

**PLANNING & ZONING COMMITTEE
MEETING AGENDA
THURSDAY, MAY 4, 2017 @ 7:00 P.M.
ARLINGTON COMMUNITY CENTER**

1. Call to Order.
2. Pledge of Allegiance.
3. Approve Agenda.
4. Approve the Minutes.
 - A. April 6, 2017 – Regular Session.
5. Public Hearings.
 - A. Rezoning: Portion of Public Cemetery from R-1 One and Two Family Residence District to P/I Public Institutional District.
6. Unfinished Business.
 - A. Rental Housing Discussion.
 - B. R-1 One and Two Family Residence District Clarification.
 - C. Accessory Dwelling Unit Discussion.
7. New Business.
 - A. 2017 Planning and Zoning Commission Annual Report to City Council.
8. Review Building Permit Report.
 - A. April 2017.
9. Other Business/Updates.
10. Adjourn.

A QUORUM OF THE CITY COUNCIL MAY BE PRESENT AT THIS MEETING. NO OFFICIAL ACTION BY THE CITY COUNCIL SHALL OCCUR AT THIS MEETING
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**ARLINGTON PLANNING & ZONING BOARD
MEETING MINUTES
MAY 4, 2017**

The meeting was called to order at 7:00 p.m. by Chairperson Kreft.

Members Present: Carlson, Deno, Grabitske, Halverson, Chairperson Kreft, Councilmember Battcher

Members Absent: Pichelmann

Also Present: PZ Adm. Smith-Strack, Rod Stemme, Jennifer Nuesse, Mayor Nagel

Motion by Grabitske, seconded by Halverson, and passed by unanimous vote to approve the agenda as presented.

Motion by Grabitske, seconded by Carlson, and passed by unanimous vote to approve the minutes from the April 6th meeting as presented.

Chairperson Kreft recessed the regular meeting to hold a public hearing.

Rezoning – Portion of Public Cemetery from R-1 One & Two Family Residence District to P/I Public Institutional District:

Chairperson Kreft called the public hearing to order regarding the rezoning of a portion of the public cemetery. Smith-Strack explained that the majority of the cemetery had been rezoned previously, with the exception of the lots abutting 5th Avenue SE/the entrance to the cemetery, which were inadvertently retained as residential. The area is being designated for a columbarium. Smith-Strack stated that no oral or written comment had been received regarding the proposed rezoning. Jennifer Nuesse, an abutting property owner to the cemetery, had some questions for the Committee. She expressed some concerns about close proximity to property lines and trees being removed with the proposed columbarium placement. Smith-Strack stated that the City Office would have the plans for the columbarium and she would follow up with an email to both Nuesse and City Administrator Liza Donabauer regarding Nuesse's questions. She commented that the lot lines on the map might be off slightly as this is normal with mapping programs. Battcher commented that no trees would be removed when the columbarium is placed on the south side of the entrance roadway.

Motion by Battcher, seconded by Grabitske, and passed by unanimous vote to close the public hearing.

Councilmember Battcher and Mayor Nagel arrived during the public hearing.

Chairperson Kreft adjourned the public hearing and reconvened the regular meeting.

Battcher introduced the following resolution and moved for its adoption:

RESOLUTION NO. 3-2017

**A RESOLUTION RECOMMENDING APPROVAL OF AN ORDINANCE AMENDING THE
OFFICIAL ZONING MAP TO REZONE A PORTION OF THE PUBLIC CEMETERY FROM R-1 ONE
AND TWO FAMILY RESIDENCE DISTRICT TO P/I PUBLIC INSTITUTIONAL DISTRICT**

WHEREAS, Section 4, Subd. 1 of Ordinance 169 establishes an official zoning map for the City of Arlington; and,

WHEREAS, the City has noted an apparent discrepancy in the rezoning of the public cemetery Parcel No. 31.0716.015 wherein a portion of the cemetery was not previously rezoned to public/institutional; and,

WHEREAS, the City proposes to amend the remaining portion of the public cemetery, parcel number 31.0716.015 from R-1 One and Two Family Residence District to P/I Public Institutional District; and,

WHEREAS, the Planning and Zoning Commission on May 4, 2017 held a public hearing on the request; and,

WHEREAS, following the public hearing the Planning and Zoning Commission discussed the request and established the following facts:

1. The proposed rezoning corrects an inadvertent discrepancy in the official zoning map.
2. The rezoning request, sponsored by the City, if approved will accurately reflect existing uses which have been in place for decades with no change in occupancy contemplated.

NOW, THEREFORE, BE IT RESOLVED BY PLANNING AND ZONING COMMISSION OF THE CITY OF ARLINGTON THAT: The Commission recommends the City Council approve Ordinance No. 314, amending the Official Zoning Map applicable to the subject property from R-1 One and Two Family Residential to P/I Public Institutional.

The motion for the adoption of the foregoing resolution was duly seconded by Grabitske and upon poll being taken thereon the following voted in favor thereof: Carlson, Deno, Grabitske, Halverson, Kreft, Councilmember Battcher; and the following against the same: None; and the following abstained from voting: None; and the following were absent: Pichelmann.

Adopted by the Planning & Zoning Committee of the City of Arlington this 4th day of May, 2017.

Signed: /s/ Jim Kreft
Chairperson Jim Kreft

Attested: /s/ Cynthia Smith-Strack
Planning/Zoning Adm. Cynthia Smith-Strack

Whereupon the resolution was declared duly passed and executed.

Discussion pertaining to a rental housing code resumed from the last meeting. Smith-Strack noted potential drawbacks and benefits as follows:

Drawbacks:

- Another layer of regulation;
- Added cost burden for landlords (license fee);
- Added regulation for owners of income producing properties;

Benefits:

- Establishment of minimum standards for residential rental uses and safe occupancy
 - Habitability
 - Fire/CO2 safety
 - Heating/ventilation standards
 - Safe and sanitary maintenance
- Tool to enforce property maintenance and renter conduct
- Protect against deteriorating or substandard rental housing
- Give City a better understanding of housing stock.

Some concern was expressed about the licensing fee for landlords. Smith-Strack stated that the Planning Committee makes their recommendation to the Council regarding the cost and length of licenses. Grabitske commented that some language should be included that addresses when inspections should be held; not just between tenants. It was noted that the Building Official handles the inspections. Grabitske commented that parameters should also be put together for that individual to go by. Smith-Strack reviewed the rental inspection process. She commented that the City needs to define what a rental is, as this can be a gray area; and who has rental units.

The Committee reviewed various purpose statements from other communities that Smith-Strack had compiled. Comments were made with regards to what was liked (could work in Arlington) and disliked (not the right fit for Arlington). It was the consensus of the Committee to move forward on this topic. However due the complexity of the issue and wanting some direction from the Council, it was agreed that a workshop should be held with the Council.

Smith-Strack commented that clarification of the R-1 District Standards was needed, more specifically definitions for what constituted a one family dwelling or two family dwelling. She stated that per a land use dictionary a “two family dwelling” is a duplex (one unit up/one unit down) but typically not referred in land use terms as a twin home or townhome. She noted one family dwellings are typically occupied by one family and maybe attached (twin homes, townhomes or condos) or detached (stand-alone).

Smith-Strack commented that the Committee should be aware existing zoning language does not allow for common lot lines. She requested the Committee consider inconsistencies in the existing R-1 District in terms of permitted uses, aforementioned definitions, and existing dwellings. She further noted items not adequately addressed in the existing R-1 zone could potentially be addressed through the development of a separate R-3 District providing for mixed density residential uses. Smith-Strack clarified what standards were allowed in R-1 (one & two family) and R-2 (multi-family). She also addressed density allowed per lot. It was the consensus that Smith-Strack should update the language within the R-1 District, including definitions, and provide sample language for a proposed R-3 District at a future meeting.

Discussion was held on Accessory Dwelling Units (ADU’s). Smith-Strack stated that ADU’s are residential dwelling units that provide complete independent living facilities for one or more persons separate from a main unit on the same parcel. She gave a brief summary of the discussion from the last meeting: the Commission favored requiring the principal dwelling unit be homesteaded and that carriage houses, tiny houses and manufactured homes should not be allowable types of ADU’s.

Smith-Strack questioned if ADU’s should be a permitted use or allowed by conditional use or interim use permit. Battcher commented she favored ADU’s being allowed as a “right” or permitted use as long as the City standards/policies, including any potential rental policy, were followed. Concern was expressed about utilities being a subsidiary service or separate service from the primary service. Considerable discussion was held on whether a unit should be occupied by family or allowed to be rented. The Committee requested that Smith-Strack compile a list of pros/cons related to permitted use versus CUP/IUP for the next meeting.

Discussion was also held on what types of dwelling units should be allowed to have an ADU. It was the consensus to allow ADU’s with single family detached dwellings. The Committee discussed the concept of an ADU just a building addition. The Committee was reminded that ADU’s could be within a dwelling, such as attic or basement. The Committee, after further discussion, agreed to address ADU’s at the June meeting, specifically with regard whether or not an ADU should be allowable in a twin home (two single family dwellings, attached), single family attached dwellings (more than two units per structure). It was suggested not to allow ADU with two family dwellings (duplexes) or multiple family (apartments) dwellings.

The Committee reviewed the draft copy of the annual report that Smith-Strack had put together. Smith-Strack commented that one or two members of the Committee are asked to present the report to the Council every year. Battcher volunteered.

The April Building Permit Report was not available for review.

Pastor Rod Stemme of the United Methodist Church addressed the Committee. He had questions about a vacant lot the church owned, which the school was considering purchasing for a parking lot. Mayor Kreft and PZ Administrator Smith-Strack answered the questions to the best of their ability.

Motion by Grabitske, seconded by Battcher, and passed by unanimous vote to adjourn the meeting at 8:52 p.m.