

# Planning and Zoning Commission

## Meeting Agenda

July 19, 2016

- 1) Call to Order
- 2) Pledge of Allegiance
- 3) Review and Approve Minutes
  - a. June 21, 2016
- 4) Public Forum
- 5) Old Business
- 6) Staff Report – Justin Burslie – Planning and Zoning
- 7) New Business
  - a. Home Occupation Ordinance Review, Discussion
- 8) Adjourn meeting

## CITY OF GARRISON

### 3.2 DEFINITIONS

1. **Home Occupation.** A use of commercial nature conducted by an occupant entirely within the dwelling or accessory buildings which use is clearly incidental and secondary to the use of the dwelling for residential purposes and does not change the residential character thereof.
2. **Home Occupation, Type I.** A home occupation, the commercial nature of which involves providing a service to a limited number of people who are predominantly acquaintances. Generates less than ten auto trips per week. No employees beyond owner. No signage or other advertising done either on or off-site. Would include businesses that are similar in nature to tutoring or music lessons performed on an individual basis.
3. **Home Occupation, Type II.** A home occupation, the commercial nature of which involves providing a service to people or organizations that do not receive the service at the property from which it is being provided. Generates less than twenty-five auto trips per week, including deliveries and employees. No more than two employees, in addition to the owner, working on site. No signage done either on or off-site. Would include businesses that are similar in nature to telephone sales, consulting, or web design.
4. **Home Occupation, Type III.** A home occupation, the commercial nature of which involves providing a service or product to people or organizations within the home. Generates less than sixty auto trips per week, including deliveries. No more than two employees, in addition to the owner working on site. May include on-site signage. May include retail sales of items manufactured on-site. Would include businesses that are similar in nature to chiropractic service, artist studio or craft shop.
5. **Home Occupation, Type IV.** A home occupation, the commercial nature of which involves providing a service or product to people or organizations off site. Generates less than sixty auto trips per week, including deliveries. All employees do the majority of their work off-site. May include on-site storage or warehousing of work related materials. Would include businesses that are similar in nature to lawn care services and off-site sandblasting services.

### 8.4 Home Occupation.

1. General. Each home occupation in the City shall require a permit. Home occupation permits are not transferable to a new owner/renter/occupant, thus the permit will not run with the property, nor be transferable to a different property.
2. Standards.
  - A. All business activities, including storage, shall be inside buildings or completely screened from adjacent properties.
  - B. All activities shall be clearly incidental to the use of the property for residential purposes. Not more than twenty-five percent (25%) of the gross floor area of the residence or 50% of the gross floor area of a garage or storage building shall be used for commercial purposes.
  - C. No home occupation shall be conducted between the hours of 10:00 p.m. and 7:00 a.m. unless said occupation is contained entirely within the principal building and will not require any on-street parking facilities.
  - D. Not more than two non-residents may be employed on the premises by the home occupation.

- E. On the premises, retail sales will be allowed only of products manufactured on those premises unless specifically authorized by Conditional Use Permit.
  - F. No articles for sale shall be displayed so as to be visible from the street.
  - G. All activities will be controlled to prevent nuisance problems of noise, vibration, smoke, dust, fumes or litter.
  - H. The home occupation shall not generate more than two (2) customer vehicles at one time. Off-street parking shall be provided, but no more than two (2) spaces.
  - I. No mechanical or electrical equipment shall be used if the operation of such equipment interferes unreasonably with the desired quiet residential environment of the neighborhood or if the health and safety of the residents is endangered. No equipment shall be used in the home occupation which will create electrical interference to surrounding properties.
  - J. A person having a home occupation shall provide proof of meeting the above requirements upon request by the City.
3. Yard Sales/Garage Sales. Yard sales and garage sales do not require a home occupation permit so long as they do not exceed seven cumulative days in one calendar year.
4. Private Automobile Sales. One automobile displayed for sale on a property shall not require a home occupation permit so long as not more than two automobiles are sold over thirty cumulative days per calendar year.

## **CITY OF CROSBY**

### **HOME OCCUPATIONS**

**45 Intent.** Home occupations are important to the community in allowing reasonable use of residentially zoned property while protecting the commercial tax base within the city. The city may allow a home occupation as a conditional use as outlined in section 7 of this chapter with the minimum performance standards set forth in this division.

**46 Performance standards.**

*46.1* The home occupation shall be conducted entirely from the principal structure on the property and not in an attached or detached garage or accessory structures.

*46.2* The home occupation shall not require any internal or external alteration to the principal structure that would not otherwise be customary for the residential nature of the property.

*46.3* No persons other than persons residing on the premises shall be allowed as employees of the home occupation.

*46.4* No mechanical equipment shall be employed that is not typically found in the home.

### 5.07 Special Protection District Standards

- 5.07.01 Lands in the Special Protection District consist of publicly owned and privately owned lands. The privately owned lands generally lie on the periphery of this district. It shall be the policy of the City to allow the more intensive uses as specified in Section 4.03 on privately-owned lands on the periphery of the District and allow only less intensive uses on the publicly owned, more primitive areas in the interior of the District. These less intensive uses are uses, which require little or no development or construction and will have minimal impact on the environment.
- 5.07.02 For a lot crossing the special protection district boundary into another district, the minimum lot size shall be the same as the other district with no credit given to the special protection district area.
- 5.07.03 All shoreland areas not specifically classified as Agricultural Residential, Rural Residential, Residential, Agricultural, or Water Oriented Commercial shall be classified as Special Protection District.
- 5.07.04 Fertilizer must be used in accordance with the provisions of Protecting Water Quality in Urban Areas, "Best Management Practices for Minnesota." No phosphorous shall be used for fertilizer unless testing shows that the soil is "phosphorous poor."

### 5.08 Home Occupation Use Standards

- 5.08.01 INTENT - Home Occupations are important to the community in allowing reasonable use of residentially zoned property while protecting the commercial tax base within the City. Home Occupations are allowed without a permit within the City as long as they meet the following minimum performance standards.
- 5.08.02 Performance Standards
- a) The home occupation shall be conducted entirely from the principal structure on the property and/or in an attached or detached garage.
  - b) The home occupation shall not require any internal or external alteration to the principal structure and/or an attached or detached garage that would not otherwise be customary for the residential nature of the property.

- c) No persons other than persons residing on the premises shall be allowed as employees of the home occupation.
- d) No mechanical equipment shall be employed that is not typically found in the home.
- e) No exterior signage shall be allowed in excess of two (2) square feet of nameplate signage. The sign shall be limited to the name, address and phone number of the facility. The sign shall be placed on the principal structure and shall not be lighted specifically.
- f) There shall be no exterior display of equipment, materials or goods associated with the home occupation.
- g) No more than 20% of the living space of the dwelling shall be used for the home occupation.
- h) Vehicles associated with the home occupation with advertising on them shall be limited to two (2) cars, trucks or vans which shall not be parked within public right-of-way.
- i) No retail sales shall be allowed on the property.

5.08.03 For home occupation uses that cannot meet the performance standards listed in 5.08.02, refer to the Land Use Classification Chart in Section 4.0 to determine which zoning district the use is permitted in and/or whether the use requires a Conditional Use Permit.

## 5.09 Earth Materials - Extractive Use Standards

### 5.09.01 POLICY

The use of property in certain Zoning Districts, for a use customarily incidental to the construction of roads, streets, airports, and similar projects may be allowed. The Planning Commission or such body as the City Council shall designate shall determine the duration of the Interim Structure and Interim Permit and shall attach those conditions that will safeguard the public health, safety; and general welfare. Upon issuance of the permit, the use shall be subject to, but not limited to Sec 5.09.04

### PURPOSE:

The purpose of this Ordinance is to ensure that mining will proceed in an environmentally sound manner and that the area will be left in a safe, nonpolluting condition that has some future land value.

## **CROW WING COUNTY**

### **ARTICLE 30--HOME OCCUPATION /HOME BUSINESS STANDARDS**

The standards in this Article shall apply to home occupation uses in all land use districts where such uses are allowed.

#### **30.1 HOME OCCUPATION STANDARDS**

- A.** A home occupation is allowed without a permit in all land use districts.
- B.** There shall be a primary residence on the property that is occupied by the business owner. The business enterprise shall be conducted exclusively within the primary residence or accessory structures.
- C.** No person other than the occupants of the primary residence may be employed.

#### **30.2 HOME BUSINESS STANDARDS**

A home business requires a conditional use permit according to the use tables in Article 10.3 of this ordinance. The following standards shall apply:

- A.** There shall be a primary residence on the property that is occupied by the business owner. The business enterprise may be conducted outside as well as within the buildings.
- B.** There may only be one sign, with a permit, on the parcel advertising the business which shall not be illuminated, and shall not measure greater than 70 square feet in area.
- C.** Persons other than those that occupy the dwelling may be regularly employed.
- D.** The outdoor storage of those items not generally considered to be retail display items shall be screened from view from public roads, abutting residences, public surface water and public recreational facilities.
- E.** The Planning Commission/Board of Adjustment may impose conditions on home businesses such as, but not limited to, hours of operation, parking provisions, and equipment storage.

# Crow Wing County

## 10.3 LAND USE TABLES

The following table establishes the permitted, conditional, and allowed uses within the land use districts of the County. Any uses not listed in these tables are prohibited.

For the purposes of this table:

“P”	means a use requiring a permit
“CU”	means a use requiring a conditional use permit
“A”	means a use that is allowed without a permit but may have performance standards
“SD”	means a shoreland district
“AGF”	means an agricultural/forestry district
“UG”	means an urban growth district
“RR-1”	means a rural residential district with a 1 acre lot size
“RR-2.5”	means a rural residential district with a 2.5 acre lot size
“RR-5”	means a rural residential district with a 5 acre lot size
“RR-10”	means a rural residential district with a 10 acre lot size
“RR-20”	means a rural residential district with a 20 acre lot size
“SS”	means a sensitive shoreland district
“C-1”	means a commercial district adjacent to a municipality
“C-2”	means a commercial district in a rural area
“WC”	means a water-oriented commercial district
“C/LI”	means a commercial/light industrial district
“C/HI”	means a commercial/heavy industrial district
“AP”	means an airport district



<b>LAND USE TABLES</b>	<b>S</b> <b>D</b>	<b>A</b> <b>G</b> <b>F</b>	<b>UG</b>	<b>RR</b> <b>1</b>	<b>RR</b> <b>2.5</b>	<b>RR</b> <b>5,</b> <b>10,</b> <b>20</b>	<b>S</b> <b>S</b>	<b>C</b> <b>1</b>	<b>C</b> <b>2</b>	<b>W</b> <b>C</b>	<b>C</b> <b>LI</b>	<b>C</b> <b>HI</b>	<b>A</b> <b>P</b>
<b>A. Agricultural Uses</b>													
Farm buildings (barns, silo, hay shed, etc.)	P	P	P	P	P	P	P	P	P	P	P		
Farmland: Crop growing and harvesting	A	A	A	A	A	A	A	A	A	A	A	A	P
Farmland: Livestock, poultry use, including related buildings	A	A	A	A	A	A	A	A	A	A			
Feedlot, Agricultural, including buildings		A			A	A							
Forest land: growth, harvest	A	A	A	A	A	A	A	A	A	A	A	A	A
<b>B. Residential and Related Uses</b>													
Single-family dwelling	P	P	P	P	P	P	P	P	P	P	CU	CU	
Two-family dwelling			P	P	P	P	P	P	P	P	P	P	
Multi-family dwelling	CU	CU	CU	CU	CU	CU		CU	CU	CU			
Guest Cottage	P	P	P	P	P	P	P	P	P	P			
Group home, detention or correction home (including detoxification center, rehabilitation home, etc.)	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU			
Mobile home park		CU	CU	CU	CU	CU		CU		CU			
Mobile home development		CU	CU	CU	CU	CU		CU					
Home: old age, nursing, maternity, children's		CU	CU	CU	CU	CU		CU	CU				
Energy systems assoc. with a principal use (i.e. solar collectors and wind generators under 50KW)	P/CU*	P	P	P	P	P		P	P	P/CU*	P	P	
Accessory structure	P	P	P	P	P	P	P	P	P	P			
Home business	CU	CU	CU	CU	CU	CU		CU	CU	CU			
Home occupation	A	A	A	A	A	A	A	A	A	A			
Sign – on site	P	P	P	P	P	P		P	P	P	P	P	P
Temporary Structure	A	A	A	A	A	A	A	A	A	A	A	A	A
Swimming pool	A	A	A	A	A	A	A	P	P	P			
<b>C. Recreational Uses, Public and Private</b>													
Campground, public or private	CU	CU	CU	CU	CU	CU		CU	CU	CU			
Outdoor recreation facility Park/playground	CU	CU	CU	CU	CU	CU		CU	CU	CU			P
Golf Course	CU	CU	CU	CU	CU	CU		CU	CU	CU			
Race track: horse, auto, motorcycle, go cart		CU				CU		CU	CU				P
Shooting range, fire arms, archery, public or private		CU				CU		CU		CU			
<b>D. Civic, Educational and Institutional Uses</b>													
Athletic field/stadium; arena		CU	CU	CU	CU			CU	CU				
Cemetery	A	A	A	A	A	A							
Transient Camps, Church Camps	CU	CU	CU	CU	CU	CU				CU			
Church/Synagogue	P	P	P	P	P	P	P	P					
Public building	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	P
<b>E. Commercial and Industrial Uses</b>													
Airport: Hangar													P
Airport: State licensed													P
Airport: private landing strip	CU	CU											P
Adult uses		CU											
Amusement Park			CU	CU					CU				
Breeding and boarding of animals	CU	CU		CU	CU	CU		CU	CU		CU		
Extractive use, mining, gravel pit, aggregate		CU			CU	CU					CU	CU	P
Storage buildings, Commercial	CU	CU	CU	CU	CU	CU		P	CU	CU	CU	CU	
Industrial park											CU	CU	
Junk salvage yard		CU									CU	CU	
Liquor: On and/or off sale	CU							P	P	P	CU		P
Manufacturing: light in general											P	P	P
Manufacturing: heavy in general											CU	P	P
Motel, hotel	CU	CU	CU	CU	CU			CU	CU	CU	CU		P
Bed and Breakfast Residence	CU	CU	CU	CU	CU		CU	CU					
Office Space					CU			P	P				

\*--Type of Permit depends on wind energy tower height and power output

<b>LAND USE TABLES</b> <b>(Commercial and Industrial Cont)</b>	<b>S</b> <b>D</b>	<b>A</b> <b>G</b> <b>F</b>	<b>UG</b>	<b>RR</b> <b>1</b>	<b>RR</b> <b>2.5</b>	<b>RR</b> <b>5,</b> <b>10,</b> <b>20</b>	<b>S</b> <b>S</b>	<b>C</b> <b>1</b>	<b>C</b> <b>2</b>	<b>W</b> <b>C</b>	<b>C/</b> <b>LI</b>	<b>C/</b> <b>HI</b>	<b>A</b> <b>P</b>
Resort-Commercial		CU			CU	CU				CU			
Retail or commercial business			CU	CU				P	P	CU	CU	CU	P
Sales or service of autos, trucks, RV's, agriculture equip., mobile homes								P	P		P	P	P
Sign, on site	P	P	P	P	P	P		P	P	P	P	P	
Sign, off premise								CU	CU		CU	CU	
Storage yard: material & equipment		CU				CU		P	P	CU	P	P	P
<b>F. Public Service and Utility Uses</b>													
Cellular Telephone tower		CU/ p**			CU/ p**	CU/ p**			CU/ p**		CU/ p**	CU/ p**	
Broadcasting tower – Radio or TV		CU/ p**			CU/ p**	CU/ p**		CU/ p**	CU/ p**		CU/ p**	CU/ p**	
Electric distribution or transmission facilities	A	A	A	A	A	A	A	A	A	A	A	A	A
Essential Services	A	A	A	A	A	A	A	A	A	A	A	A	
Wind farms		CU			CU	CU		CU	CU		P	P	

\*\*--Type of permit depends on tower height