

Florence Township Planning Commission Minutes – October 12, 2020

Call to Order 6:03

Pledge of Allegiance

Roll call: Mark, Ed, Ryan, Ben, Kristen

On phone – Amy, Clare, Beth and Kate

Review and Approval of September Minutes - Corrections to minutes (Ben) – Jed Clark (not Jeff) Lowell Noreen (add). Kristen moves approval with corrections, Ed seconds. Vote, motion passes. Amended minutes attached.

New Board subcommittee: Cathy Koocheck (chair of HPC) – The board in September, gave permission to form a subcommittee of commission representatives, to align the ordinances of the commissions, policy, terms etc. No volunteers. Kristen is back up. They will meet second Tuesday, after HPC meeting. Mark will put out notice for a volunteer (or two) to all the PC members. MN Association of Townships resource library:

<https://mntownships.org/information-library/> Guidance document on by-laws and ordinances:

<https://mntownships.org/wp-content/uploads/2018/10/TM4000-Resolutions-and-Ordinances.pdf>

Preiminary Site Plan Reviews & Other Permit Questions – Amy and Kate

Zoning Reviews of Permits—Amy

Joe Haley — 307th St. Way. Previous PID #s 32183100/321830900. New PID# 321831000. Needs 3 Feet of Elevation to Build Structure above Regional Flood Plain Level Per Florence Township Zoning Ordinance. Property owner would prefer to go with Goodhue County Ordinance which is 1 Feet of Elevation above Regional Flood Plain Level. Property owner is concerned about flooding neighboring properties if property is at a higher elevation which would create a dam / break line that would prevent water flow away from neighbors.

This is how the planning commission intends to go forward on the Haley application, without requiring an additional task order for Kate. She confirms the following plan.

- Notice will be posted for public hearing, November 9th to approve the change of ordinance.
- The PC will prepare a recommendation and resolution with findings of fact for the board, based upon this change, for Mr. Haley's proposed project – specifying the ordinance change.
- The board will meet the following week, and act on both the ordinance change and Mr. Haley's application. Mr. Haley will be requested to withdraw his application to the township, and directed to proceed with his final permit with the county, as there would no longer be a conflict between the requirements. Further township review would not be required.
- Amendment to our ordinance, from 3 ft to 1 ft would apply to all properties in the floodplain

Beth advises that it is in the best interest of the applicant to check with DNR for advice about fill in the fluctuating floodplain. <https://files.dnr.state.mn.us/publications/waters/high-water.pdf>

Andrew Carlson. 35413 Eagle Ridge Ct. Lake City

Amy has provided to the PC (Mark) his application. It is mapped and he is in R1. It is a by-right application. He wants to build a 3 season porch in the existing footprint of a deck.

Documentation to be provided to board: Application, Map, Plan

We will need the PID: County does file by PID.

Motion: Ed moves to recommend approval, Clara seconds. Carlson has submitted his application fee.

Old and New Business:

1. Website: Mark provided copy of current ordinance to Jody for the website which had an outdated copy.

2. Discussion of R1 bluff setback: The Board has requested review of bluff setback for **Existing Platted R-1 Zoning**. The Town Board would like us to resolve this issue.

How the PC will evaluate and proceed with recommendation to the board: The township ordinance is based upon significant evidence that a 30 foot setback is inadequate for sensitive groundwater/bluff protections. The issue is setback for existing, non-conforming structures. The PC will proceed as below:

- Beth will map the R1 district for the areas where the restrictions that are creating non-conforming properties is greatest – (Frontenac Station and Old Frontenac)
- We will ask Kate to redraft, using a date (before) to specify to which properties this would apply, based upon our mapping analysis. The PC advises against changing the setbacks for all R1.

3. Discussion of Proposed R-1 Amendments. The Town Board did not approve our recommended changes to R-1 District. Town Board asked for Clarity regarding 2 unit structures in R1 in the Historic District overlay which does not allow 2 unit structures, such as duplexes or attached town homes.

- Kate clarified that this would not affect the overlay district. Perhaps this should be specified?

How the PC will further evaluate and clarify proposed R1 changes:

- The new chart drawn up by Kate, clarifies where current FT is more restrictive (green), and where it is less restrictive (red) than the county – which is not allowed.
- We will clarify our proposed changes, using the charts, for board review.

4. Kate's request for additional task order for 3,000 to end of year (see discussion below)

Kristen moves: We will respect the board's direction that we stay within our budget to the end of the year. If something comes up that has to be dealt with, if it has to be resolved within the 60 day review period, we will request a specific task order for review by board. Ed seconds. Vote passes.

Kate confirms: Without further direction I will go on hold until I receive further direction from the township. She will provide an estimate for the 2021 Zoning Administration consulting Master Contract.

Budgeting and recovery of zoning administration costs: Professional zoning review, as recommended by MAT, ensures and documents that the township is properly administering its ordinances, thereby increasing consistency in treatment of applications and reducing legal liability for the township.

5. The PC suggests the following measures for consideration for budgeting with MSA:

- Monthly invoice review
- Review of all additional task orders before they go to the board for approval
- Phone calls to Kate are not charged until/unless they involve additional work on her part
- Instead of having a flat fee for permit review, do as the county does. Provide an estimate and final bill for permit review, based on actual costs. Review MSA's itemized list of costs. This would allow us to better support the needs that are out there. (We will discuss and research further)

Respectfully submitted,

Kristen Eide-Tollefson

Secretary for Florence Township Planning Commission

651-345-5488

Please feel free to call me with any questions

