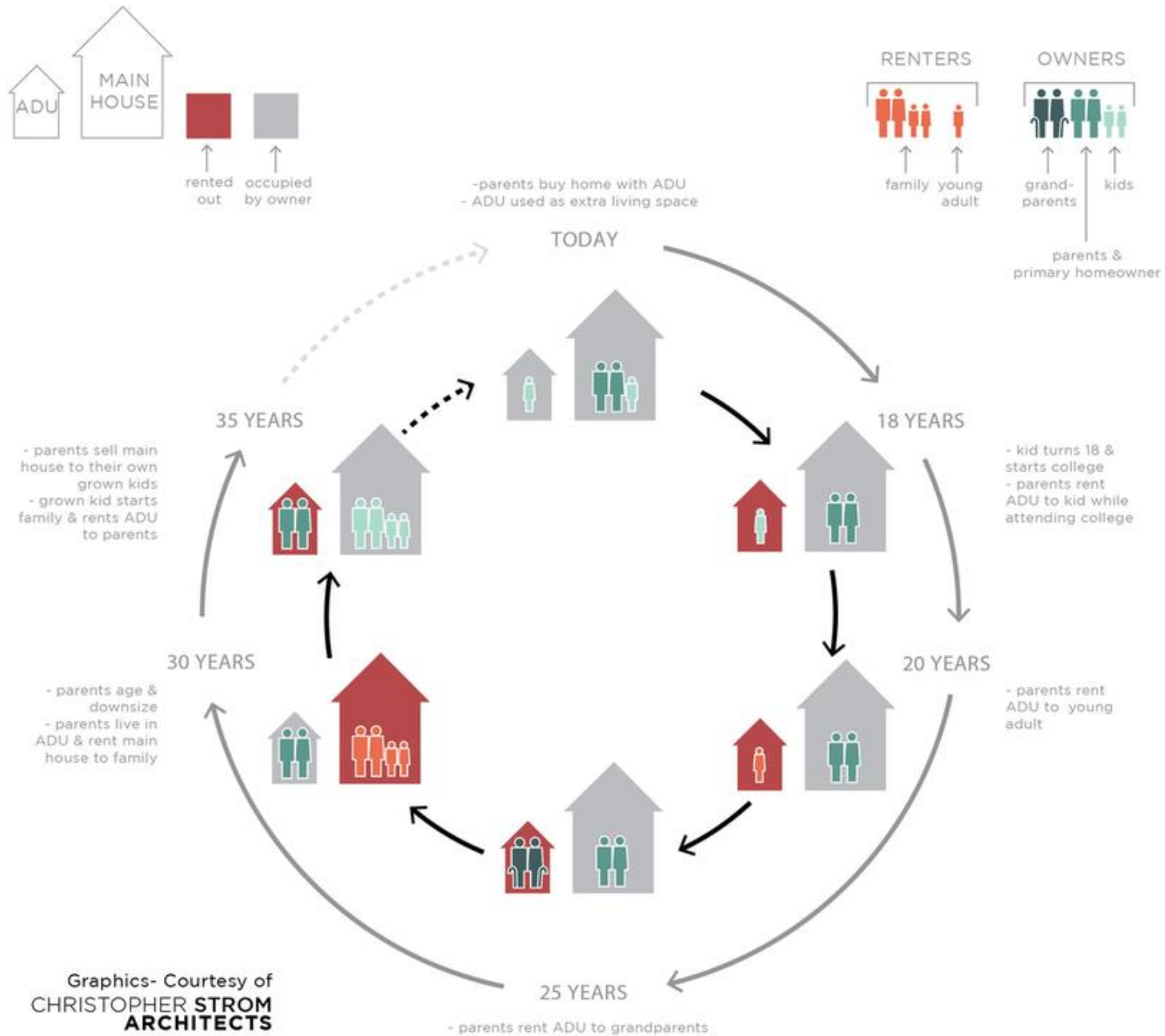
² Minneapolis – detached max. floor area – “The combined footprint area of a detached ADU, and all other accessory structures and uses designed or intended to be used for the parking of vehicles, shall not exceed 676 sq. ft. or 1-% of the lot area, whichever is greater, not to exceed 1,000 sq. ft.

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process.	apartments 1 ADU per property	located within primary unit that include sleeping, cooking and bathroom independent of principal unit.		ADU		ADU must not exceed 35% of living area of primary residence or 950 sq. ft. Permanent ADU can be occupied by any person regardless of mental or physical ability or impairment		can be accessed only through principal unit	
Plymouth ADU must have separate address from principal dwelling	1 ADU per lot	Attached or detached. Can be located above an attached or detached garage (1 acre to 12,500 sq. ft. min. lot size depending on zone)	In addition to parking required for primary unit, ADU must have 2 off-street parking spaces	Owner must live in primary residence or ADU No separate ownership of ADU		Minimum Lot size = 12,500 sq. ft. ADUs allowed in residential subdivision approved on or after 6/1/2001 and that include ten or more single family lots Cannot exceed gross floor area of principal dwelling or 1,000 sq. ft. (whichever is less) Subject to same setbacks as principal unit Principal dwelling unit and ADU must connect to municipal sewer and water	Must match exterior of principal structure re: style, roof pitch, colors and materials		Requires city license to rent Permit for ADU can only be applied for concurrent with application for permit for principal structure
Richfield	1 ADU	Internal; attached or detached allowed providing the principal residential structure is a single-family dwelling Conversion of garage to ADU prohibited unless garage space is replaced. If existing garage exceeds parking for two vehicles, garage can be converted without replacement.	Minimum of 3 off-street parking spaces required if adding ADU of any kind	- Owner must occupy at least one dwelling unit on lot; - proof of homesteading required; - ADU is not a separate tax parcel		<u>Min. floor area</u> - 300 sq. ft. <u>Max. floor area</u> – 800 sq. ft. or gross floor area of the principal dwelling, whichever is less	Primary exterior materials of attached ADU must match those of principal structure. Exterior materials of new construction of any type of ADU must match structure to which it is attached	-No additional entrances facing public street on primary structure permitted for attached or internal ADUs Exterior stairways leading to upper story ADUs shall be allowed as long as staircase and railing are not raw or unfinished lumber	Rental license for non-owner-occupied unit required
Rochester	1 ADU	Internal –	One paved on-	Owner must	2 for	<u>Internal</u> – max. of 600 sq. ft. with no more than	ADU must meet code	Entrance for internal	

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<i>City defines ADUs as "Accessory Apartment in existing one family detached dwellings" or "accessory apartment developed as part of detached garage" or a "rear dwelling"</i>	Cannot have ADU if there is a home occupancy business on premise	"permitted in existing one family detached dwellings" Detached – "accessory apartment developed as part of a detached garage" Detached – Rear Dwelling "a building to the rear of an existing principal building"	site parking space	live in either ADU or principal structure	internal	one bedroom <u>Detached</u> – max. 900 sq. ft. and 2nd floor max. is 785 sq. ft. of a detached garage <u>Detached Rear Dwelling</u> – no size restriction in code but must conform to zoning ordinance re: lot area, yard, landscaping area and off-street parking plus it must have an "unoccupied and unobstructed accessway to public street of no less than 18 ft. in width" Lot size minimum is 5,000 sq. ft if ADU s detached accessory apartment or a rear dwelling Combo garage/ADU must conform to all applicable standards and setbacks with the 0065ception that the wall of any part of the building used for the ADU must be a min. of 6' from nearest wall of principal single family detached dwelling	for rental housing Appearance must be compatible with existing principal dwelling on lot re: design, form, height, materials and landscaping	ADU must not be placed on the building front Entrances for detached must have paved pedestrian access to the door of the ADU from street and also alley if detached garage has access to an alley	
St. Paul	1 ADU permitted in residential districts Lot size minimum = 5,000 sq. ft.	Defined as secondary dwelling unit within or attached to principal one-family dwelling unit; or detached accessory building on same zoning lot	Provided that the minimum parking requirement for the principal one-family dwelling on the lot is met, no additional parking is required.	Owner of property must occupy the principal dwelling unit or the ADU as permanent and principal residence³ ADU cannot be sold separately from principal dwelling unit and may not be a separate tax parcel.	Cannot exceed definition of family allowed in a single housekeeping unit	<u>Max. floor area</u> = 800 sq. ft. If located within primary structure – minimum floor area must be 1,000 sq. ft. and accessory unit shall not exceed 1/3 of total floor area of structure. For multi-story principal structures built prior to enactment of ADU code, maximum floor area of ADU may be equal to first floor of primary residence by shall be less than or equal to 50% of total floor area of structure.	- Exterior stairways shall be built of durable materials that match the finish of the principal structory or ADU to which they are attached (Raw or unfinished lumber prohibited)	- Walkway must be provided from abutting public street to the primary entrance of ADU - Upper floor units in internal ADUs must have interior stairway access to primary entrance of ADU - Secondary stairways required for fire safety may be located on exterior of the side or rear of the building, but not on the front of the building..	Annual affidavit must be filed by owner declaring primary residence – annual fee charged.

³ St. Paul – Property owner shall execute a Declaration of Land Use Restrictive Covenants and Owner's Warranties creating certain covenants running with the land for the purpose of enforcing the standards and conditions of subsection and file ... with County Recorder. Property owner must deliver an executed original of the Declaration (with date and document number of record) to zoning administrator before any City building or zoning permits required for ADU can be issued.

Example Life Cycle of a Second Suite



EDA

Economic Development Authority *for the City of Plainview*

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Plainview, MN 55964
(507) 421-6564
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City of Plainview Accessory Dwelling Unit

Tuesday, April 16, 2019

NEW CODE FOR ACCESSORY DWELLING UNITS

609 ZONING AND LAND MANAGEMENT, ACCESSORY DWELLING UNITS

609.1 Authority and Purpose. The purpose of this section of code is to provide guidelines and minimum standards to facilitate both the construction of new Accessory Dwelling Units (ADUs), also known as “second units,” “mother-in-law apartments,” or “granny flats,” and to guide legalization of unpermitted Accessory Dwelling Units.

The reasons the city is allowing ADUs are:

- (a) To expand the supply of affordable housing for both owners and renters in the community;
- (b) To expand the supply of accessible housing for Senior Citizens and persons with disabilities;
- (c) To provide a means for homeowners, particularly the elderly, to obtain extra income, security, companionship, and service;
- (d) To make more efficient use of existing housing stock and infrastructure; and
- (e) To provide a mix of housing that responds to changing family needs, smaller households, and increasing housing costs.

Commented [JJ1]: This language is needed if there are any existing ADUs that would be covered by an ADU code

609.2 Definitions.

1. **Accessory Dwelling Unit (ADU).** ADU means an interior, attached or a detached residential dwelling unit which provides complete independent living facilities for one or more persons, including permanent facilities for living, sleeping, eating, cooking, and sanitation, and is located on the same parcel as a single-family dwelling. An ADU may consist of an efficiency unit.
 - a. **Cooking Facility.** A cooking facility means an area containing a refrigeration appliance; and, a kitchen sink and cooking appliance, each having a clear working space of not less than 30 inches. “Cooking appliance” includes any appliance capable of cooking food, including a range, stove, oven, microwave, or hot plate
 - b. **Living Area.** The term Living Area has the meaning, “The interior habitable area of a dwelling unit including basements and attics and does not include a garage or any accessory structure.”
 - c. **Owner Occupied.** Owner occupied means the owner currently resides on the property.
 - d. **Sanitation Facilities.** Sanitation facilities mean a toilet, sink, and bathtub or shower.
 - e. **Sleeping Facilities.** Sleeping facilities means an area dedicated to sleeping that meets building code requirements for habitability
 - i. In every ADU of two or more rooms, every room occupied for sleeping purposes by one occupant must contain at least 70 square feet of floor area. Every room occupied for

Commented [JJ2]: This is new language

sleeping purposes by more than one occupant must contain at least 50 square feet of floor area for each occupant thereof

2. **Accessory Dwelling Unit, Interior.** An interior ADU means a separate dwelling unit that is located entirely within the existing and legally created space of a single-family home (primary dwelling unit) or accessory structure (ex. garage or workshop).
3. **Accessory Dwelling Unit, Attached.** An attached ADU means a separate dwelling unit which is constructed as a vertical or horizontal addition to a single-family home (primary dwelling unit).
4. **Accessory Dwelling Unit, Detached.** A detached ADU means a separate dwelling unit which is constructed as an independent structure, surrounded by open space and on the same lot as the single family home (primary dwelling unit)t, except that it can be attached to an accessory structure (e.g., garage).
5. **Short-term Rentals** – Short-term rentals means rentals for less than 30 days.

609.2 Development Standards.

(a) **General Provisions.** The following provisions apply to all Accessory Dwelling Units:

- 1) **Number.** The lot must contain an existing single-family home (primary dwelling unit) and no other dwelling units. No more than one ADU may be added on any lot either by converting an existing accessory building or constructing a new dwelling unit that conforms to ADU code.
- 2) **Zoning District.** The project site must be zoned for residential use including R-1, R-2, and Transition Districts.
- 3) **Ownership.** ADUs may not be subdivided and may not be otherwise separated in ownership from the associated single family dwelling unit.
 - A. The creation of an ADU shall not create a separate tax parcel.
 - B. At the time of application, the property owner must acknowledge in writing the restrictions in subsections (i.) through (iii.) regarding sale, owner occupancy, and short term rentals of Accessory Dwelling Units.
 - i. The ADU may not be sold separately from the existing single-family home.
 - ii. Either the single-family home or the ADU must be owner-occupied if the home and ADU are occupied by different families.
 - iii. Neither the ADU nor the single-family home may be used for short-term residential rentals.
 - C. Before issuance of a building permit for the ADU, the owner must record a covenant in a form approved by the City Attorney to notify future owners of the restrictions in subsections (i.) through (iii.) regarding sale, owner occupancy, and short term rental of the ADU.
- 4) **Occupancy.** The property owner of record shall occupy either the principal dwelling unit or the ADU as their permanent and principal residency.
- 5) **Accessory Dwelling Unit Occupancy.** Occupancy is limited to two persons.
- 6) **Building Code Compliance.** The ADU shall conform to all applicable state and local building code requirements.
- 7) **Size -** An ADU must include no less than the minimum floor area identified for an efficiency unit (320 sq. ft.). The ADU must not exceed the following maximum sizes: internal ADU - 864 sq. ft. or size of ground floor up to 1,440 sq. ft.; attached ADU: 864 sq. ft.; and detached ADU – 1,440 sq. ft. unless it is created by converting a garage. ADUs that are converted garages may not exceed the square footage of the ground floor of the primary dwelling unit or 768 sq. ft., whichever is larger

Commented [O3]: This definition is needed so because the ADU code prohibits using an ADU for short-term rentals.

Commented [JJ4]: Should ADUs be allowed in areas zoned as R2 and Transition districts?

Commented [JJ5]: Does the city want to limit rentals in this way?

Commented [JJ6]: This language is required to clarify terms regarding tax status of ADU

Commented [O7]: Do we put language in that reflects adults and children? For example, could a single parent with two children occupy an ADU, or two adults with one child? Or is this for two people age not specified?

Commented [JJ8]: There is no code for efficiency apartments, so delete?

Plainview code says the minimum size of a single family home ground floor is 864 sq. ft. or 1,440 if it has two floors. ADUs should be smaller than the primary residence, so to what size do we want to limit the ADU?

Commented [JJ9]: This is the code for garage size.

- 8) Utilities – Accessory Dwelling Units must be served by municipal sewer and water. Separate utility metering for the ADU is prohibited.
- 9) Bedrooms – No more than two bedrooms are permitted in the ADU.
- 10) Parking - One additional off-street parking space is required for the ADU. If the ADU replaces an existing garage, carport or covered parking structure, replacement spaces must be provided equal to the number of spaces removed. Replacement spaces may be provided as covered or uncovered spaces on paved or unpaved.
- 11) Density - An ADU conforming to the requirements of this section shall not be considered to exceed the allowable density for the lot upon which the unit is located and shall be deemed to be a residential use consistent with the existing general plan and zoning designations for the lot.
- 12) Appearance – Accessory Dwelling Units and their associated single family dwelling units must clearly be designed and constructed to maintain the outward appearance of one single family dwelling.
- A. Exterior finish materials – Exterior finish materials must visually match in type, size and placement, the exterior finish materials of the primary dwelling.
- B. Windows – If the street-facing façade of the ADU is visible from the street, its windows must match in proportion and orientation, the windows of the primary dwelling
- C. Eaves – If the primary dwelling has eaves, the ADU must have eaves that project the same distance from the building. If the primary dwelling does not have eaves, no eaves are required of the ADU.
- D. Exemptions – Detached ADUs may be exempt from Section 609.2 (a) 14A.-D. if the size is under 864 sq. ft. and the height is under 24’
- E. Single Family Dwelling Code Compliance - ADUs in combination with their associated single family dwelling unit must conform to all City Code requirements for single-family dwellings, including but not limited to setback, height, impervious surface, motor vehicle, recreational vehicle, and accessory structure standards.
- 13) Access and Entrances - The creation of an ADU shall not result in additional entrances facing the public street on the primary structure. Only one entrance may be located on the façade of the primary dwelling facing the street, unless the primary dwelling contained additional entrances before the ADU was created. An exception is entrances that do not have access from the ground such as entrances from balconies or decks.
- A. A walkway shall be provided from an abutting public street to the primary entrance of the attached or detached ADU
- 14) Conversion of an Accessory Dwelling Unit to Primary Dwelling Unit.
- A. An ADU shall become the primary dwelling unit on a site if the original primary dwelling unit is demolished or determined to be uninhabitable, and is not replaced or made habitable within one year of its demolition or the determination that it is uninhabitable.
- B. If an ADU becomes the primary dwelling unit, it shall remain so, and be considered a nonconforming but lawful structure if it fails to comply with any zoning standards applicable to a primary dwelling unit in the zoning district where it is located, until such time as a new structure compliant with all zoning standards applicable to a primary dwelling unit in the zoning district where it is located, is lawfully constructed or otherwise created on the site.
- 15) Vacant Lots.
- A. A building permit applicant for a vacant site may propose construction of both a single-family dwelling unit and an ADU concurrently. However, the primary dwelling unit must pass final inspection prior to final inspection of the associated ADU. Nothing in this section shall be construed to supersede or in any way alter or lessen the effect of any other zoning provision

Commented [O10]: Parking needs to be decided. Do we require one or two off-street parking places?

Commented [JJ11]: How closely does the appearance have to match? Do we need to specify A. through D.?

Commented [JJ12]: Does this have to be specified?>

requiring issuance of a discretionary permit for construction of the primary dwelling unit prior to issuance of a building permit.

- B. The discretionary review of the primary dwelling unit must not include consideration of the ADU use.

16) A passageway may not be required in conjunction with the construction of an ADU.

17) An ADU may be constructed on a site that does not meet the minimum lot or parcel size requirements or minimum dimensional requirements of the underlying zoning district, provided the ADU is constructed in compliance with all other standards of this section. Approval of a site development permit or any other discretionary permit, is not required.

18) An ADU may be constructed on a site containing a primary dwelling unit or accessory structure that does not comply with all zoning standards, including without limitation off-street parking standards, provided the ADU complies with all standards contained in this section. The existing nonconformities of the primary dwelling unit or accessory structure shall not be considered when evaluating the application.

19) An ADU conforming to the provisions of this section shall be approved administratively

(b) Interior Accessory Dwelling Units. The following provisions also apply to an interior ADU:

- 1) The ADU must be constructed entirely within the existing and legally created space of a single-family home or accessory structure in an R-1, R-2 or Transition Districts.
- 2) The zoning standards of the underlying zoning district (e.g., setbacks, height, floor area ratio, etc.) do not apply to the interior ADU.
- 3) Interior ADU size is 864 sq. ft. or size of ground floor, whichever is larger.
- 4) Internal ADUs within the principal structure shall have interior stairway access to the primary entrance of the unit. Secondary stairways required for fire safety may be located on the exterior of the side or rear of the building, but shall not be allowed on the front of the building.
 - A. Exterior stairways shall be built of durable materials that match the finish of the principal structure or accessory building to which they are attached. Raw or unfinished lumber shall not be permitted.
- 5) If the primary structure is on a single level, the minimum floor area must be 320 sq. ft. and Accessory Dwelling Unit shall not exceed 1/3 of total floor area of structure. If the primary structure is multi-story, the maximum floor area of the ADU may be equal to the first floor of the primary residence or can be less than or equal to 50% of the total floor area of the structure.

(c) Attached Accessory Dwelling Units. The following provisions shall also apply to all attached ADUs:

- 1) Except as modified by this section, an ADU attached to the primary dwelling unit shall conform to all requirements of the underlying residential zoning district, any applicable overlay district, and all other applicable provisions, including height, setback, floor area ratio, and historic preservation requirements.
- 2) The increased floor area of an ADU attached to the existing single-family home shall not exceed 50% of the floor area of the existing single-family home or 864 square feet whichever is less.
- 3) An attached ADU must comply with the following design standards:
 - A. The ADU must be constructed with compatible/complementary facade materials, generally the same color palette, and similar in texture and appearance to the primary dwelling, including but not limited to roofing, siding, windows, and doors.
 - B. The ADU roof height cannot exceed the height of the primary residence and the ADU roof pitch/form must be compatible with the roof pitch/form of the primary dwelling.
 - C. No less than 10% of the entire elevation facing an alley or public street shall be windows.
 - D. Rooftop decks are prohibited

Commented [JJ13]: Is this language necessary?

Commented [O14]: Is there different language for adding a "sidewalk" or "path" from the street to the ADU?

Commented [O15]: Is this a use that Plainview wants to permit? Is there a simpler, clearer way of saying this?

Commented [O16]: This code is intended to differentiate size restrictions on converting a single level or multi-story with an interior ADU. Should the ADU be 864 sq. ft. or 50% of the total floor area, whichever is larger?

Commented [JJ17]: There are concerns that matching the pitch of the roof of the primary dwelling will drive up cost, so does "compatible" work?

E. Balconies shall not face an interior side lot line

(d) Detached Accessory Dwelling Units. The following provisions shall also apply to all detached ADUs:

- 1) Except as modified by this section, a detached ADU must conform to all requirements of the underlying residential zoning district, any applicable overlay district, and all other applicable zoning provisions, including height, setback, floor area ratio, and historic preservation requirements.
- 2) Setbacks.
 - A. A detached ADU must be located no less than five feet from the primary dwelling unit on site.
 - B. The minimum side setbacks for a detached ADU is five feet from interior side lot lines and fifteen from street side lot lines of corner lots.
 - C. On reverse corner lots, a detached ADU may not project beyond the inner line of the front yard required on the adjacent lot to the rear, nor be located less than five feet from the side lot line of such adjacent lot.
 - D. The minimum rear yard setback for a detached ADU is five feet.
 - E. Notwithstanding subsections (A) through (D), the minimum setbacks for an ADU that is constructed above an existing garage is five feet from the rear and side property lines (including street side corner lots and reverse corner lots).
- 3) Height.
 - A. A one story detached ADU may be up to 15 feet in height.
 - B. A detached ADU constructed over a garage or other accessory structure where the ADU would be five feet from the rear or side lot line may be up to 17 feet in height when such unit has a flat roof.
 - C. A detached ADU constructed over a garage or other accessory structure where the ADU would be five feet from the rear or side lot line may be up to 20 feet in height when such unit has a pitched roof.
 - D. A detached ADU constructed over a garage or other accessory structure where the ADU would meet the side and rear yard setbacks of the underlying zoning district may be up to 20 feet in height when such unit has a flat roof.
 - E. A detached ADU constructed over a garage or other accessory structure where the ADU would meet the side and rear yard setbacks of the underlying zoning district may be up to 24 feet in height when such unit has a pitched roof.
- 4) The maximum floor area of a detached ADU is 1,000 sq. ft. unless it is created by converting a garage. ADUs that are converted garages may not exceed the square footage of the ground floor of the primary dwelling unit or 768 sq. ft., whichever is larger.
- 5) A detached ADU must comply with the following design standards:
 - A. The ADU must comply with Minnesota Uniform Building Code if the new construction includes:
 - a. ground floor plate height exceeds 12 feet or roof height exceeds 18 feet (as measured from finished grade); or
 - b. creates or expands an upper floor.
 - B. The ADU must be constructed with compatible/complementary facade materials, generally the same color palette, and similar in texture and appearance to the primary dwelling, including but not limited to roofing, siding, windows, and doors.
 - C. The ADU roof pitch/form must be compatible with the roof pitch/form of the primary dwelling.

Commented [O18]: Distance from primary dwelling is discretionary.

Commented [O19]: This is discretionary

Commented [O20]: This is discretionary. What is the purpose of the "flat roof" requirement?

Commented [JJ21]: Plainview Code for building height maximums are: R1 – 30 ft.; R2 – 30 ft. and Transition – 35 ft.

Commented [O22]: Plainview code says the minimum size of a single family home ground floor is 864 sq. ft. or 1,440 if it has two floors. ADUs should be smaller than the primary residence, so to what size do we want to limit the ADU? Plainview code limits garage size as per this proposed ADU language.

Commented [JJ23]: Is this language necessary?

DISCRETIONARY LANGUAGE

609.2 Development Standards.

General Provisions.

- 1) Rental License. Rental of either the Accessory Dwelling Unit or associated Single Family Dwelling unit will require a rental license pursuant to _____ of the City Code. Only one rental license is permitted per residential site.
 - a. The property owner shall file an annual affidavit with the city verifying continued owner-occupancy of the property as their permanent and principal residence. A fee shall be collected in accordance with _____

Passageway. A pathway that is unobstructed clear to the sky and extends from a street to one entrance of the Accessory Dwelling Unit.

Commented [O24]: This looks like over-regulation since the number of ADUs can be tracked through building permits.

Commented [O25]: Is verification of owner occupancy necessary? Duplication of occupancy status – (property taxes/homestead exemption)

CURRENT CODE – Single Family Home

609.15 Dwelling, Single Family. A detached residential dwelling unit designed for and occupied by one family only shall meet the following specifications:

- A. At least 24 feet wide at its narrowest point measured from the face of the exterior walls;
- B. Has a minimum of 864 feet of enclosed year-round living area on its ground floor, or a minimum sum of 1,440 square feet of enclosed year-round living area on the ground floor and the next floor above;
- C. Is placed on a permanent foundation which complies with all standards and specifications of the Uniform Building Code as adopted in Minnesota. Said foundations shall be solid foundations extending the entire length and width of the dwelling;
- D. Has a roof which meets the standards and specifications of the Uniform Building Code as adopted in Minnesota or Minnesota Statutes §327.31 et. seq. (the Manufactured Homes Building Code);
- E. Has exterior walls and attic areas which meet minimum energy envelope requirements. Exterior walls must be covered with siding which meets the standards and specifications of the Uniform Building Code as adopted in Minnesota or Minnesota Statutes §327.31 et. seq.
- F. Has such architectural design, color, roof, and exterior material which are not so inconsistent with surrounding buildings and areas as to constitute a blight or devalue surrounding property, or otherwise impair the health, safety, and welfare of the community.

City of Plainview Accessory Dwelling Unit

Tuesday, March 12, 2019

Addition to Zoning Code Definitions

607 ZONING AND LAND MANAGEMENT, DEFINITIONS. For the purposes of this ordinance, certain terms or words used herein shall be interpreted as follows, or if there are any terms or words not contained herein that described the applicable physical characteristic or condition that prevails, then the definition or abbreviations contained in the current Uniform Building Code as published shall prevail. Words used in the present tense include the past and future tense; the singular number includes the plural and the plural includes the singular; the word "shall" is mandatory, and the words "should" and "may" are permissive. In the event of conflicting provisions in the rest of these regulations, the more restrictive shall apply.

1. **Accessory Buildings**– A subordinate structure or building on the same lot which is incidental and subordinate to the principal use of the primary or main building.
2. **Accessory Building, Permanent**- Any structure for the shelter, support, or enclosure of persons, animals, chattels, or personal property of any kind, which is permanently affixed to the land. A permanent building shall consist of a floor of solid construction, a roof constructed of solid material supported from the floor by structural supports and enclosed by walls. The structure shall be permanently fixed to the ground resting on a poured concrete or block foundation or concrete footings. Storage structures and accessory use structures including but not limited to garages may have earthen floors provided the structure is permanently attached to below-grade footings or a poured or constructed foundation. Typical permanent accessory buildings could be detached garages, garden sheds, gazebos, greenhouses, etc.
3. **Accessory Building, Temporary** –Any structure (usually consisting of floor, sidewalls, and roof) which is not permanently attached to the ground, or concrete block foundation, poured concrete footings, or a poured concrete foundation. All structures which are on temporary timbers or wheels (but not-motorized) shall constitute temporary buildings. All structures that are portable in nature and capable of being relocated which are not permanently fixed to a foundation or permanent foundational footings installed on the ground shall constitute a temporary building. Typical temporary accessory buildings could be dog houses, arbors, swing sets, tree houses, sandboxes, etc.
4. **Agriculture Building.** A building located on agricultural property and used to shelter farm implements, hay, grain, poultry, livestock, or other farm produce, in which there is no human habitation and which is not used by the public.
5. **Accessory Dwelling Unit (ADU).** Accessory Dwelling Unit means an interior, attached or a detached residential dwelling unit which provides complete independent living facilities for one or more persons, including permanent facilities for living, sleeping, eating, cooking, and sanitation, and is located on the same parcel as a single-family dwelling. An Accessory Dwelling Unit may consist of an efficiency unit.
 - a) **Efficiency Unit** - an efficiency apartment as defined in the building code may be permitted if it satisfies all of the following requirements:
 - i. The efficiency apartment must have a habitable room of not less than 220 square feet of superficial floor area. An additional 100 square feet of superficial floor area must be provided for each occupant in excess of two occupants.

Commented [JJ1]: This is the minimum needed for a definition, Does Efficiency Unit need to be added to definitions?

Commented [O2]: I quick check of the MN Building Code did NOT turn up a definition.
What size should an efficiency apartment be minimally? See Rochester Building Code for definition of "Efficiency" and "SRO" (Single Room Occupancy) units

- ii. The efficiency apartment must be provided with a kitchenette that is equipped and arranged for complete kitchen use including an electric exhaust fan not less than 100 cfm connected to outside air..
- iii. The efficiency apartment must be provided with a separate bathroom meeting the requirements in the Building Code

- b) **Accessory Dwelling Unit, Interior.** An interior Accessory Dwelling Unit means an ADU that is located entirely within the existing and legally created space of a single-family home that is the primary dwelling unit or accessory structure (ex. Garage or workshop).
- c) **Accessory Dwelling Unit, Attached.** An attached Accessory Dwelling Unit means an ADU which is constructed as a vertical or horizontal addition to a single-family home (primary dwelling unit).
- d) **Accessory Dwelling Unit, Detached.** A detached Accessory Dwelling Unit means an ADU which is constructed as an independent structure, surrounded by open space and on the same lot as the primary dwelling unit, except that it can be attached to an accessory structure (e.g., garage).

24. **Dwelling Unit.** One or more rooms connected together, constituting a separate, independent housekeeping establishment for owner occupancy, or rental, or lease on weekly, monthly, or longer basis and physically separate from any other rooms or dwelling units which may be in the same structure and containing independent cooking and sleeping facilities.

25. **Dwelling Unit, Multi-family Unit.** A residential building designed for or occupied by three or more families, with the number of families in residence not exceeding the number of dwelling units provided and not including an Accessory Dwelling Unit.

26. **Dwelling Unit, Single-family.** A detached residential dwelling unit including, but not limited to, stick built housing, manufactured housing complying with Minnesota statutes §327.31 to §327.36, and mobile homes complying with Minnesota Statutes §327.31 to §327.36, designed for and occupied by one family only, except that the structure may also contain an Accessory Dwelling Unit where expressly authorized pursuant to . A detached Accessory Dwelling Unit shall not be considered a single-family dwelling for the purposes of

27. **Dwelling Unit, Two Family.** A residential building containing two dwelling units, designed for occupancy by not more than two families, neither of which is an Accessory Dwelling Unit.

31. **Family.** One or more persons occupying a single dwelling unit, provided that unless all members are related by blood, marriage, or adoption, no such family group shall contain over five persons; but further provided that hired staff persons or caregivers employed on the premises may be housed on the premises without being counted as a family or families

Commented [JJ3]: Qualifying language needed to differentiate between multi-family and ADU

Commented [O4]: New comment specifically qualifying ADUs as part of the Single-Family dwelling (not a separate tax parcel)

Commented [O5]: Qualifying language

Commented [JJ6]: New language describing a family group of unrelated people

PLAINVIEW PLANNING COMMISSION



Executive Summary

Planning Commission Special Meeting: June 18, 2019

AGENDA ITEM: Public Hearing - Variance Request from Doug Heins	
PREPARED BY: Clarissa Hadler, City Administrator	AGENDA NO. 5.a.
ATTACHMENTS: Draft Resolution, City Code, Application, LMC Land Use Handbook.	
RECOMMENDED ACTION: Motion to recommend approval of Resolution approving variance request for 120 1 st Ave. SE.	

SUMMARY

The attached variance request is for a garage that exceeds the maximum allowable square footage. The City Code allows for a total of accessory structure space equal to “100% of the ground square footage of the principal use, or 768 square feet, whichever is larger.”

609.18 Private Garages. No lot, residence, or business shall have more than three accessory structures. Any garage, be it attached or detached, shall count as one accessory structure towards the maximum limit of three. The total square footage of the accessory buildings shall not exceed more than 100% of the ground square footage of the principal use, or 768 square feet, whichever is the larger. The sum of the accessory buildings shall not exceed 1,500 square feet in any event.

609.18.1 Securely Affixed. All accessory buildings, whether permanent or temporary, shall be securely affixed to the ground in a manner that will resist movement from storms or vandalism.

609.18.2 Setback Requirements. All accessory buildings, whether permanent or temporary, shall meet the setback requirements.

609.18.3 Height Limit. No accessory buildings, whether permanent or temporary, shall exceed the height of the principal building. In no event may an accessory building exceed 17 feet in height.

609.18.4 Residence. No accessory buildings shall be used as a residence or a place of habitation on a permanent or temporary basis.

609.18.5 Compatible. The architectural style, color, and facing material of permanent accessory structures shall be compatible with the dwelling unit.

The property in question currently has a very old barn/garage in the rear alley, as well as a single car garage facing the street. The application request is for the building of a new garage to replace the very old one in the rear of the property. The new garage would be a 2-stall, with a square footage of 624 sq. ft. The single car garage has a square footage of 308 square feet, so the total of the accessory

buildings would be 932 square feet. The area of the home (principal use) is 784 sq. ft., which is significantly smaller than other homes in neighborhood. After a cursory review of property records, staff speculates that there are fewer than 20 homes in Plainview with a square footage less than 800 sq. ft.

Finally, the current sum of accessory structure square footage already exceeds the total ground square footage of the principal use, and it is unclear whether a variance was obtained at the time the smaller garage was built. This variance would bring the property into compliance with the zoning code by making it “legal nonconforming”.

A variance may only be granted if it meets all of the criteria in Minnesota Statute 462.357. Below is the analysis of whether the variance meets those criteria.

1. The variance is in harmony with the purpose and intent of the ordinance.
 - a. The purpose of the maximum square footage is to be sure that the accessory structures remain the secondary use of the property, and to maintain the character of the neighborhood. Given that the new garage will be replacing an existing structure, albeit in a slightly different form, and the small garage is the one next to the home and facing the street, staff feels that exceeding the maximum square footage in this instance will not change the character of the property or the neighborhood.
2. The variance is consistent with the comprehensive plan.
 - a. The comprehensive plan sets forth the following goals;
 - i. Promote redevelopment of existing residential, commercial and industrial structures.
 - ii. Balance individual property rights with community interests and goals.Staff feels that allowing a variance in this case would achieve these goals.
3. The proposal seeks to use the property in a reasonable manner not permitted by the zoning ordinance.
 - a. Staff feels it is reasonable to allow a property owner to have a similar amount of accessory building space as his neighbors and others in the community, despite the small size of his residence.
4. The plight of the landowner is due to circumstances unique to the property not created by the landowner.
 - a. The size of the residence is far smaller than others in the neighborhood, and the small garage near the house that initially exceeded the allowable square footage for accessory structures was not built by Mr. Heins.
5. The variance, if granted, will not alter the essential character of the locality.
 - a. As stated above, the new garage will be replacing an older one of a similar size. Therefore, the project is maintaining the character of the locality relative to the garage's role in that character.
6. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.
 - a. The small size of the residence does not allow a normal and acceptable amount of garage space to comply with the City Code without the removal of the smaller garage on the property.

Due to these factors, staff is comfortable recommending that Mr. Heins be granted a variance allowing him to have up to 1000 square feet of accessory structures on the property. Rounding up to 1000 sq. ft. would allow him to still add a small garden shed.

**CITY OF PLAINVIEW
WABASHA COUNTY, MN**

PLANNING COMMISSION

**RESOLUTION RECOMMENDING APPROVAL
OF VARIANCE APPLICATION OF DOUG HEINS**

WHEREAS, Doug Heins (“Applicant”) has applied to the City of Plainview for variance approval for property located at 120 1st Ave. SE, known as Lot 8, Block 1, Gibbs Addition, Property ID 26.00625.00, on the for the purpose of constructing a detached garage; and

WHEREAS, a variance pursuant to Minnesota Statute 462.357 are required because the proposed detached garage, together with an additional existing detached garage, exceed the aggregate size limitation for garages in the R-1 Zoning District; and

WHEREAS, the Application was deemed complete by the Planning Commission on June 18, 2019; and

WHEREAS, the Applicant presented evidence to the Planning Commission through testimony, plans and other evidence; and

WHEREAS, a Public Hearing to consider the Application for Variance Approval was held by the Planning Commission on June 18, 2019, after appropriate public and personal notice was provided to all property owners within 300 feet of the Property and published in the Official Newspaper of the City of Plainview, as required by the land development regulations of the City of Plainview and the Statutes of the State of Minnesota; and

WHEREAS, the Planning Commission after carefully considering the evidence presented by the Applicant in support of his application for variance approval, and after the meeting was opened to the public for their questions, comments and input, has made the following findings of fact:

1. Because the new structure will be replacing a similarly sized old structure, exceeding the maximum aggregate square footage will not change the character of the property or neighborhood.
2. The variance will support the comprehensive plan by promoting redevelopment of this property and balancing individual property rights with community interests.
3. The combination of the small size of the Heins residence and the maximum aggregate square footage would not allow for the normal and acceptable 2-car garage without the removal of the other 1-car garage on the property, an act that Planning Commission deems wasteful and unnecessary.
4. The benefits of the deviation from the ordinance requirements specified herein would substantially outweigh any detriment to the public good by the deviation from such requirements, as variance approval would allow for the development of the Property as proposed by the Applicant, and otherwise promote the safety, health and general welfare of the Community.
5. Relief as requested by the Applicant can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and zoning ordinance of the City of Plainview.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF PLAINVIEW, WABASHA COUNTY, MINNESOTA, that it does hereby recommend City Council approval of the request of Doug Heins to exceed the standard set forth in City Code 609.18, and extends that request to include up to 1000 square feet of accessory structure; of which up to 624 square feet may be for the new garage at the rear of the property, 308 square feet shall remain as the single-car garage facing the street, and up to 68 square feet may be added in the form of a garden shed or similar small structure.

Adopted by the City of Plainview Planning Commission this 18th day of June, 2019.

Jim Severson, Chair

Attest:

Clarissa Hadler, City Administrator

623.19 General Benefit To The Community. The required improvements as listed in this ordinance are to be furnished and installed at the sole expense of the subdivider. However, by the judgment of the City Council, if any improvement installed within the subdivision will be of substantial benefit to lands beyond the boundaries of the subdivision, provision may be made for causing a portion of the cost of the improvement, representing the benefit to such lands, to be assessed against the same. In such a situation, the City Council may require that the subdivider be required only to pay for such portion of the whole cost of said improvement as will represent the benefit to the property within the subdivision. For benefiting properties beyond subdivisions, a deferred assessment or hook-up charge can be enacted by ordinance, collectible upon development of the property.

623.20 City Acceptance Of Private Infrastructure. The City shall not accept the improvements until the City Engineer or the Public Works Director have determined that the improvements to the subdivision are substantially and satisfactorily complete. Before the City may accept any sewer or water lines, the developer must televise the infrastructure. This is to ensure that the lines are of sufficient integrity and quality so as to not require unnecessary public maintenance or repair after the warranty period expires.

624 VARIANCES; PLANNING COMMISSION; APPROVAL BY CITY COUNCIL

624.1 Variances, Conditions Governing Applications, Procedures. Pursuant to Minnesota Statute 462.357, subd. 6, as may be amended from time to time, the Planning Commission as hereinafter provided, shall have the power to hear requests for variances from the requirements of a zoning ordinance based upon practical difficulties, including restrictions placed on nonconformities. The Planning Commission shall hold a public hearing as is provided in this section and shall, by majority vote of the Commission, make a written recommendation to the City Council that includes factual findings on the practical difficulties standard contained in Minnesota Statute 462.357. The City Council shall have the authority to review the Planning Commission's recommendation and shall vote to either accept or reject the Commission's recommendation, and shall include in such decision written findings as is required by Minn. Stat. 462.357.

624.1.2. Application and Public Hearing. Application for a variance from a requirement of a zoning ordinance shall be made to the City Clerk in the form of a written application for a permit to use the property or premises as set forth in the application. An application for a variance shall be accompanied by payment of a fee in such amount as may be set by the Council from time to time in addition to the regular building fee, if any. The amount shall be specified in the fee schedule adopted by the City, as amended from time to time. Upon receipt of any application the City Clerk shall set a time and place for a public hearing before the Planning Commission on such application. Applications under this section must be submitted at least fourteen (14) days prior to the public hearing on the application. The Planning Commission or City Clerk shall give notice of the time and place of the public hearing - notice shall be given not more than thirty (30) days nor less than ten (10) days in advance of the hearing, by publishing a notice thereof at least once in the official newspaper, by notifying the owner or owners of the property under consideration, and by notifying by mail at least ten (10) days prior to the meeting the property owners within three hundred and fifty (350) feet of the subject property. The current City Assessor's tax records shall be deemed sufficient for the location of said properties.

624.1.3. Review and Recommendations. The Planning Commission shall, after a public hearing required by Section 624.1.2, make its decision upon the application and report its

recommendation to the Council within ten (10) days after such hearing. In recommending denial of a variance application the Commission shall specify the reasons why the variance should not be granted. In recommending approval of a variance under the provision of this section, the Planning Commission may designate conditions as set forth in Section 624.1.4 of this Section.

624.1.4. Conditions. The Planning Commission may recommend, and the City Council may impose conditions that:

1. Assures compliance with the terms of the variance and protects adjacent properties; and
2. Directly relates to and bears a rough proportionality to the impact created by the variance.

624.1.5. Use Variances. The board may not permit as a variance any use that is not identified as permitted, permitted with standards, conditional, or accessory use under the zoning ordinance for property in the zone where the affected person's land is located.

624.1.6. Findings by the City Council. Upon receipt of a report with recommendations from the Planning Commission, the Council shall accept or reject the same and by resolution shall either grant or deny the application for a variance according to its own determination of the question involved. In all cases in which adjustments or variances are granted under the provisions of this section, the Council shall require such evidence and guarantees as it deems necessary to assure compliance with the conditions designated in connection therewith. A variance may only be granted if it meets all of the following criteria which are consistent with Minnesota Statute 462.357:

1. The variance is in harmony with the purpose and intent of the ordinance;
2. The variance is consistent with the comprehensive plan;
3. The proposal seeks to use the property in a reasonable manner not permitted by the zoning ordinance;
4. The plight of the landowner is due to circumstances unique to the property not created by the landowner;
5. The variance, if granted, will not alter the essential character of the locality; and
6. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.

624.1.7. Record of Proceedings. The Planning Commission and the Council shall provide for a record of their proceedings, which shall include the minutes of their meetings, their findings, and the action taken on each matter heard by them, including final recommendation, decision and order.

624.1.8. Appeals from the Decision of the Council. Any person or persons, or any board, taxpayer, department, or bureau of the city aggrieved by any decision of the Council may seek review by a court of record of such decision, in the manner provided by the laws of the State and particularly by Chapter 462.361, Minnesota State Statutes.

624.2 Re-Submission Of Use Permit And Variance Requests And Subdivision Plats. Following denial by the City Council of a use permit request, variance request, or subdivision plat, an applicant may not re-submit the same request again to the City Council within one year of the date of denial of said request, unless the applicant has made a good faith effort to change his request as instructed by the City Council in its findings denying the original request.

CITY OF PLAINVIEW

APPLICATION FOR LAND MANAGEMENT ORDINANCE VARIATION

Applicant's Name and Address: DOUGLASS W. HEINS
120 1ST AVE. S.E.
PLAINVIEW, MN 55964

Owner's Name and Address: SAME

Location/Address of Property: 120 1ST AVE S.E.
PLAINVIEW, MN 55964

Legal Description of Property: LOT 8, BLOCK 1 GIBBS ADDITION
CITY OF PLAINVIEW, WABASH COUNTY, MN
PLD 26.00625.05

Lot Size. 60 x 140 = 8400 Square Feet.

Zoning District: R-1

Present Use: R-1

Variance is requested from Article 613 Section 609.18 of the Plainview Land Management Ordinance in order to permit the following: CONSTRUCTION OF 24' X 26' GARAGE

REASONS FOR REQUESTED VARIATION The following questions must be answered completely. If additional space is needed, attach extra pages to the application.

1. What features of your property prevent it from being used for any of the uses permitted in your zoning district? Check all that apply.

Too narrow _____
Too small _____
Too shallow _____

Elevation _____
Slope _____
Shape _____

Soil _____
Subsurface _____
Other (specify) TOTAL SQ FOOTAGE

2. Describe the items checked. Give dimensions where appropriate.

1) HOUSE IS VERY SMALL. 28' X 28' = 784' (SEE ATTACHED PAGE)
NEW GARAGE SIZE IS LIMITED BY THIS.

2) A RECENTLY BUILT (2009) 1 STALL GARAGE IS ALSO RESTRICTING THE SIZE FOR NEW GARAGE. THIS 1STALL GARAGE SHOULD HAVE HAD A VARIANCE BUT WAS BUILT WITHOUT ONE.

3. How do the above conditions prevent reasonable use of your land that is commonly enjoyed by the other properties in the same district under the terms of the Land Management Ordinance:

A NORMAL, REASONABLE SIZED (24'x26') 2 STALL GARAGE CANNOT BE BUILT BECAUSE OF "TOTAL SQUARE FOOTAGE" RESTRICTIONS

4. To the best of your knowledge, can you affirm that the special conditions and circumstances are not self-imposed: YES

5. Are the conditions for which you request a variance unique to your property?

(SEE ATTACHED)

YES

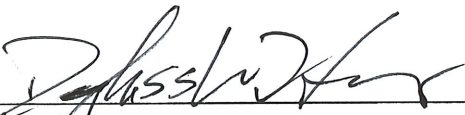
6. To the best of your knowledge, can you affirm that the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same zoning district? YES

7. State the variance requested including distances (setbacks from property lines) where appropriate.

CONSTRUCT 24'x26' 2 STALL GARAGE W/REQUIRED SETBACKS. (24'x26' = 624')
EXISTING 1 STALL GARAGE (14'x22' = 308') TOTAL = 932'. IF HOUSE WAS 148' LARGE (12x12.5')

A VARIANCE WOULD NOT BE REQUIRED.

I/we certify that the above information, as well as any additional information submitted on behalf of this request is accurate. I/we understand that there is a \$200.00 fee for filing the application and that we will be responsible for reimbursing the City for all published notices and County filing fees.


Signature

5-21-19
Date

Signature

Date

* The submittal should include a building permit application and plans showing the existing lot, structure, and setbacks as well as proposed changes. *

-----OFFICE USE ONLY-----

Consideration by Planning and Zoning Commission Scheduled for: _____

City Council Public Hearing Scheduled for: _____

Variance Request was Approved/Denied by City Council on: _____

FEES PAID ON: 5/21/19

ALLEY

NORTH ↑

$\frac{3}{4}" = 10'$

TO BE DEMO'D



DOUGLASS
HEINS
120 1ST AVE SE
PLVW, MN

25'
DRIVE

24'

26'

12' →

140'

EXISTING
HOUSE

6' →

28'

14'
EXISTING
GARAGE

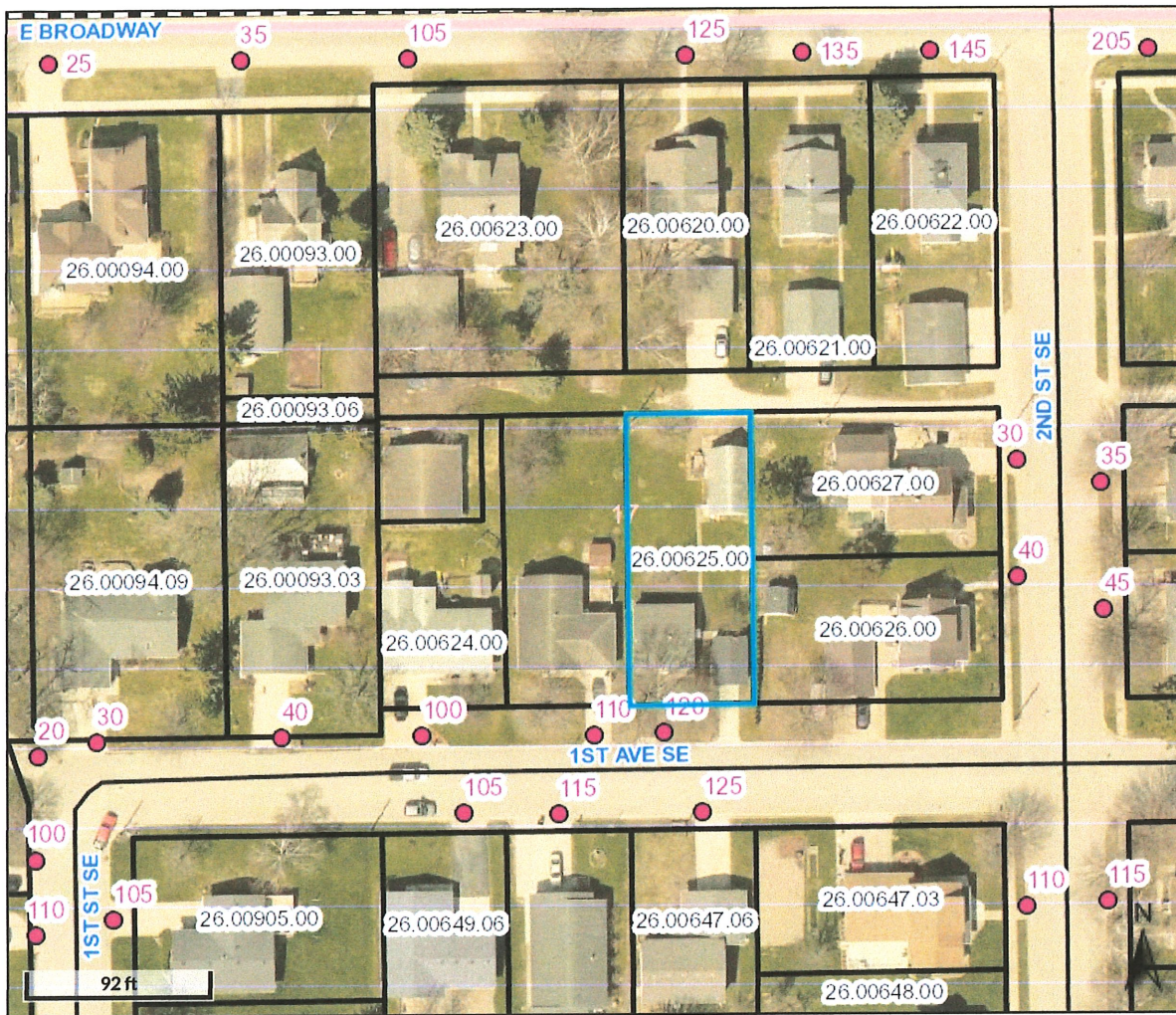
22'

3' →

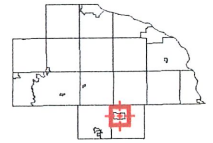
DRIVE

60'

1ST AVE SE



Overview



Legend

- Driveway Points
- Highways/Roads**
 - US Highway
 - MN Highway
 - County-State Aid Highway
 - County Road
 - Township Road
 - Municipal Street
 - State Forest Road
 - Private Road-Restricted Access
- Parcels
- Section Lines
- Lakes/Rivers
- Cities Boundary
- Townships Boundary

Parcel ID	R26.00625.00	Alternate ID	n/a	Owner Address	HEINS, DOUGLAS W
Sec/Twp/Rng	17-108-011	Class	201 - RESIDENTIAL		120 1ST AVE SE
Property Address	120 1ST AVE SE	Acreage	n/a		PLAINVIEW, MN 55964
	PLAINVIEW				

District PLAIN C-SCH-2899

Brief Tax Description Sect-17 Twp-108 Range-011 GIBB'S ADDITION Lot-008 Block-001
(Note: Not to be used on legal documents)

The parcel boundaries are created and drawn by Wabasha County GIS and are continually updated. The parcels are drawn as accurately as possible, but should not be considered a replacement for a professional land survey.

Aerial Photos were collected in Spring 2016 by Pictometry International and are 6"/3" resolution.

Date created: 5/21/2019
Last Data Uploaded: 5/21/2019 2:38:30 AM

Developed by  **Schneider**
GEOSPATIAL

Neighboring house size(s) Sq./ Ft.
(Approx.)

My House - 120 1st Ave SE	784'
110 1st Ave SE	1176'
100 1st Ave SE	1320'
40 1st Ave SE	1040'
105 E. Brdwy	1470'
125 E. Brdwy	1388'
135 E. Brdwy	1288'
145 E. Brdwy	1110'
30 2nd St SE	1010'
40 2nd St SE	1060'
105 1st Ave SE	1310'
115 1st Ave SE	1340



PUBLIC NOTICE

NOTICE IS HEREBY GIVEN, the Planning Commission of the City of Plainview will hold a Public Hearing to consider the item listed below on Tuesday, June 18, 2019, in the Council Chambers of the City Hall, 241 West Broadway, Plainview, Minnesota, and beginning at 6:00 p.m. or as soon thereafter as possible.

The Public Hearing pertains to property owned by Douglass Heins located at 120 1st Ave. SE, and legally described as follows:

Sect-17 Twp-108 Range-011 GIBB'S ADDITION Lot-008 Block-001

The purpose of the public hearing is to receive public comment on an application submitted by Mr. Hines for a variance. The proposed Variance is to deviate from the following requirements;

- maximum of 100% of principal use square footage,

Persons wishing to speak on this issue are invited to attend and be heard at this scheduled public hearing. Formal written comments will also be accepted prior to the meeting date. Please forward all written comments and/or inquiries to m.schneider@plainviewmn.com.

Dated this 3rd day of June, 2019.

MariClair Schneider, City Clerk
City of Plainview
Wabasha County, Minnesota

Clarissa Hadler

From: Mike E Flaherty <meflaherty@flaherty-hood.com>
Sent: Thursday, May 16, 2019 8:55 AM
To: Clarissa Hadler
Subject: RE: Garages / Non-Conforming

Clarissa,

Please review the following information:

Legal Nonconformities

A legal non conformity is a legal use, structure or lot that predates the current zoning regulations and thus do not comply with the current zoning ordinance. These uses are allowed to continue even though illegal under current zoning. Legal nonconformities can continue through repair, replacement, restoration, maintenance and improvement. Notwithstanding the preceding statement, nonconformities cannot continue if; (1) the nonconformity or occupancy is not used for a period of one year, or (2) any nonconformity is destroyed by fire or peril to the extent greater than 50% of the market value. Also, the City can enact an ordinance prohibiting expansion of a non-conforming use. Plainview has enacted such an ordinance in Section 609.1. Legal nonconforming uses are granted the protections described in this paragraph in Minn. Stat. 462.357.

Illegal Nonconformities

Illegal nonconforming uses are those that were not permitted when the nonconformity was established. Illegal nonconforming uses do not have a statutory right to continue. The following sentence is found in the LMC guide on non-conforming uses: "Failure of the City to enforce a prior zoning ordinance does not give a landowner the legal right to continue an illegal nonconformity." No caselaw is cited in the LMC guide, and I have spent some time researching westlaw to determine if caselaw exists supporting this statement. I cannot find any such caselaw at this time.

Analysis

The 540 foot garage was not a nonconforming use at all because it did not violate the zoning code as written when the garage was constructed or the code as amended in 2010. However, if the second garage of 308 feet was built after 2010, there is a zoning code violation that does not enjoy legal nonconforming use status. Thus, the issue is not whether or not the old garage can be rebuilt, but how the City wants to deal with a violation of the zoning code that occurred when the second garage was built. I don't have all the facts so I can't advise you on that at this point. Did the City approve the 308 second garage in any way (through building permit or variance permit)?

One solution is to have the landowner rebuild the old garage (which he wants to do anyway) to a slightly smaller size so that the combined square footage meets the code requirement you listed. Another solution is to have the landowner apply for a variance of the square footage requirement. You could write them a letter demanding they bring the property into compliance with the zoning code by reducing the total accessory space.

I will send you answers to each email and then we should speak about all three sometime. I am available today at 3:30 or tomorrow all day. Tim Schneider also emailed me a question regarding an agreement to put surveillance cameras on a private business. I have an email in to the Winona Deputy Police Chief that has worked on that in the past.

Mike

From: Clarissa Hadler <c.hadler@plainviewmn.com>
Sent: Wednesday, May 15, 2019 5:28 PM
To: Mike E Flaherty <meflaherty@flaherty-hood.com>
Subject: RE: Garages / Non-Conforming

No worries... I'm working at home tomorrow, so call my cell if it's easier to chat real-time.

From: Mike E Flaherty <meflaherty@flaherty-hood.com>
Sent: Wednesday, May 15, 2019 4:40 PM
To: Clarissa Hadler <c.hadler@plainviewmn.com>
Subject: Re: Garages / Non-Conforming

Clarissa,

I will get back to you on these questions tomorrow.

Mike

Sent from my iPhone

On May 15, 2019, at 4:28 PM, Clarissa Hadler <c.hadler@plainviewmn.com> wrote:

Yep.. me again. 🙄

Different issue...

Can someone replace a non-conforming structure if we accidentally allowed the building of the non-conforming structure? Or should they get a variance?

We have someone inquiring about replacing a non-conforming garage. It's the original garage (540 sq ft) they want to replace. However, in 2010, they built another garage (308 sq. ft.). Total garage space is now 848 square feet, which is bigger than the main floor of their house at 784 sq. ft. City Code (now and in 2010) states your total accessory building space can't be larger than your main floor (or 768 sq ft, whichever is larger).

Thanks!

Clarissa Hadler

City of Plainview, City Administrator
241 W Broadway, Plainview, MN 55964
Office: (507) 710-4327 / Cell: (507) 398-5007 / c.hadler@plainviewmn.com



INFORMATION MEMO

Land Use Variances

Learn about variances as a way cities may allow an exception to part of their zoning ordinance. Review who may grant a variance and how to follow and document the required legal standard of “practical difficulties” (before 2011 called “undue hardship”). Links to a model ordinance and forms for use with this law.

RELEVANT LINKS:

[Minn. Stat. § 462.357, subd. 6.](#)

[Minn. Stat. § 462.357, subd. 6.](#)

[Minn. Stat. § 462.357, subd. 6.](#)

I. What is a variance

A variance is a way that a city may allow an exception to part of a zoning ordinance. It is a permitted departure from strict enforcement of the ordinance as applied to a particular piece of property. A variance is generally for a dimensional standard (such as setbacks or height limits). A variance allows the landowner to break a dimensional zoning rule that would otherwise apply.

Sometimes a landowner will seek a variance to allow a particular use of their property that would otherwise not be permissible under the zoning ordinance. Such variances are often termed “use variances” as opposed to “area variances” from dimensional standards. Use variances are not generally allowed in Minnesota—state law prohibits a city from permitting by variance any use that is not permitted under the ordinance for the zoning district where the property is located.

II. Granting a variance

Minnesota law provides that requests for variances are heard by a body called the board of adjustment and appeals; in many smaller communities, the planning commission or even the city council may serve that function. A variance decision is generally appealable to the city council.

A variance may be granted if enforcement of a zoning ordinance provision as applied to a particular piece of property would cause the landowner “practical difficulties.” For the variance to be granted, the applicant must satisfy the statutory three-factor test for practical difficulties. If the applicant does not meet all three factors of the statutory test, then a variance should not be granted. Also, variances are only permitted when they are in harmony with the general purposes and intent of the ordinance, and when the terms of the variance are consistent with the comprehensive plan.

This material is provided as general information and is not a substitute for legal advice. Consult your attorney for advice concerning specific situations.

III. Legal standards

When considering a variance application, a city exercises so-called “quasi-judicial” authority. This means that the city’s role is limited to applying the legal standard of practical difficulties to the facts presented by the application. The city acts like a judge in evaluating the facts against the legal standard. If the applicant meets the standard, then the variance may be granted. In contrast, when the city writes the rules in zoning ordinance, the city is exercising “legislative” authority and has much broader discretion.

A. Practical difficulties

“Practical difficulties” is a legal standard set forth in law that cities must apply when considering applications for variances. It is a three-factor test and applies to all requests for variances. To constitute practical difficulties, all three factors of the test must be satisfied.

1. Reasonableness

The first factor is that the property owner proposes to use the property in a reasonable manner. This factor means that the landowner would like to use the property in a particular reasonable way but cannot do so under the rules of the ordinance. It does not mean that the land cannot be put to any reasonable use whatsoever without the variance. For example, if the variance application is for a building too close to a lot line or does not meet the required setback, the focus of the first factor is whether the request to place a building there is reasonable.

2. Uniqueness

The second factor is that the landowner’s problem is due to circumstances unique to the property not caused by the landowner. The uniqueness generally relates to the physical characteristics of the particular piece of property, that is, to the land and not personal characteristics or preferences of the landowner. When considering the variance for a building to encroach or intrude into a setback, the focus of this factor is whether there is anything physically unique about the particular piece of property, such as sloping topography or other natural features like wetlands or trees.

RELEVANT LINKS:

[2011 Minn. Laws, ch. 19, amending Minn. Stat. § 462.357, subd. 6.](#)

[Krummenacher v. City of Minnetonka](#), 783 N.W.2d 721 (Minn. June 24, 2010).

[Minn. Stat. § 462.357 subd. 6.](#)
[Minn. Stat. § 394.27, subd. 7.](#)

See Section I, *What is a variance*.

See Section IV-A, *Harmony with other land use controls*.

3. Essential character

The third factor is that the variance, if granted, will not alter the essential character of the locality. Under this factor, consider whether the resulting structure will be out of scale, out of place, or otherwise inconsistent with the surrounding area. For example, when thinking about the variance for an encroachment into a setback, the focus is how the particular building will look closer to a lot line and if that fits in with the character of the area.

B. Undue hardship

“Undue hardship” was the name of the three-factor test prior to a May 2011 change of law. After a long and contentious session working to restore city variance authority, the final version of HF 52 supported by the League and allies was passed unanimously by the Legislature. On May 5, Gov. Dayton signed the new law. It was effective on May 6, the day following the governor’s approval. Presumably it applies to pending applications, as the general rule is that cities are to apply the law at the time of the decision, rather than at the time of application.

The 2011 law restores municipal variance authority in response to a Minnesota Supreme Court case, *Krummenacher v. City of Minnetonka*. It also provides consistent statutory language between city land use planning statutes and county variance authority, and clarifies that conditions may be imposed on granting of variances if those conditions are directly related to, and bear a rough proportionality to, the impact created by the variance.

In *Krummenacher*, the Minnesota Supreme Court narrowly interpreted the statutory definition of “undue hardship” and held that the “reasonable use” prong of the “undue hardship” test is not whether the proposed use is reasonable, but rather whether there is a reasonable use in the absence of the variance. The new law changes that factor back to the “reasonable manner” understanding that had been used by some lower courts prior to the *Krummenacher* ruling.

The 2011 law renamed the municipal variance standard from “undue hardship” to “practical difficulties,” but otherwise retained the familiar three-factor test of (1) reasonableness, (2) uniqueness, and (3) essential character. Also included is a sentence new to city variance authority that was already in the county statutes.

RELEVANT LINKS:

[Issuance of Variances](#), LMC model ordinance.

[Variance Application](#), LMC model form.

[Adopting Findings of Fact](#), LMC model resolution.

[Minn. Stat. § 462.357, subd. 6.](#)

See LMC information memo, [Taking the Mystery out of Findings of Fact](#).

[Minn. Stat. § 462.357, subd. 6.](#)

C. City ordinances

Some cities may have ordinance provisions that codified the old statutory language, or that have their own set of standards. For those cities, the question may be whether you have to first amend your zoning code before processing variances under the new standard. A credible argument can be made that the statutory language pre-empts inconsistent local ordinance provisions. Under a pre-emption theory, cities could apply the new law immediately without necessarily amending their ordinance first. In any regard, it would be best practice for cities to revisit their ordinance provisions and consider adopting language that mirrors the new statute.

The models linked at the left reflect the 2011 variance legislation. While they may contain provisions that could serve as models in drafting your own documents, your city attorney would need to review prior to council action to tailor to your city's needs. Your city may have different ordinance requirements that need to be accommodated.

IV. Other considerations

A. Harmony with other land use controls

The 2011 law also provides that: "Variances shall only be permitted when they are in harmony with the general purposes and intent of the ordinance and when the terms of the variance are consistent with the comprehensive plan." This is in addition to the three-factor practical difficulties test. So a city evaluating a variance application should make findings as to:

- Is the variance in *harmony with* the purposes and intent of the ordinance?
- Is the variance *consistent with* the *comprehensive plan*?
- Does the proposal put property to use in a *reasonable manner*?
- Are there *unique circumstances* to the property not created by the landowner?
- Will the variance, if granted, alter the *essential character* of the locality?

B. Economic factors

Sometimes landowners insist that they deserve a variance because they have already incurred substantial costs or argue they will not receive expected revenue without the variance. State statute specifically notes that economic considerations alone cannot create practical difficulties. Rather, practical difficulties exist only when the three statutory factors are met.

C. Neighborhood opinion

Neighborhood opinion alone is not a valid basis for granting or denying a variance request. While city officials may feel their decision should reflect the overall will of the residents, the task in considering a variance request is limited to evaluating how the variance application meets the statutory practical difficulties factors. Residents can often provide important facts that may help the city in addressing these factors, but unsubstantiated opinions and reactions to a request do not form a legitimate basis for a variance decision. If neighborhood opinion is a significant basis for the variance decision, the decision could be overturned by a court.

D. Conditions

A city may impose a condition when it grants a variance so long as the condition is directly related and bears a rough proportionality to the impact created by the variance. For instance, if a variance is granted to exceed an otherwise applicable height limit, any conditions attached should presumably relate to mitigating the effect of excess height.

V. Variance procedural issues

A. Public hearings

Minnesota statute does not clearly require a public hearing before a variance is granted or denied, but many practitioners and attorneys agree that the best practice is to hold public hearings on all variance requests. A public hearing allows the city to establish a record and elicit facts to help determine if the application meets the practical difficulties factors.

B. Past practices

While past practice may be instructive, it cannot replace the need for analysis of all three of the practical difficulties factors for each and every variance request. In evaluating a variance request, cities are not generally bound by decisions made for prior variance requests. If a city finds that it is issuing many variances to a particular zoning standard, the city should consider the possibility of amending the ordinance to change the standard.

RELEVANT LINKS:

[Minn. Stat. § 15.99.](#)

[Minn. Stat. § 15.99, subd. 2.](#)

See LMC information memo,
*Taking the Mystery out of
Findings of Fact.*

[Minn. Stat. § 15.99, subd. 2.](#)

Jed Burkett
LMCIT Land Use Attorney
jburkett@lmc.org
651.281.1247

C. Time limit

A written request for a variance is subject to Minnesota's 60-day rule and must be approved or denied within 60 days of the time it is submitted to the city. A city may extend the time period for an additional 60 days, but only if it does so in writing before expiration of the initial 60-day period. Under the 60-day rule, failure to approve or deny a request within the statutory time period is deemed an approval.

D. Documentation

Whatever the decision, a city should create a record that will support it. In the case of a variance denial, the 60-day rule requires that the reasons for the denial be put in writing. Even when the variance is approved, the city should consider a written statement explaining the decision. The written statement should explain the variance decision, address each of the three practical difficulties factors and list the relevant facts and conclusions as to each factor.

If a variance is denied, the 60-day rule requires a written statement of the reasons for denial be provided to the applicant within the statutory time period. While meeting minutes may document the reasons for denial, usually a separate written statement will need to be provided to the applicant in order to meet the statutory deadline. A separate written statement is advisable even for a variance approval, although meeting minutes could serve as adequate documentation, provided they include detail about the decision factors and not just a record indicating an approval motion passed.

VI. Variances once granted

A variance once issued is a property right that "runs with the land" so it attaches to and benefits the land and is not limited to a particular landowner. A variance is typically filed with the county recorder. Even if the property is sold to another person, the variance applies.

VII. Further assistance

If you have questions about how your city should approach variances under this statute, you should discuss it with your city attorney. You may also contact League staff.

PLAINVIEW PLANNING COMMISSION



Executive Summary

Planning Commission Special Meeting: June 18, 2019

AGENDA ITEM: Public Hearing - Zoning Code Amendment – Garage Setback Exception		
PREPARED BY: Clarissa Hadler, City Administrator		AGENDA NO. 5.b.
ATTACHMENTS: Draft Ordinance		
RECOMMENDED ACTION: Motion to recommend to the City Council approve Ordinance Amending Section 613 Providing for Reduced Garage Setbacks in the R-1 Residential District.		

SUMMARY

Staff has had a number of requests for variances for garage setbacks smaller than what is currently allowed in the City Code. Given the standards for variances are fairly difficult to meet, approval of these requests would not be recommended. Instead, staff recommends a minor change to the zoning code that would allow a decrease of the setback in certain circumstances. The goal would be to add flexibility for owners of smaller lots in adding garage space to make the property more in line with modern functionality and expectations.

Staff has examined various similar concepts in other cities. Some cities incorporate an “overlay district”. However, for Plainview, the vast majority of smaller lots with 1-car garages are in the R-1 district and creating an exception within the one district is more straightforward than creating an overlay district, and easier to administer and understand.

As you can see in the attached draft ordinance, there are a number of criteria that would need to be met to avoid unintended side effects or misuse of the rule.

**CITY OF PLAINVIEW
STATE OF MINNESOTA**

ORDINANCE 2019 – _____

**AMENDING SECTION 613 AND PROVIDING FOR REDUCED
GARAGE SETBACKS IN THE R-1 RESIDENTIAL DISTRICT**

**NOW THEREFORE, IT IS ORDAINED BY THE CITY OF PLAINVIEW, MINNESOTA AS
FOLLOWS:**

1. Section 613 Zoning and Land Management, R-1, Residential District is hereby amended as follows;

613.6 Exceptions To Side Yard Setback. The side yard setback on single-family residential lots in the R-1 district may be reduced to 2 feet for the purpose of building up to a 2-car garage if the property and project meet all the following criteria;

- (a) Lot width is 60 feet wide or less.
- (b) Property does not have access to a gravel or paved alley, which would allow the building of a garage along the rear of the lot utilizing standard setbacks.
- (c) Home is a detached single-family dwelling.
- (d) Property currently has fewer than two garage stalls or property has an existing garage with two stalls where the width of the garage is less than 20 feet.
- (e) A minimum of 10 feet separation is maintained either between the opposite lot line and side of the house or between the house and the garage.
- (f) The sum of both side yard setbacks is equal to a minimum of 10 feet.
- (g) Garage shall not overlap any utility or drainage easement.
- (h) City Engineer has determined that the property has sufficient drainage.
- (i) The property is not on a corner lot.

~~Stricken~~ language is deleted. Underlined language is inserted.

2. Section 613.6 Parking is renumbered to 613.7.

3. This ordinance becomes effective on the date of its publication, or upon the publication of a summary of the ordinance as provided by Minn. Stat., § 412.191, subd. 4, as it may be amended from time to time, which meets the requirements of Minn. Stat. § 331A.01, subd. 10, as it may be amended from time to time.

ADOPTED by the City Council of the City of Plainview, this ____ day of _____, 2019.

Roger Ziebell, Mayor

Attest:

MariClair Schneider, City Clerk

PLAINVIEW PLANNING COMMISSION



Executive Summary

Planning Commission Special Meeting: June 18, 2019

AGENDA ITEM: Update – Corridor Study & Downtown Master Plan	
PREPARED BY: Clarissa Hadler, City Administrator	AGENDA NO. 6.a.
ATTACHMENTS:	
RECOMMENDED ACTION: Update	

SUMMARY

The City Council recently approved the implementation of a Corridor Study along West Broadway. The goal is to provide technical documentation to support a TAP grant through MnDOT to make improvements downtown in future years.

In addition, staff will be working on a Downtown Master Plan, which will incorporate various analysis and develop strategies to drive redevelopment downtown.

PLAINVIEW

PLANNING COMMISSION



Executive Summary

Planning Commission Special Meeting: June 18, 2019

AGENDA ITEM: Discussion - Comprehensive Plan Review & Implementation Strategies	
PREPARED BY: Clarissa Hadler, City Administrator	AGENDA NO. 6.b.
ATTACHMENTS:	
RECOMMENDED ACTION: Discussion	

SUMMARY

Staff wanted to take some time and get feedback regarding priorities of the Commission for implementation of the Comprehensive Plan.

You may download the final copy text of the Comp Plan at www.plainviewmn.com/compplan or stop in to City Hall to pick up a copy.