

## Albany Township Planning Commission–September 11, 2012

The September 11, 2012 meeting of the Albany Planning Commission was called to order at 7:40 P.M. by Gary Bloch at the Albany City Hall Council Chambers. Members present, Gary Bloch, Mike Noll, Ryan Pratt and Mary Rosen. Also present Clerk Diane Noll.

**1 PLEDGE OF ALLEGIANCE.** The Pledge of Allegiance was recited.

**2 APPROVE AGENDA.** A motion was made by Commissioner Pratt, seconded by Commissioner Noll, to approve the agenda, motion carried.

**3. APPROVAL OF MINUTES–August 21 2012.** A motion to approve the August 21 minutes as reviewed, was made by Commissioner Noll, seconded by Commissioner Pratt, motion carried.

**4. Open Forum**

**5. Public Hearings**–None

**6. New Business**–None

**7. Old Business**

a. Review Planning and Zoning Ordinance

7.32 Zoning Standards for Placement of Structures–adopt counties

7.32.1 Standards for Agriculture Zoning Districts–adopt counties

7.32.2 Standards for Natural Resource Conservation Design Overlay–repealed

Section 8 General zoning District Rules of Application

A-160 Agricultural District A-160

A-80 Agricultural District A-80

A-40 Agricultural District A-40

T-20 Transition District T-20--Shall be prohibited

R-20 Residential District R-20 Shall be prohibited

R-10 Residential District R-10 Shall be prohibited

R-5 Residential District R-5

RT Rural Town site

R-1 Residential District R-1

CR Commercial/Recreation District

I Industrial District –Shall be prohibited

EE Educational/Ecclesiastical District

SR Scenic River District

RMH Residential Manufactured Home District–Shall be prohibited

UE Urban Expansion District Shall be prohibited

OVERLAY DISTRICTS

FP Floodplain

S Shore–land

CD Conservation Design–shall be prohibited

AP Airport

8.2 to 8.3.6

**8.2 Official Zoning Map**

The locations and boundaries of the primary district established by this Ordinance are set forth on the zoning maps which are hereby incorporated by reference as though a part of this Ordinance. It shall be the responsibility of the Director to maintain and update the zoning maps and any amendments thereto.

### **8.3 District Regulations**

#### **8.3.1 Application of Standards**

Unless specified otherwise in this Ordinance, when one or more zoning district standards are in conflict, then the more restrictive standard shall apply.

#### **8.3.2 Existing Residential Plats**

A. Whether or not they are so designated on the zoning map, residential plats which were approved prior to April 21, 2000 shall be considered as though Zoned R-1 District regardless of the primary or underlying zoning district in which they are located. Any further subdivision within these residential plats that will increase the residential building site density to a greater level than otherwise allowed in the primary or underlying zoning district shall not be allowed.

B. Whether or not they are so designated on the zoning map, any Lot of Record 5 acres or less in size which was a Lot of Record prior to April 21, 2000 shall be considered as though zoned R-1 District regardless of the primary zoning district in which the Lot of Record is Located. Any further subdivision of a Lot of Record that will increase residential building site density to a greater level than otherwise allowed in the primary zoning district shall not be allowed.

#### **8.3.3 Appeal of District Boundary**

Appeals from any determination of the exact location of district boundary lines shall be heard by the Stearns County Board of Adjustment.

#### **8.3.4 Closed District**

No request for rezoning into Closed or Prohibited districts shall be allowed.

#### **8.3.5 Prohibited Uses**

Whenever, in any zoning district, a use is neither specifically permitted nor prohibited, the use shall be prohibited.

#### **8.3.6 Riparian Lake and River Lots**

In instances where the primary zoning district lot size and width requirements are more restrictive than the minimum lot size and width requirements contained in *Section 10.2.8 of this Ordinance*, then the less restrictive standard shall apply, provided the lot is riparian to the applicable lake or river.

#### **8.3.7 Zoning Upon Detachment**

Any tract of land that is part of a statutory or charter city shall be zoned A-40 District if said tract of land is detached and becomes part of an adjoining township at any time on or after the effective date of this Ordinance.

### Section 9 Primary District Provisions

#### Section 9.1 Agricultural District A 160-adopt counties

#### Section 9.2 Agricultural District A-80 -adopt counties

#### Section 9.3 Agricultural District A-40

##### **9.3.1 Purpose**

The purpose of this District is to preserve the agriculture and rural character of land within the A-40 District. This district is applicable in areas where agriculture is the predominant and preferred land use, as described in the Comprehensive Plan, and agricultural protection, including crops and animal agriculture, is the foremost goal. Residential land uses are limited to a density of one residential dwelling per forty (40) acres. This district is

intended to meet the following goals of the Stearns County Comprehensive Plan.

- A. Preserve highly valued farmland for agricultural pursuits (Land Use Plan Goal 1, Objective 2)
- B. Protect agricultural soils and other agricultural resources by regulating non-agriculture land uses in areas with agricultural soils (Natural Resources Plan, Goal 3, Objective 1).
- C. Maintain suitable boundaries for urban, rural, residential and agricultural areas (Land Use Plan Goal 2, Objective 1).

9.3.2 through 9.3.6-Adopt counties

9.3.7 Residential Density Requirements

A. Maximum density. Only one (1) single Family residential dwelling unit shall be allowed per forty (40) acres remaining.

9.3.7 B through F-shall be repealed.

9.3.8 Standards for Determining Permitted Residential Dwelling Sites

A. to C Parcel of Record -Adopt County

D. Density calculation start here next month.

(1) Question for County-can the parcels owned be anywhere in the county /township or must they be contingent?

## 8. REPORTS-NONE

## 9. COMMUNICATIONS

September 24-Board Meeting

October 9-Planning Commission

November 6-General Election.

## 10. ADJOURNMENT

There being no further business to come before this meeting a motion to adjourn was made by Commissioner Pratt , seconded by Commissioner Bloch, motion carried. Meeting adjourned at 10:07 P.M.

Respectfully Submitted,

*Diane E Noll*

Diane Noll, Township Clerk

Approved Minutes Signed:

*Gary Bloch*

Planning Commission Chair

October 9, 2012

Date