



LONG RANGE PLANNING COMMISSION
December 7, 2015
5:30 p.m.

1. Call to Order
2. Approval of Minutes of October 26, 2015
3. Inglewood Drive Planning Area Meeting
4. Wildlife Management Areas
5. Adjourn to Neighborhood Meeting

LONG RANGE PLANNING COMMISSION MEETING
October 26, 2015

The Long Range Planning Commission meeting was called to order at 7:00 p.m. by Chair Donnay.

MEMBERS PRESENT: Chair Kevin Donnay, Commissioners, Lori Rubin, Bob Ryan, Mark Cross, Jim Kalkofen, Cathy Clark and Council Liaison Todd Holman

MEMBERS ABSENT: Rock Ylimeini

STAFF PRESENT: Community Development (CD) Director Josh Doty, Planner Matthew Gindele and City Administrator Gordon Heitke

OTHERS: Mayor Darrell Olson and Councilman Steve Barrows

Approval of Minutes

Motion by Commissioner Cross, second by Commissioner Rubin to approve the minutes of the August 10, 2015 meetings. Motion carried unanimously.

Inglewood Drive Annexation Area

CD Director Doty explained that in July the City and County had conversations regarding the section of Inglewood Drive from Clearwater Road to Woida Road and the maintenance/repairs needed to this road. The two parties decided that the county would repair the road and then the City would take the road over and an annexation would take place. CD Director Doty stated that this commission is now tasked with determining the land use for this new property annexed into the city prior to the twelve-month deadline. This determination is needed so staff can guide the landowners and potential purchasers with the correct uses for the annexed properties. Staff did look at the county and city land use and zoning maps and found that there are discrepancies between the County and City land use maps. CD Director Doty reviewed several maps included in the packet. The maps showed existing conditions, wetlands, topography, previous county zoning and utility locations. He explained the majority of the property to the west was R-1 (residential) up to Gary's Painting and to the east are businesses that would be considered C-2 (commercial) under Baxter's zoning. He explained that if the property was all residential or all commercial it would be easier, however, this is a mix of uses. CD Director Doty noted that currently those occupying Inglewood Dr. north of Woida Road are on well and septic; there are no city water and sewer available to that area. Although there are areas in Baxter without city services, this is different as there are commercial buildings without city services and with the regulations as they are, currently you cannot build a commercial use without having city services first. His example was Gary's Painting; if they wanted to expand they would not be allowed to without city services. He suggested possibly a different zoning district to assist with existing businesses that have been annexed into Baxter. CD Director Doty indicated that access is not too much of an issue.

CD Director Doty asked for direction on what the public process should look like regarding this topic. He reminded the Commission that the land owners did not ask to be annexed and may not wanted to be annexed. CD Director Doty stated that a neighborhood meeting is typically how annexation is handled. He asked the Commission if they would like to have the property owners come in and give the Commission ideas of what they would like to see their property zoned as or if staff should put a few ideas together and then present them to the landowners and see if they like what has been presented.

Chair Donnay asked CD Director Doty why the area was annexed if they did not ask to be annexed. CD Director Doty explained that the road has become an artery into and out of the city. It was best to annex the road and the property around the road. Chair Donnay asked if there has been any conversation so far from those property owners, CD Director Doty stated there was very little conversation to date.

Commissioner Kalkofen asked if the commercial owners know that they cannot build without services at this point. CD Director Doty stated that he was not sure. Commissioner Cross indicated that there are a few options, if Gary's Painting wanted to expand then a force main could be extended to allow for services, the same is true for the business closest to the water tower. CD Director Doty indicated that services could be brought in from the east where Lake Forest Dr. is located. The Commission and staff reviewed the maps and commented on several different options for city services with the current layout of services.

Chair Donnay asked the Commission how they would like to proceed with the public meeting. CD Director Doty added that the public meeting could be very casual with maps and just conversation or more formal with a plan and then allow the homeowners to address the Commission with comments. He stated that during a public meeting, sometimes items get brought up that will have nothing to do with this Commission and tough questions can be asked, he noted that he wanted the Commission to be prepared for all questions that may be posed at the meeting. He noted that staff could put a few different recommendations together for the Commission.

Chair Donnay stated that the only reason to have them property owners in prior to discussing the land options is if staff and the Commission are really going to listen to the owners. If that is not the case, then staff and the Commission should have a few items put together and let the landowners see if everyone is in agreement, Commissioner Rubin agreed with the Chair. The consensus of the Commission was for staff to put a few options together. CD Director Doty asked if the Commission would like a neighborhood meeting first on the same night or go straight to the public hearing and have the ability to make a motion. Commissioner Cross asked if the zoning has to be identified or determined the most compatible use right away and then the twelve months. CD Director Doty indicated that is correct and R-1 and Commercial would be the two compatible zones for these properties. He further explained that some of the business uses could be deemed industrial and that is why he is thinking more of a mixed use for this area or special district. The Commission and staff discussed the current uses on the properties.

Commissioner Kalkofen asked when city services were going to be available to this area. CD Director Doty stated the drafted CIP (Capital Improvements Plan) was updated for five years and this area was not included within that five-year plan. Commissioner Cross indicated that this was not in process when the draft CIP map was put together as it was not part of the city at that time. Commissioner Cross stated that if he was asked tonight what it should be zoned, he would say the south half should be residential with the north half having business with a little bit of industrial use. CD Director Doty reminded the Commission that the land use is for future use not what the use is today.

Chair Donnay stated that a concept does need to be created by staff and it needed to be determined if it was going to be presented to the Commission prior to or at the same time as the landowners. CD Director Doty stated that is correct and a brief meeting could be held prior to having the public hearing as this has taken place in the past. He indicated the packet would also contain information prior to the public hearing or neighborhood meeting. CD Director Doty outlined the process for the public hearing notice versus the neighborhood meeting where no action would be taken. Commissioner Clark asked if the neighborhood meeting could be an open house format. CD Director Doty stated that it could be an open house setting with a quick presentation. Commissioner Clark would like to see a presentation with it going into an open house format. Council Liaison Holman asked staff to put a Q & A factsheet together for the residents, as they are sure to have questions about how the annexation affects them now. For example, if a homeowner wants to put an addition on are they going

to be allowed to on a septic? Clark also suggested that the factsheet include facts about how their property values/taxes will be affected. Chair Donnay agreed that wanting to know how it is going to affect them right now is a big deal to some people. CD Director Doty indicated that this conversation ties into the next item on the agenda as needing to finalize a few of the zoning districts, which will include this area.

Chair asked the Commission if the consensus was for staff to put land use plan recommendations together and invite the landowners in, have a presentation and provide stations for review and then a public hearing on a different night. The Commission agreed.

Comprehensive Plan Implementation Update

Chair Donnay asked CD Director Doty to update the Commission on the comprehensive plan implementation. CD Director Doty stated that the comprehensive plan is complete, now the Commission needs to focus on the implementation or “clean up” items in the plan. A few of the top priorities for staff are those questions that are asked frequently of staff at the counter regarding zoning districts. He explained the different types of residential zoning districts and what makes each district different. There are also the commercial districts with the main focus being the Business Gateway zoning district that needs to be created. CD Director Doty stated that the zoning districts need to be reviewed to make sure they meet the comprehensive plan objectives. He informed the Commission that the Parks Commission would be implementing a 5 year Parks Capital Improvements Program at their next meeting as part of the implementation update.

Chair Donnay asked if the Commission is going to need to meet more regularly. CD Director Doty indicated that the zoning piece is going to be a big undertaking and the Commission should consider meeting more often. Chair Donnay asked for a time frame to tackle all of the zoning throughout the city. Chair Donnay asked if 2016 was a possibility. CD Director Doty stated that 2016 is ideal for a completion. Chair Donnay asked if there was a need to have City Council approval to move forward. CD Director Doty indicated that staff would bring it to the Council prior to sending out property notices for any areas in the City that would be reviewed. Council Liaison Holman added that the City and County are going to start talking about the Dellwood Rd. project and there may be some annexation in that area as well in 2016.

Other Business

The next meeting is scheduled for November 23, 2015 at 6:00 p.m.

Adjournment

Motion by Commissioner Cross, second by Commissioner Kalkofen to adjourn the meeting at 7:10 p.m.

Approved By:

Submitted By:

Chair Kevin Donnay

Shanna Newman
CD Administrative Assistant



TO: Baxter Long Range Planning Commission

FROM: Joshua Doty, Community Development Director

DATE: December 2, 2015 for the December 7, 2015 Long Range Planning Commission Meeting

SUBJECT: Inglewood Drive Planning Area

Background

In July, 2015, the City of Baxter and Crow Wing County agreed to an orderly annexation of land to the City of Baxter. The annexed property includes land on the east and west sides of Inglewood Drive from Woida Road to Pine Beach Road. The annexation was related to the recently completed reconstruction of Inglewood Drive. Specifically, the roadway was built to a 10-ton design with specifications consistent with the load limits for Inglewood drive to the south within the City of Baxter. Since the road (after construction) functions more as an arterial City roadway than a County road, the City agreed to take over the responsibility for this new roadway together with an annexation of land on the east and west sides of Inglewood Drive.

LRPC Objectives

Since the annexation occurred after the City updated the Comprehensive Plan, the City has not planned for this area within the Comprehensive Plan. The City zoning ordinance states the following related to annexed lands:

Annexations: Areas annexed to the city shall be placed in the zoning district closest to the definition of their existing zoning, pending study of the area by the long range planning commission. The long range planning commission shall recommend the proper zoning classification to the city council within twelve (12) months of the date of annexation of such area. (Ord. 2006-21, 8-1-2006)

The purpose of this memo is to provide background of the subject property and to provide land use options for the Long Range Planning Commission's consideration. Ultimately, the Long Range Planning Commission must recommend Comprehensive Plan Amendments, as needed for the annexed land to the City Council.

Existing Conditions

- Existing Conditions and Land Use

The subject property annexed into the City of Baxter is approximately 190 acres. The property includes approximately 32 lots of record. The land includes 10 single family homes and several businesses, mostly on the north end of the site toward Pine Beach Road. A large portion of the acreage includes vacant privately owned wooded property.



- Wetland Areas

The wetland inventory pictured to the right indicates that there are seven separate wetland basins spread throughout the site totaling approximately 48 acres. The largest basin is located in the southwest portion of the site and is approximately 16 acres.

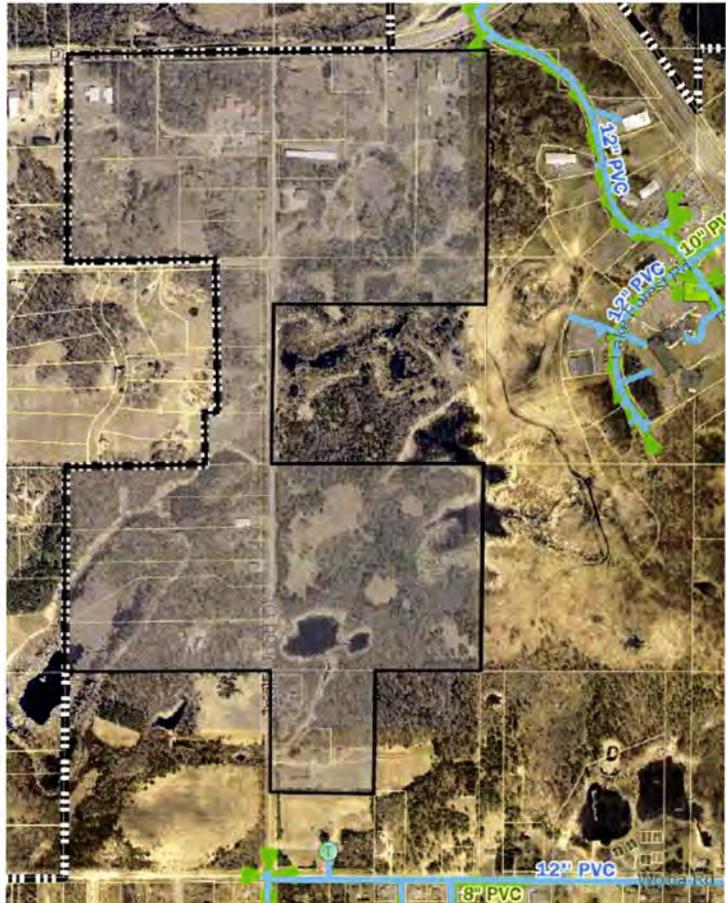
- Topography

The topography across the site is very moderate. Although there is 14 feet of elevation change across the entire 190 acres, most of the land is relatively flat, with drainage either flowing north to south on the north end and east to west on the south end. Nearly all of the drainage from subject area goes to Red Sand Lake.



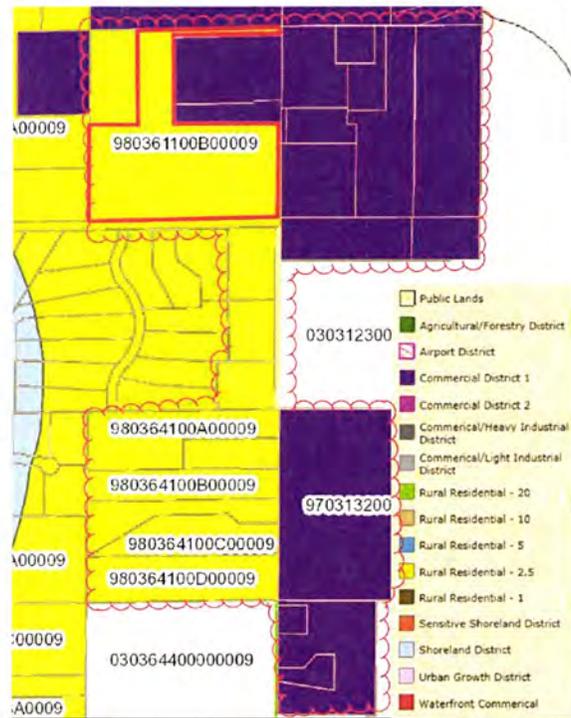
- Utilities

One of the key areas of discussion as it relates to future land use designations and zoning of the subject property relates to utilities. Municipal sanitary sewer and water service are located on the northeast corner of the site at Pine Beach Rd. and at the opposite south end of the site at the intersection of Woida Road and Inglewood Drive. Therefore, the majority of the site area does not have City sewer or water service readily available. Yet, the site area has existing residential and commercial development on private systems. The City's present commercial and urban residential districts require City water and sewer service to allow development. Applying these existing City zoning districts to the subject property could hold property owners from making improvements to their property. Therefore, the City would need to consider private vs. public service requirements when applying zoning to the subject properties.



Previous County Zoning

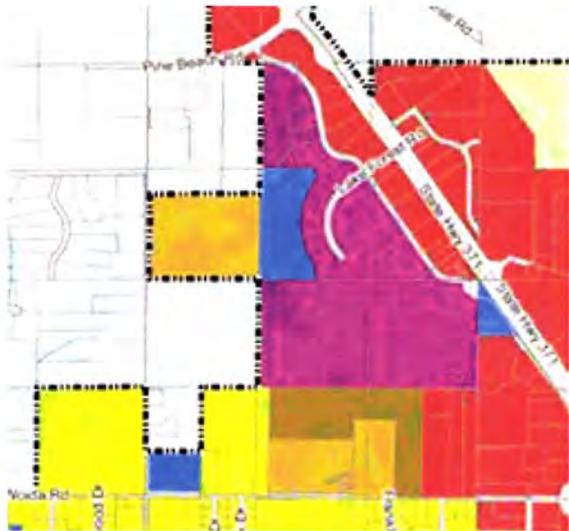
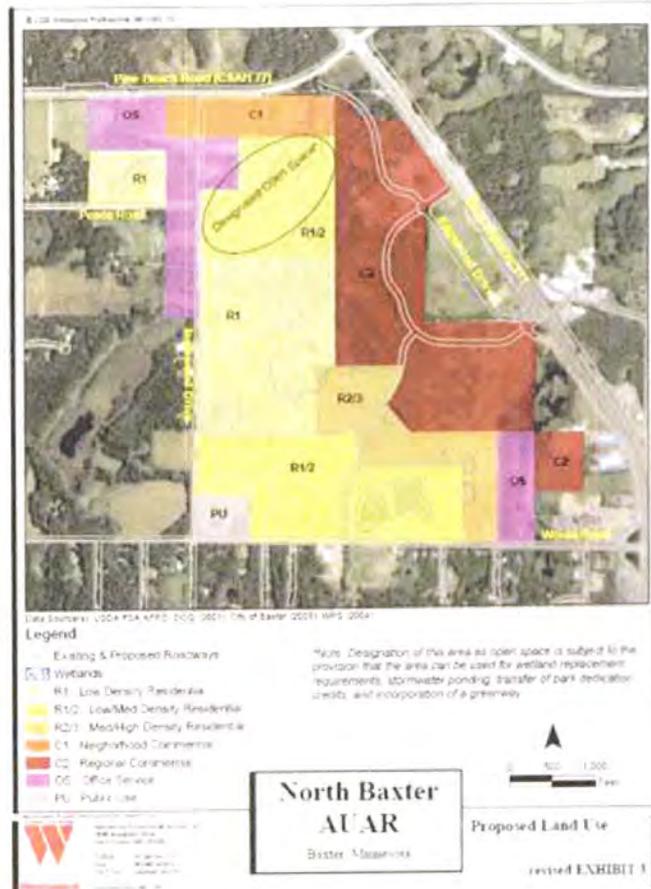
The previous County zoning of the property included two districts, the Rural Residential district allowing 2.5 acre lots and the Commercial District 1 zone. The Rural Residential zone was applied to all of the lots on the west side of Inglewood Drive, except for the commercial property at the southwest corner of Inglewood Drive and Pine Beach Road, which was Zoned Commercial District 1. All of the property on the east side of Inglewood Drive was zoned Commercial District 1. The development that has occurred on to date follows the previous County Zoning.



North Baxter AUAR

In 2007, the North Baxter Alternative Urban Areawide Review (AUAR) was prepared for land in the Northeast area of Baxter. The AUAR provided environmental review and a land use master plan to allow development for this area of the City (shown to the right). Land owners within this area have not pursued development in line with the AUAR and a 5-year time limit has lapsed and the AUAR has expired.

In 2013 to 2015, the City updated the Comprehensive plan. As part of that process, the City selected land use districts that were generally compatible with the land use identified in the AUAR for the land within Baxter. However, the City decided not to show a future land use plan for the land beyond the City boundary (City's Future Land Use Plan below).



Land Use Options

A comprehensive plan is a long-range vision and guide for the entire community. The future land use plan for the Inglewood Planning Area should work together with the City's recently approved Comprehensive Plan. When considering future land use the City should consider the following:

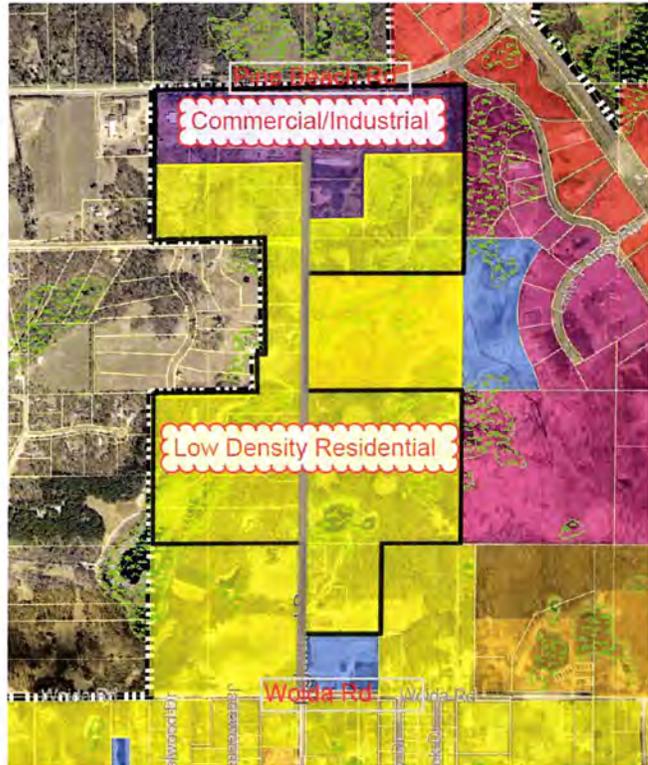
- Public comments
- Land use surrounding the Planning Area
- Existing conditions of the land
- Availability of utilities
- Transportation System

- Existing development pattern
- Past land use study's/designations, such as the previous County zoning, North Baxter AUAR, and the City's Comprehensive Plan.

Below are two land use options and a description of the land uses.

Land Use Option One

Land Use Option One includes the establishment of a new land use designation of "Commercial/Industrial" for the north portion of the site. This designation would require that a new zoning district is also created. There are 11 properties within this land area. Of which, there are five business properties, four vacant properties, and two single family homes on the east side of the site. Staff finds that the existing businesses are of a light industrial nature. Therefore, planning a non-industrial land use would make the existing buildings non-conforming. Therefore, the approach to provide a Commercial/Industrial land use would allow the existing businesses to be conforming, while also allowing the introduction of commercial and office uses, which falls in line with the previous AUAR for the property.

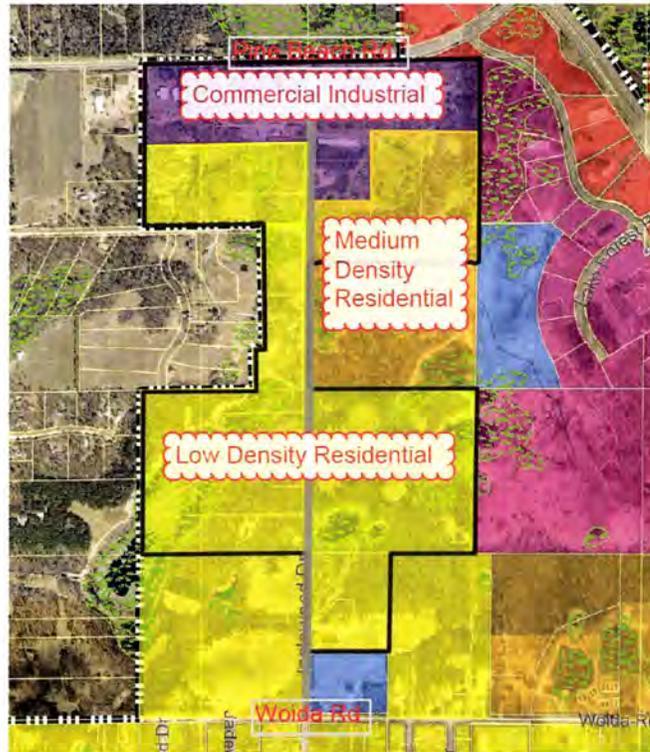


Land Use Option One includes low density residential for the remaining land. Staff finds that planning for business districts should be in blocks of land with a transportation system to allow more of a direct access towards major arterial roads, such as Highway 371. This option recognizes that with the exception of Inglewood Drive, the properties identified as Low Density Residential are more isolated from Highway 371. Staff also notes that this option includes a re-guiding of

property that outside of the planning area in the west/central portion of the site. This land was planned as Medium Density Residential and is now shown as low density residential to be consistent with the surrounding Low Density Residential Land Use.

Land Use Option Two

Land Use Option Two includes the same "Commercial/Industrial" land use area for the north portion of the site as shown in Option One. Option Two includes Medium Density Residential south of the Business District. This land use designation allows for a transition from higher business use to lower density residential areas. In addition, this option maintains the medium density residential that exists for the land outside of the planning area in the east/central portion of the site. Staff also considered Medium Density for the land southwest of the Commercial Industrial district. However, the position of an existing wetland does not make this property as conducive to medium density residential development.



Land Use Descriptions



Staff has drafted an Annexed Commercial Industrial zoning district (attached) for property owners and the City to review a draft of what the allowed uses and requirements could be for development within the district. The Commercial Industrial zoning district is a combination of the City's existing Industrial Office Zone and the City's existing Neighborhood Commercial Zone. Higher intensity uses, such as distribution center, bus terminals, funeral homes, and outside storage for front yard areas have been removed from the draft zoning district. The city also removed residential care facilities such as nursing homes, assisted living and similar health hospital facilities from the district.

The draft zoning district defines this district as an area for future urban services. As is the case with other business districts in the City of Baxter, the draft Annexed Commercial Industrial Zoning District requires that new development shall only be allowed when a full range of municipal services and facilities are available to serve the site. However, to recognize the existing buildings that are already developed, the draft district allows existing buildings on private well and septic systems to expand up to 20 percent of the total ground floor area that existed on the property, as of the date of this chapter. Any expansion would but subject to all other requirements of the City Code.



Medium Density Residential allows twin and townhome development, multiplex development, and row-homes at a maximum density of 7 units per acre. The R-2, Medium Density Zoning District is applied to property shown as Medium Density Residential on the Future Land Use Plan. The City's existing R-2 Zoning District requires municipal services to serve development.

Low Density Residential

Low Density Residential allows single-family detached (and two-family units by PUD) residential development at a maximum density of 3 units per acre. The R-1, Low Density Residential Zoning District is applied to property shown as Low Density Residential on the Future Land Use Plan. The R-1 zoning district requires municipal services to allow development/subdivision. The exception is that one new single family home may be constructed on a private well and septic system per existing property, provided the home is not in proximity to existing services, as defined by the City Code.

Findings and Conclusions

Staff finds that the above land use options strike a balance between the existing development pattern and the existing conditions of the subject property. Staff recognizes that there are many other land use options and combinations that could be established for the planning area. Staff also recognizes that public comments need to be part of the process before the City establishes future land use for this area of the City.

Next Steps

- The Long Range Planning Commission will hold a neighborhood meeting on December 7, 2015 to receive public comments on land use for the Inglewood Planning Area.
- Prior to making any change to the City's Comprehensive Plan, the Long Range Planning Commission will hold a separate public hearing to make a recommendation to the City Council.
- Prior to making any zoning changes, the Planning and Zoning Commission must hold a separate public hearing to make a recommendation to the City Council.
- The City Council makes takes final action on amendments to the Comprehensive Plan and Zoning Ordinance.

Attachments

1. Public Comment Form
2. Annexed Commercial Industrial Zoning District

**Inglewood Drive Planning Area
December 7, 2015 Neighborhood Meeting**

Thank you for your attendance. Please take a few minutes to provide us with your questions and/or comments:

Would you like a response to your questions and/or comments? Yes No

Do you wish to be notified of upcoming meetings? Yes No

Name: _____

Phone Number: _____

Mailing Address: _____

E-Mail Address: _____

**** Please complete this form and hand it in before you leave, or take the form with you and return it by fax or mail. Thank you!**

Our Fax Number is: (218) 454-5103
Our Address is: P.O. Box 2626
 13190 Memorywood Drive
 Baxter, MN 56425
Our E-mail Address is: cityhall@baxtermn.gov

Annexed Commercial Industrial District

10-3X-1: PERMITTED USES:

Brewery.

Civic buildings, city halls, fire stations, public works and the like.

Commercial recreation, indoor (e.g., bowling alleys, roller rinks and the like).

Contractor operations, lumberyard/building material sales and the like.

Essential services and structures.

Food processing or ice, cold storage plants, bottling works and the like.

Laboratories and research facilities.

Laundry, dry cleaning and dyeing plants.

Manufacturing or assembly of products that produces no exterior noise, glare, fumes, byproducts or wastes or creates other objectionable impact on the environment.

Motor vehicle detailing shops.

Offices, professional and medical.

Radio and television stations or studios.

Studios; art.

Warehousing, wholesale offices and showrooms, excluding explosives and hazardous waste.

The following uses with a ground floor footprint of thirty thousand (30,000) square feet or less:

Bakeries; retail.

Banks, savings and loans, credit unions and the like (without drive-through).

Barbershops, beauty shops; other personal service uses.

Civic buildings such as city halls, fire stations and the like (without outside storage).

Clinics including multispecialty outpatient clinic.

Convenience stores (without motor fuel stations).

Copy/printing services (excluding printing presses and publishing facilities).

Drugstores and pharmacies (without drive-through).

Dry cleaning and laundry pick ups, self-service laundromats, incidental pressing, tailoring, repair and

the like (without dry cleaning processing).

Essential services.

Fitness centers and fitness related studios such as karate, yoga, dance and the like (less than 5,000 square feet in size).

Florists, hobby, craft or variety stores and the like.

Hardware stores.

Restaurants (without drive-through).

Studios; art related.

Retail goods and services of a similar nature, as determined by the zoning administrator.

10-3X-2: ACCESSORY USES:

No accessory structure or use of land shall be permitted except for one or more of the following uses:

Accessory uses incidental and customary to uses allowed in section 10-3I-1 of this article in the I district, including retail, shall not occupy more than thirty percent (30%) of the gross floor area of the principal use.

Accessory structures as regulated by section 10-5-9, "Accessory Structures", of this title.

Adult use, accessory pursuant to title 3, chapter 4 of this code.

Licensed brewer taproom as an accessory to a brewery with limited accessory retail space provided:

- A. The seating for the retail space is limited to no more than twelve (12) seats.
- B. The retail space is limited to four hundred (400) square feet.
- C. The on-sale of any liquor is limited to beer brewed on site as allowed by a valid liquor license(s).
- D. The off-sale of any liquor is limited to beer brewed on site as allowed by a valid liquor license(s).
- E. The hours of both on-sale and off-sale liquor are limited to the legal hours of off-sale liquor. Off-sale liquor must be removed from the premises before the applicable off-sale closing time.
- F. There must be adequate street capacity as determined by the city (for the purposes of determining adequate street capacity, the property must be served by an urban collector street or greater capacity road).
- G. Any required state, or city licenses are obtained and remain valid for the respective use.
- H. That there is not another brewer taproom within one thousand three hundred twenty feet (1,320') ($\frac{1}{4}$ mile) as measured between the main front entrances following the route of ordinary pedestrian travel.

- I. There is adequate screening in compliance with section 10-4-8, "Screening/Landscaping/Fencing", of this title.

Off street parking, loading and service entrances as regulated in sections 10-5-2, "Off Street Parking", and 10-5-3, "Loading Spaces", of this title.

Signs as regulated by section 10-5-1, "Signs", of this title. (Ord. 2014-19, 6-17-2014)

Wireless communications towers as accessory to a permitted principal use subject to title 9, chapter 4 of this code including section 9-4-3 of this code. (Ord. 2013-20, 11-19-2013)

10-3X-3: CONDITIONAL USES:

The following are conditional uses, subject to the conditions outlined in section 10-7-4 of this title and the specific standards and criteria that may be cited for a specific use:

Adult use, principal pursuant to title 3, chapter 4 of this code.

Car washes.

- A. The site shall provide stacking space for the car wash. The amount of stacking space shall take into account the type of car wash and the amount of time it takes to wash a vehicle. Stacking spaces shall not interfere with parking spaces or traffic circulation.
- B. The exit from the car wash shall have a drainage system which is subject to the approval of the city and gives special consideration to the prevention of ice buildup during winter months.
- C. Hours of operation shall be limited to between seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M. daily.
- D. A bypass lane shall be provided for each drive-through use, allowing cars to leave the drive-through lane from the stacking area.

Daycare facility provided:

- A. Unless exempted by the zoning administrator, where an outdoor play area of a daycare facility abuts any commercial or industrial use or zone, or public right of way, the daycare facility shall provide screening along the shared boundary of such uses, zones or public rights of way. All of the required fencing and screening shall comply with section 10-4-8, "Screening/Landscaping/Fencing", of this title.
- B. There shall be adequate off street parking which shall be located separately from any outdoor play area. Parking areas shall be screened from view of surrounding and adjoining residential uses in compliance with section 10-5-2, "Off Street Parking", of this title.
- C. When a daycare facility is an accessory use within a structure containing another principal use, parking for each use shall be calculated separately for determining the total off street parking spaces required. An exception to this requirement may be granted by the zoning administrator in instances where no increase in off street parking demand will result.
- D. Off street loading space in compliance with section 10-5-3, "Loading Spaces", of this title.

- E. All signing and informational or visual communication devices shall be in compliance with section 10-5-1, "Signs", of this title.
- F. The structure and operation shall be in compliance with state of Minnesota department of human services regulations and shall be licensed accordingly.

Ministorage/self-storage facilities:

- A. Units are to be used for dead storage only. Units are not to be used for retailing, auto repair, human habitation, or any commercial activity, except as allowed by this section.
- B. Combining office and/or retail space with a self-service storage facility may be allowed by conditional use permit.
- C. Storage of hazardous or flammable materials is prohibited.
- D. No exterior storage is allowed.
- E. The facility shall be secured by either the walls of the structure and/or fencing. All doors on the units shall face inward and away from the street and property lines.
- F. An on site manager is allowed only where adequate sanitary facilities are provided, either through use of a septic system or through connection to the public sanitary sewer system.

Motor fuel stations in compliance with section 10-5-8, "Motor Fuel Stations", of this title and the following:

- A. Application Requirements: That the area and location of space devoted to nonautomotive merchandise sales shall be specified in the application and in the conditional use permit. Exterior sales or storage shall be only as allowed by the conditional use permit and shall be limited to ten percent (10%) of the gross floor area of its associated principal use.
- B. Separation Of Spaces: The off street loading space(s) and building access for delivery of goods shall be separate from customer parking and entrances and shall not cause conflicts with customer vehicles and pedestrian movements.
- C. Installations: Motor fuel facilities shall be installed in accordance with state and city standards. Additionally, adequate space shall be provided to access gas pumps and to allow maneuverability around the pumps. Underground fuel storage tanks are to be positioned to allow adequate access by motor fuel transports and unloading operations which do not conflict with circulation, access and other activities on the site. Fuel pumps shall be installed on pump islands.
- D. Compliance: All buildings, canopies, and pump islands shall be located to comply with the minimum setback requirements of the C1 district.
- E. Canopy Lighting: All canopy lighting for motor fuel station pump islands shall be recessed or shielded to provide a ninety degree (90°) cutoff. Illumination levels for pump islands shall not exceed thirty (30) foot-candles.

F. Litter Control: The operation shall be responsible for litter control within three hundred feet (300') of the premises and litter control is to occur on a daily basis. Trash receptacles must be provided at a convenient location on site to facilitate litter control.

Motor vehicle, boat or equipment repair.

- A. All servicing of vehicles and equipment shall occur entirely within the principal structure.
- B. To the extent required by state law and regulations, painting shall be conducted in an approved paint booth, which thoroughly controls the emission of fumes, dust, or other particulated matter.
- C. Storage and use of all flammable materials, including liquid and rags, shall conform with applicable provisions of the Minnesota uniform fire code.
- D. Parking, driveway, and circulation standards and requirements shall be subject to sections 10-5-2, "Off Street Parking", and 10-5-3, "Loading Spaces", of this title and the review and approval of the city and shall be based upon the specific needs of the operation and shall accommodate large vehicle equipment and semitrailer/tractor trucks.
- E. The storage of damaged vehicles and vehicle parts and accessory equipment must be completely inside a principal or accessory building.
- F. The sale of products other than those specifically mentioned in this subsection 10-31-2A shall be subject to a separate conditional use permit.

Multi-business signs, as regulated in section 10-5-1, "Signs", of this title.

Open storage in a side or rear yard, accessory to a principal use.

- A. All applicable federal, state and/or county permits are obtained.
- B. Storage area is blacktop or concrete surfaced unless specifically approved by the city council.
- C. The storage area does not take up parking space or loading space as required for conformity to this chapter.
- D. The storage area is screened from public streets and surrounding properties.

Veterinary; related indoor kennels provided:

- A. All pens or cages must be completely enclosed within a building with the exception of incidental run areas that shall be limited to ten percent (10%) of the gross floor area of its associated principal use, to a maximum of five thousand (5,000) square feet.
- B. All indoor activities shall include soundproofing and odor control.
- C. When abutting a residential use or district, the property shall be screened and landscaped in accordance with section 10-4-8, "Screening/Landscaping/Fencing", of this title.

Wireless communication towers as accessory to a permitted principal use subject to title 9, chapter 4 of this code. (Ord. 2014-19, 6-17-2014)

10-3X-4: INTERIM USES:  

The following are interim uses, subject to the conditions outlined in chapter 7 of this title, interim uses and the specific standards and criteria that may be cited for a specific use:

Buildings temporarily located for purposes of construction on the premises for a period not to exceed time necessary to complete said construction.

A. All building and safety codes are met. (Ord. 2013-20, 11-19-2013)

10-3X-5: LOT AREA, HEIGHT, LOT WIDTH, AND YARD REQUIREMENTS:  

A. Minimum Area Requirements: The following requirements shall be required in the I district. New development shall only be allowed when a full range of municipal services and facilities are available to serve the site. Properties may be subject to special requirements as noted in article L, "SL Shore Land Overlay District", of this chapter. Existing buildings on private well and septic systems may be allowed to expand up to 20 percent of the total ground floor area that existed on the property, as of the date of this chapter, provided that all other requirements of the City Code are met with the expansion.

		With Public Sewer And Water
Minimum lot size		20,000 square feet
Minimum lot width		100 feet interior 120 feet corner
Minimum principal structure setbacks:		
	Front yard	35 feet
	Side yard	10 feet interior 35 feet abutting corner
	Rear yard	30 feet
Accessory structures		10 feet
Maximum lot coverage		50 percent

Maximum building height	45 feet
Maximum impervious surface (other than shore land overlay district)	88 percent
Maximum impervious surface (shore land overlay district)	25 percent

B. Fence, Screen Required: Whenever a CI district abuts an R district, a fence or compact evergreen screen is required pursuant to section 10-4-8, "Screening/Landscaping/Fencing", of this title. (Ord. 2014-19, 6-17-2014)



TO: Baxter Long Range Planning Commission

FROM: Joshua Doty, Community Development Director

DATE: December 4, 2015 for the December 7, 2015 Long Range Planning Commission Meeting

SUBJECT: Wildlife Management Areas

Background

In February, 2015, the DNR contacted the City about the possibility establishing Wildlife Management Areas (WMAs) in the Southwest portion of the City of Baxter. At the October 20, 2015 work session, the City Council received a presentation from Christine Reisz with the Department of Natural Resources regarding the possibility of establishing WMAs in Baxter. Then at the November 3, 2015 work session, the City Council directed staff to bring this discussion forward to the next Long Range Planning Commission meeting.

According to a DNR information sheet, WMAs "are part of Minnesota's outdoor recreation system and are established to protect those lands and waters that have a high potential for wildlife production, public hunting, trapping, fishing and other compatible recreational uses." The DNR's primary interest in Baxter is with two shallow lakes in Southwest Baxter shown on the attached DNR "Potential Wildlife Management Area Map" in yellow. The first lake is a shallow rice lake located North of Mapleton Road. The DNR would like to have this land available to bow hunting, trapping and other compatible recreational uses but would not allow any type of gun hunting. The second lake is named Island Lake, which is South of Mapleton Road. Both lakes are unique from the perspective that they have one owner for the land around the water body and both are willing sellers. Ms. Reisz added that that the DNR may also look to add other properties in Southwest Baxter. Specifically regarding the Island Lake basin, the DNR would like to expand the WMA beyond the lake basin property to provide more opportunities and more buffer property, since this WMA would allow muzzleloader and shotgun hunting.

LRPC Consideration

In order for the DNR to move forward with WMA's in Baxter, MN Statute language (attached) requires County Board approval. According to Christine, the DNR expects that the County Board would defer the approval to the City Council. To aid in the LRPC's discussion, the City should consider other factors related to the growth plan for Baxter and how that plan fits with WMA's within the City Limits. Specifically, please consider the following:

- WMA's would establish the preservation of outdoor recreational and preservation land. The City has established a conservation overlay boundary in this area of Baxter, due to the unique habitat in this area of the City. The parks plan map in the Comprehensive Plan identifies a "Potential Open Space/Wildlife Management Area" around Island Lake. WMA's also support the goals of the Army Compatible Use Boundary (ACUB) program. Specifically, Island Lake is within the 3-mile ACUB boundary and the rice lake area is just beyond the three mile boundary.
- The Future Land Use Plan in the Comprehensive Plan (attached) is a 20 year plan and identifies the land around the rice lake as future "Low Density Residential" land use, which is a growth area for the City with future urban services. The land around the Island Lake property is identified as "Rural Residential". The City should consider that as growth occurs toward the rural area, the City may (in the future) re-evaluate land use plan and identify this area as an urban growth area.
- Utilities for Sewer and Water service (plans attached) are likely needed in the future along the Mapleton Road Corridor. The City must consider the utility services plan and how that fits with any regulations associated WMA property and whether the presence of a WMA will affect future utility routes and the feasibility of providing services to the adjacent areas. Staff notes that utilities have not been studied yet for the lands considered for potential WMAs.
- With the Exception of Mapleton Road, the City's Long Range Transportation Plan (attached) does not include a study of future roads needed in Southwest Baxter. Staff notes that a future roadway plans should be considered for how road corridors might be impacted by potential WMAs in the City. Staff also notes that the City is not aware of any formalized access to the Island Lake Property.
- The Parks and Trails Map (attached) identifies a "Future Bike and Pedestrian Trail" along the east/west power line in Southwest Baxter. This trail is identified through the Island Lake Property. In addition, this corridor is identified as a

possible trail route for a Veterans trail. The Comprehensive Plan also states that the City will develop safe snowmobile/ATV trail routes. ATV advocates specifically identified this powerline corridor as an area of interest for a trail. There are numerous other trail advocates as well so the City should consider all of the various potential trail user groups and how that fits with WMA's. The Parks and Trails plan also identifies a potential expansion of Mississippi River Overlook Park, which is in the WMA interest area.

- Staff raised initial concerns with the DNR about hunting on the Rice Lake property, given that residential homes are adjacent to the water basin on the north side. The City's hunting ordinance has a minimum distance requirement of 500 feet from any gun hunting to a home or other occupied building. In consideration of this requirement, the DNR modified their plans to pursue an archery only WMA for the Rice Lake area. Staff notes that an archery only WMA for this basin would comply with the City's hunting ordinance/map. Staff notes that the 500 foot buffer would need to be maintained for any other WMA's that are established. The DNR may want to consider establishing a no-hunting buffer within any newly established WMA so that when future homes are developed, that the WMA remains in compliance with this regulation. Staff has attached the City's hunting map for the LRPCs review.
- Lastly the City must weigh the benefits of a WMA with potential loss in tax base for the City.

LRPC Objectives

The City Council has requested that the LRPC study this request and ultimately make a recommendation if the City should support WMA's in Southwest Baxter. If WMA's are supportable, the LRPC should also make a recommendation on the land area allowed for WMA's and define what the allowed uses would be within the given WMA.

Staff will present this memo at the December 7, 2015 meeting. Staff requests that the LRPC provide direction to staff if additional information is needed to make a recommendation to the City Council regarding WMA's for Southwest Baxter.

Attachments

1. MN State Statute
2. DNR Wildlife Management Area Information Sheet
3. DNR Potential Wildlife Management Area Map
4. Future Land Use Map
5. Sanitary Sewer Map
6. Water Map
7. Long Range Transportation Map
8. Future Parks and Existing Parks and Trails System Map
9. Hunting Map
10. Island Lake Contours
11. Rice Lake Contours

84.944 ACQUISITION OF CRITICAL NATURAL HABITAT.

§

Subdivision 1. Acquisition considerations.

(a) In determining what critical natural habitat shall be acquired or improved, the commissioner shall consider:

(1) the significance of the land or water as existing or potential habitat for fish and wildlife and providing fish and wildlife oriented recreation;

(2) the significance of the land, water, or habitat improvement to maintain or enhance native plant, fish, or wildlife species designated as endangered or threatened under section 84.0895;

(3) the presence of native ecological communities that are now uncommon or diminishing; and

(4) the significance of the land, water or habitat improvement to protect or enhance natural features within or contiguous to natural areas including fish spawning areas, wildlife management areas, scientific and natural areas, riparian habitat and fish and wildlife management projects.

(b) Based on the above clauses, the commissioner by rule must establish a process to prioritize what critical habitat shall be acquired or improved.

§

Subd. 2. Designation of acquired sites.

The critical natural habitat acquired in fee title by the commissioner under this section shall be designated by the commissioner as: (1) an outdoor recreation unit pursuant to section 86A.07, subdivision 3, or (2) as provided in sections 89.018, subdivision 2, paragraph (a), 97A.101, 97A.125, and 97C.001. The commissioner may so designate any critical natural habitat acquired in less than fee title.

§

Subd. 3. County acquisition approval.

The commissioner must follow the procedures under section 97A.145, subdivision 2, for critical natural habitat acquired under this section.

97A.145 WETLANDS FOR WILDLIFE.

§

Subdivision 1. Acquisition; generally.

(a) The commissioner or the commissioner of administration may acquire wetlands and bordering areas, including marshes, ponds, small lakes, and stream bottoms for water conservation relating to wildlife development. The lands that are acquired may be developed for wildlife, recreation, and public hunting. The wetlands may be acquired by gift, lease, purchase, or exchange of state lands.

(b) The commissioner may also acquire land owned by the state and tax-forfeited land that is suitable for wildlife development. The wetlands may not be acquired unless public access by right-of-way or easement from a public road is also acquired or available. In acquiring wetlands under this section the commissioner shall assign highest priority to type 3 and 4 wetlands, as defined in United States Fish and Wildlife Service Circular No. 39 (1971 edition), that are public waters. Lands purchased or leased under this section may not be used to produce crops unless needed for wildlife. The commissioner may designate, by written order published in the State Register, land acquired under this section as a wildlife management area for purposes of the outdoor recreation system. Designations of wildlife management areas are exempt from the rulemaking provisions of chapter 14 and section 14.386 does not apply.

§

Subd. 2. Acquisition procedure.

(a) Lands purchased or leased under this section must be acquired in accordance with this subdivision.

(b) The commissioner must notify the county board and the town officers where the land is located and furnish them a description of the land to be acquired. The county board must approve or disapprove the proposed acquisition within 90 days after being notified. The commissioner may extend the time up to 30 days. The soil and water conservation district supervisors shall counsel the county board on drainage and flood control and the best utilization and capability of the land.

(c) If the county board approves the acquisition within the prescribed time, the commissioner may acquire the land.

(d) If the county board disapproves the acquisition, it must state valid reasons. The commissioner may not purchase or lease the land if the county board disapproves the acquisition and states its reasons within the prescribed time period. The landowner or the commissioner may appeal the disapproval to the district court having jurisdiction where the land is located.

(e) The commissioner or the owner of the land may submit the proposed acquisition to the Land Exchange Board if: (1) the county board does not give reason for disapproval, or does not approve or disapprove the acquisition within the prescribed time period; or (2) the court finds that the disapproval is arbitrary and capricious, or that the reasons stated for disapproval are invalid.

(f) The Land Exchange Board must conduct a hearing and make a decision on the acquisition within 60 days after receiving the proposal. The Land Exchange Board must give notice of the hearing to the county board, the commissioner, the landowner, and other interested parties. The Land Exchange Board must consider the interests of the county, the state, and the landowner in determining whether the acquisition is in the public interest. If a majority of the Land Exchange Board members approves the acquisition, the commissioner

may acquire the land. If a majority disapproves, the commissioner may not purchase or lease the land.

§

Subd. 3. **Management.**

If a drainage outlet is petitioned and drainage proceedings are conducted under the Drainage Code, chapter 103E, the commissioner should not interfere with or unnecessarily delay the proceedings.

Proposed Wildlife Management Area Information Sheet

Why are we interested in a WMA here?

- WMA acquisitions focus on protecting critical habitat and providing recreational opportunities.
- Unique/rare opportunity to find nearly the entire shoreline of a lake owned by one landowner and that landowner willing to sell to the DNR. In this case we have two willing landowners and 2 shallow lakes.
- This area has been identified as an area of High biodiversity significance-meaning that the area contains good quality occurrences of the rarest species, high-quality examples of native plant communities and/or important functional landscapes.
- The DNR has identified a need to provide more opportunities near population centers to encourage families to continue the outdoor heritage MN is known for; forming a WMA in this area would meet that objective.
- Supports several projects: BWSR Wild Rice Shoreland Protection Project and the Camp Ripley's Army Compatible Use Buffer program.

What are we proposing?

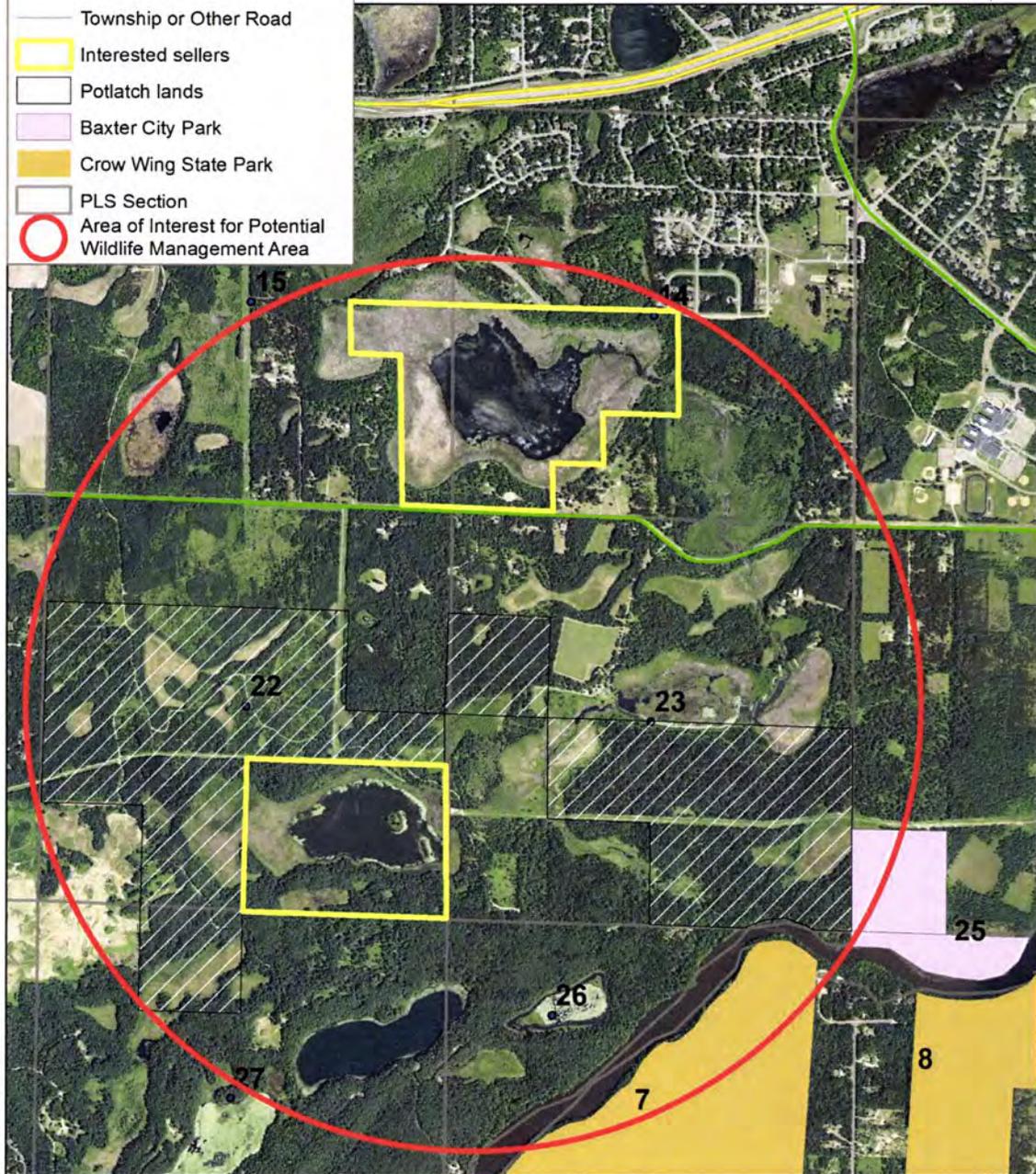
- Goal would be to protect a large enough Wildlife Management Area so that it can support all hunting opportunities now allowed within the city of Baxter and preserve those opportunities into the future. However, we also understand the concern about safety adjacent to smaller WMA tracts. With that in mind, we propose:
 - Tract north of Mapleton Road would be closed to waterfowl and other firearms hunting; archery deer hunting and trapping would be allowed. This would protect valuable habitat and provide a waterfowl resting and feeding area.
 - Tract south of Mapleton Road has opportunities to be larger due to the Potlatch lands adjacent to it. Potlatch has been contacted and they identified the cross-hatched lands as those they would consider selling to the DNR. In order to provide the full suite of hunting opportunities as stated previously, it would be a goal to protect enough land to allow those uses even if the areas surrounding them become developed according to the City's land use plan. (FYI the Potlatch lands immediately adjacent to the south tract total 315 acres).

General Information about WMA acquisitions:

- The DNR acquires property only from willing sellers (or donators).
- WMAs require County Board approval for each proposed land purchase. The County will refer to the local government unit for their support of the project.

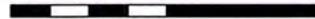
Potential Wildlife Management Area

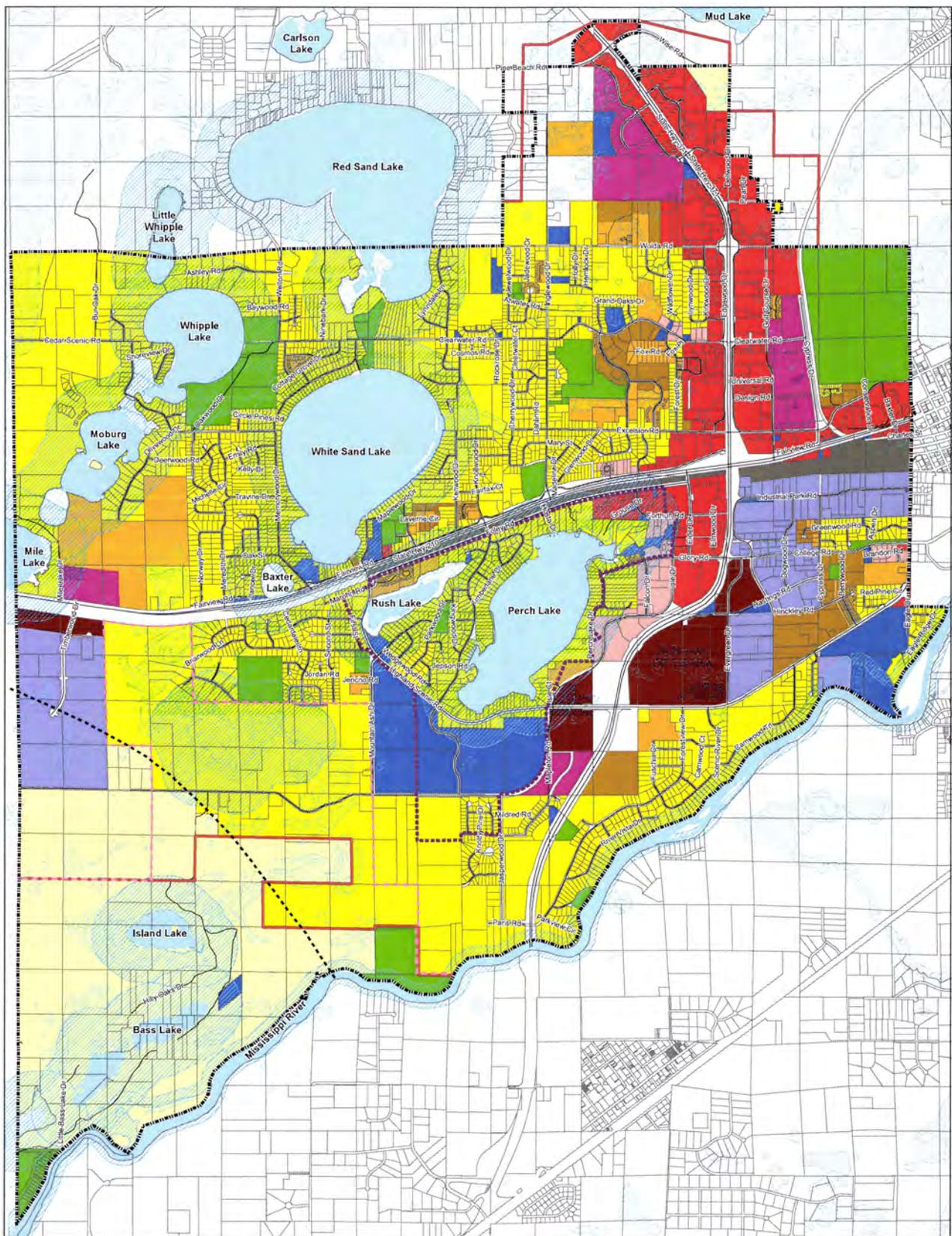
- Legend**
- MN Trunk Highway
 - County Highway
 - Township or Other Road
 - Interested sellers
 - Potlatch lands
 - Baxter City Park
 - Crow Wing State Park
 - PLS Section
 - Area of Interest for Potential Wildlife Management Area



Map created 9/2/2015 by Christine Reisz

0.35 0.175 0 0.35 Miles





Future Land Use

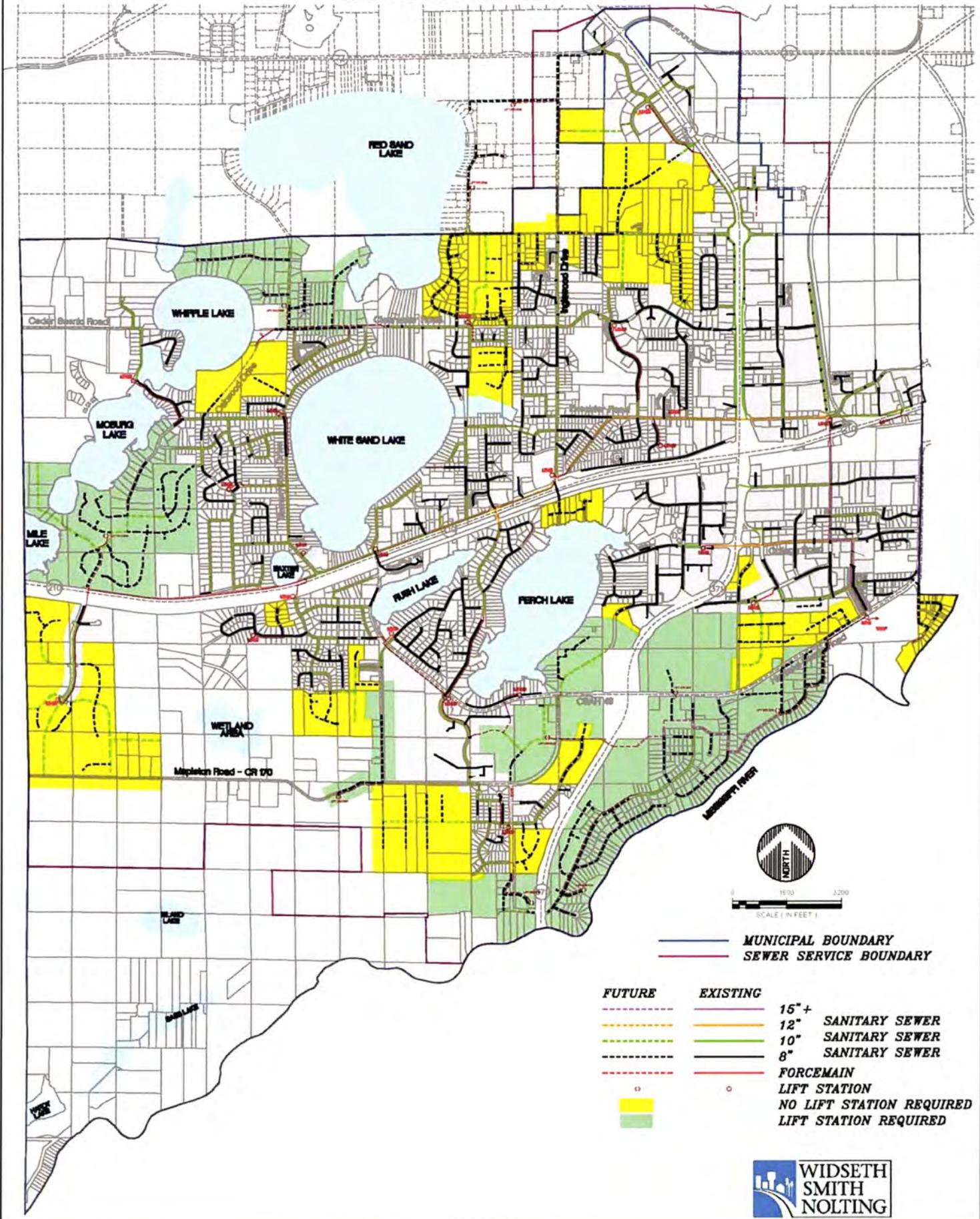
City of Baxter Comprehensive Plan

- | | | |
|---------------------------------------|----------------------------|----------------------------------|
| Municipal Boundary | Medium Density Residential | Public/Semi-Public/Institutional |
| Water Supply Management Area Boundary | High Density Residential | Parks/Greenway |
| Sewer Service Area Boundary | Commercial | Railroad |
| Conservation Overlay Boundary | Business Gateway | Open Water |
| Three-Mile Camp Ripley Buffer | Office Service | NWI Wetland |
| Rural Residential | Mixed Use | Shoreland Overlay District |
| Low Density Residential | General Industrial | |



August 18, 2015

CITY OF BAXTER SANITARY SEWER MAP



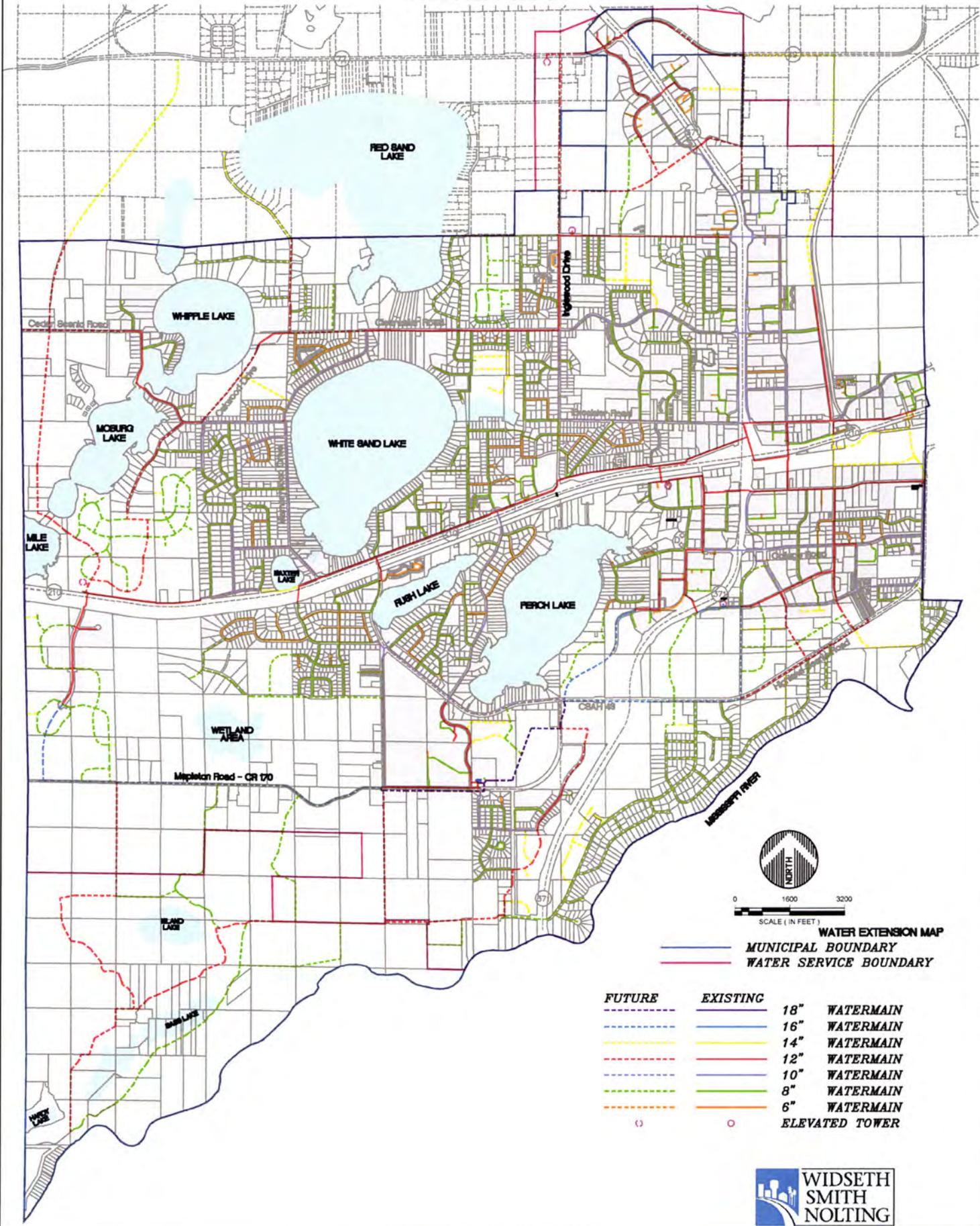
0 1000 2000
SCALE (IN FEET)

— MUNICIPAL BOUNDARY
- - - SEWER SERVICE BOUNDARY

FUTURE	EXISTING	
- - - - -	—	15" +
- - - - -	—	12" SANITARY SEWER
- - - - -	—	10" SANITARY SEWER
- - - - -	—	8" SANITARY SEWER
- - - - -	—	FORCEMAIN
○	○	LIFT STATION
○	○	NO LIFT STATION REQUIRED
○	○	LIFT STATION REQUIRED



CITY OF BAXTER WATER MAP



0 1600 3200
SCALE (IN FEET)

WATER EXTENSION MAP

— MUNICIPAL BOUNDARY
— WATER SERVICE BOUNDARY

<i>FUTURE</i>	<i>EXISTING</i>		
---	---	18"	WATERMAIN
---	---	16"	WATERMAIN
---	---	14"	WATERMAIN
---	---	12"	WATERMAIN
---	---	10"	WATERMAIN
---	---	8"	WATERMAIN
---	---	6"	WATERMAIN
○	○		ELEVATED TOWER

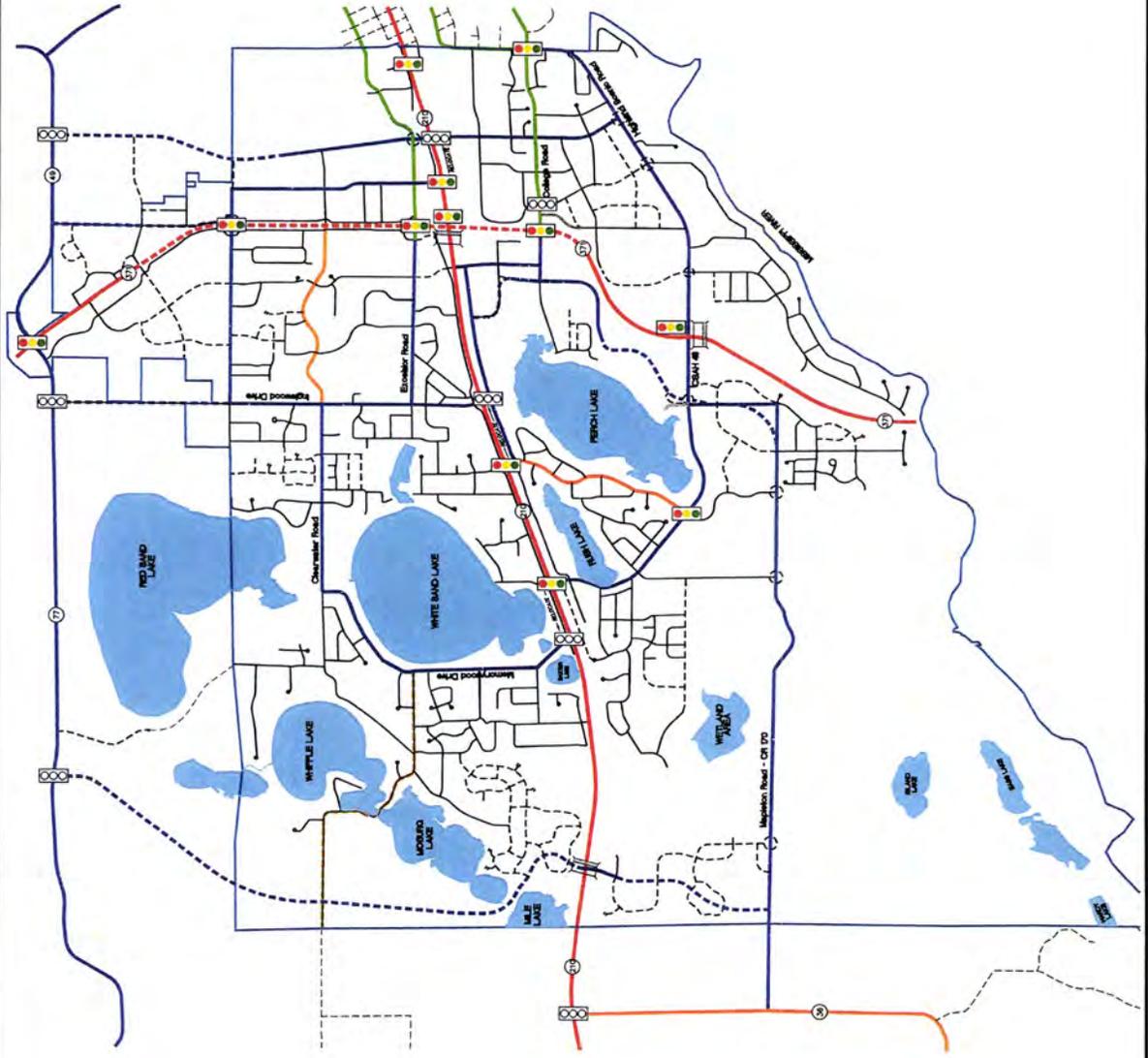


CITY OF BAXTER LONG RANGE TRANSPORTATION AND FUNCTIONAL CLASSIFICATION STREET MAP



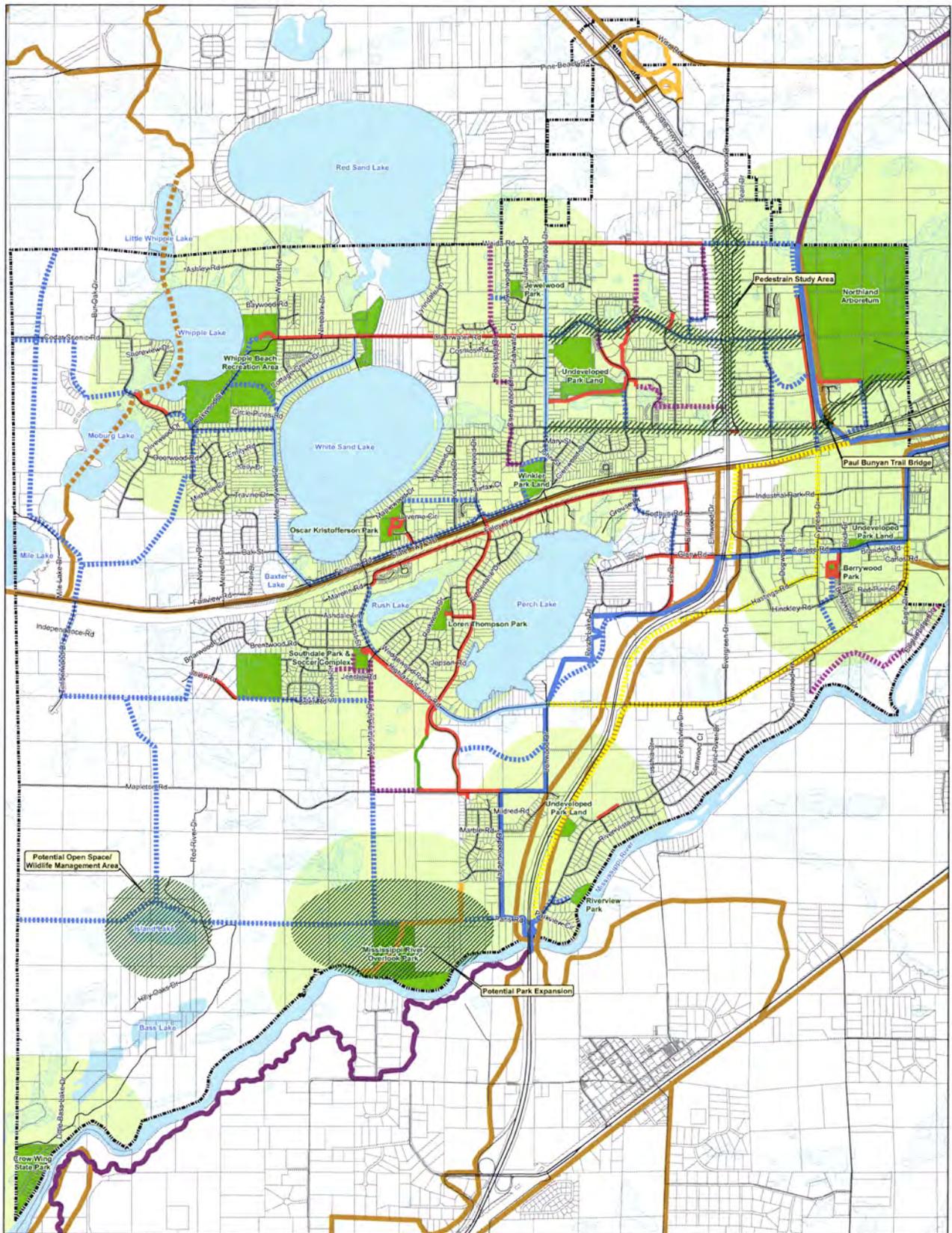
MUNICIPAL BOUNDARY

- | | | |
|---------------------|------------------|---|
| FUTURE | EXISTING | PRINCIPAL ARTERIAL |
| --- (dashed red) | — (solid red) | MINOR ARTERIAL |
| --- (dashed green) | — (solid green) | MAJOR COLLECTOR |
| --- (dashed blue) | — (solid blue) | MINOR COLLECTOR |
| --- (dashed orange) | — (solid orange) | LOCAL |
| ⊗ | ⊗ | SIGNALIZED INTERSECTION |
| ⊞ | ⊞ | SEPARATED GRADE CROSSING WITH NON-MOTORIZED TRAIL |



2-11-15





Future and Existing Parks and Trails System

City of Baxter Comprehensive Plan

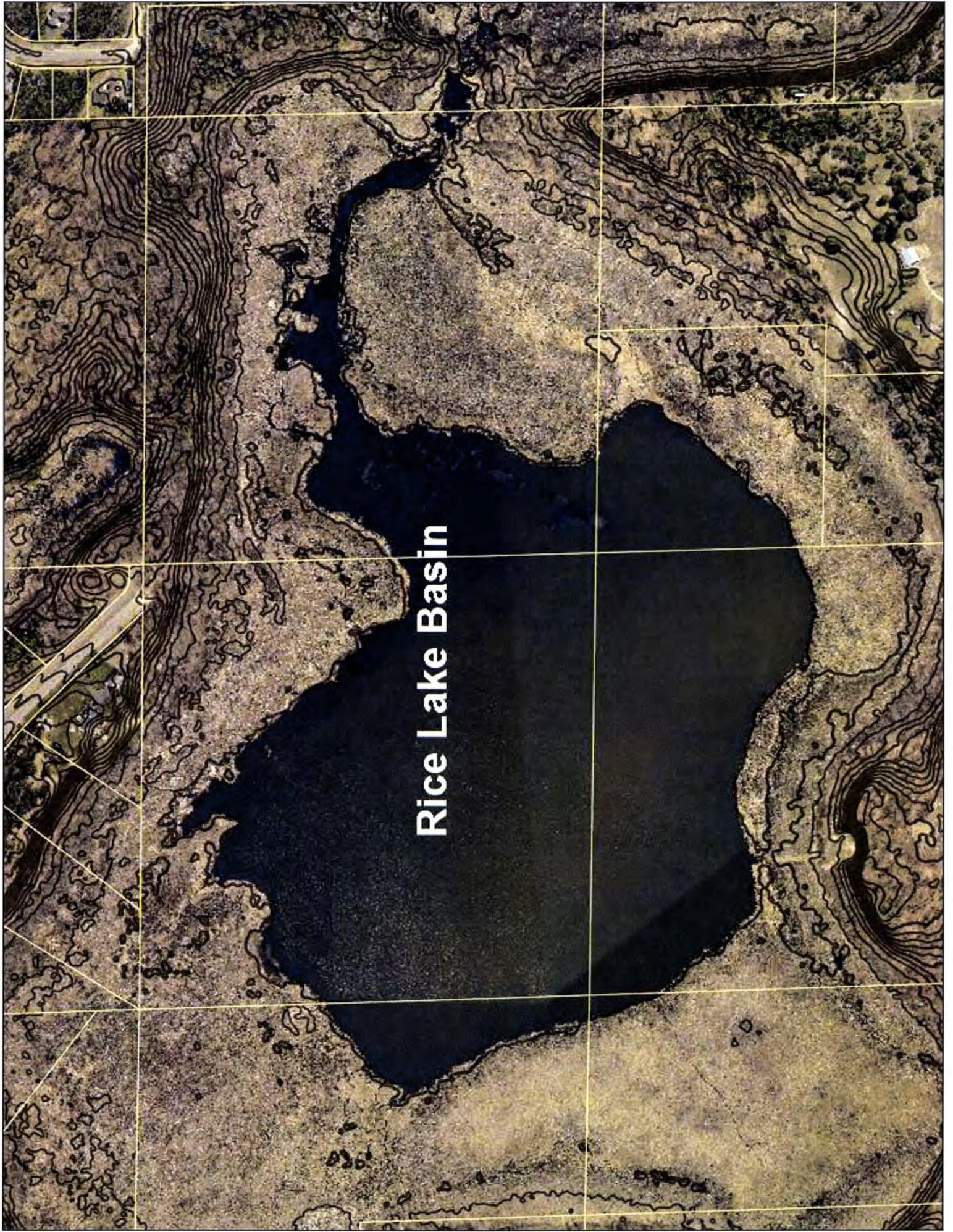
- Paul Bunyan State Trail - Baxter Segment
- Paul Bunyan State Trail Crow Wing County Segment
- - - Paul Bunyan State Trail Safety Re-Route Options
- Bike/Pedestrian Trail
- Wood Chip Trail
- Paved Roadway Shoulder
- Private Trail
- - - Future Bike/Pedestrian Trail
- - - Future Trail - Easement
- Snowmobile Trail
- - - Snowmobile Trail on Water Body
- Municipal Boundary
- Parks
- Half-Mile Park Service Areas



July 23, 2015



Island Lake



Rice Lake Basin