

IMPLEMENTATION

I. INTRODUCTION

The various chapters of the Montgomery Comprehensive Plan outline the City's overall plan for growth and redevelopment. This chapter identifies methods the City of Montgomery will employ to implement the Comprehensive Plan and associated goals and objectives as identified by the community.

The Implementation Chapter of Montgomery's Comprehensive Plan includes a summary of the following:

- The City's Official Controls including its Zoning Ordinance and Subdivision Ordinance;
- The City's Capital Improvement Plan; and,
- A Housing Implementation Program.

This Chapter also includes information relating to orderly annexation and future comprehensive plan amendments.

II. ZONING ORDINANCE

The City of Montgomery Zoning Ordinance includes specific regulations governing land use and an official zoning map. With formal approval of the Comprehensive Plan, the City Council recognizes the Comprehensive Plan as the 'umbrella' policy guiding the overall growth and redevelopment of the City of Montgomery. The policies/goals identified are in part carried out through standards regarding land use set forth within the Zoning Ordinance.

The City shall administer the Zoning Ordinance on an on-going basis. As required by state statutes, the City shall achieve consistency between the Comprehensive Plan and the Zoning Ordinance.

Purpose: The purpose and intent of the Montgomery Zoning Ordinance is outlined in eight statements within the Zoning Ordinance. In summary, the purpose is to protect the public health, safety, and general welfare by regulating the use of land, the location and use of buildings and the arrangement of buildings on lots, and the density of the population in the City. The purpose, within the Ordinance, is identified as:

1. Protecting the public health, safety, comfort, convenience and general welfare.
2. Dividing the area in the city into zones and districts regulating therein the location, construction, reconstruction, alteration and use of structures and land.
3. Promoting orderly development of the residential, business, industrial, recreational and public areas.
4. Conserving and developing the natural resources in the city.
5. Providing for the compatibility of different land uses and the most appropriate use of land throughout the city while carrying out the intent of the Comprehensive Plan.
6. Providing for the administration of this ordinance and defining the powers and duties of the administering officer as provided hereinafter.
7. Prescribing penalties for the violation of the provisions in this ordinance or any amendment thereto.
8. To prohibit the use of buildings, structures, and lands that are incompatible with the intended use or development of lands within the specified zones.

Contents: Local controls relative to the Land Use portion of the Comprehensive Plan and provided by the Zoning Ordinance include, but are not limited to, the following:

- Title
- Intent and Purpose
- Rules and Definitions

- General Provisions
- Administration
- Zoning Districts and Provisions
 - R-1 Single Family Residential District
 - R-2 Medium Density Residential District
 - R-3 High Density Residential District
 - RR Rural Residential District
 - B-1 Highway Commercial District
 - B-2 Community Commercial District
 - B- 3 Central Business District
 - I-1 Light Industrial District
 - I-2 Medium Industrial District
 - PUD Planned Unit Development District
- Performance Standards
- Violations and Penalties

Official Zoning Map/District Descriptions: A copy of the City of Montgomery's Official Zoning Map is included as Map 4-2 within Chapter 4 of the Comprehensive Plan. The zoning district matrix in Table 11-1 depicts allowable densities/intensity of use and lot sizes.

**TABLE 11-1
ZONING DISTRICT DIMENSIONAL STANDARDS MATRIX**

<u>District</u>	<u>Lot Area</u> ¹	<u>Lot Width</u> ²	<u>Ave. Min. Density</u>	<u>Front Yard</u>	<u>Side Yard</u> ⁴	<u>Rear Yard</u>	<u>Maximum Height</u> ⁵	<u>Lot Coverage</u> ⁶
R-1 Single Family Residential District	8,000 sq ft single fam. 10,000 sq ft 2-family	80 ft. single 100 ft 2-family	3.5 to 4.3 unit per acre	25 ft	7 ft internal	30 ft or 25% of lot depth whichever is less	35 ft	40%
R-2 Medium Density Residential	8,000 sq ft single-family 10,000 sq ft 2-family 3,000 sq ft per unit MF	100 ft sq 1 & 2 family +20 ft for each unit over two family	3.5 to 4.3 units per acre one & two family. Up to 11.6 units per acre multiple family	25 ft	10 ft sf. Attached/duplex 7 ft. detached 25 ft corner	30 ft	40 ft	40% with 400 sq ft. open space per dwelling unit

District	Minimum Lot Area	Minimum Lot Width	Ave. Min. Density¹	Setback Front Yard	Setback Side Yard	Setback Rear Yard	Maximum Height	Max. Lot Coverage
R-3 High Density Residential	8,000 sq ft single-family And 1,400 sq ft per lot per unit multiple family	100 ft	Up to 24 units per acre units per acre	25 ft	7 ft single family 10 ft multiple family	30 ft	45 ft	40%
Rural Residential	1.5 acres	25 ft	1 unit per 1.5 acres	50 ft	25 ft	10 ft.	40 ft	30%
B-1 Highway Commercial District	10,000 sq ft	50 ft	NA	25 ft	10 ft	10 ft	35 ft	90%
B-2 Community Commercial	10,000 sq ft	50 ft	NA	25 ft	10 ft	20 ft, 40 ft if adjacent to residential	35 ft	90%
B-3 Central Business District	3,000 sq ft.	25 ft	NA	0' unless abutting an alley R-O-W or residential district, then 10'			42 ft.	100%
I-1 Light Industrial District	20,000	100 ft	NA	30 ft 50 ft from res.	15 ft, 35 ft from corner 50 ft from res.	30 ft 10 ft from alley	40 ft.	75%
I-2 Medium Industrial District	40,000 sq ft	150 ft	NA	45 ft	30 ft	25 ft	40 ft	75%

1. Maximum Units per net acreage (Assumes net acreage equals gross acreage less 20% for wetlands, surface water, floodplain, and existing road easements or rights-of-way divided by the minimum lot area allowed per Ordinance or sq feet allowed/34,848 sq ft (80% of 43,560).

Implementation: The Zoning Ordinance is reviewed and subsequently administered by planning staff, the Planning Commission and the City Council.

The Zoning Ordinance is subject to periodic review to ensure consistency with the City's Comprehensive Plan and overall goals/objectives as defined by the City. The City Council may amend the Ordinance provided the Council adheres to constitutional, statutory, and other lawful procedures. The City shall not approve zoning ordinance amendments which conflict with the current Comprehensive Plan.

In order to ensure the Zoning Ordinance is consistent with the goals and objectives of this Comprehensive Plan, the Planning Commission and Council should, after approving the Comprehensive Plan, amend the zoning ordinance to address the following:

Recommendations:

1. **Amend the B-1 Zoning Regulations, Section 1106, Subd. 6.** The Planning Commission and City Council should review and amend the B-1, Highway Commercial District.
 - a. At this time, the Zoning Ordinance allows single-family residential development as a permitted use in the Highway Commercial District, with commercial uses allowed only through the issuance of a conditional use permit which requires a public hearing. In order to meet the intent of the B-1 District and encourage commercial development, it is recommended zoning regulations allow commercial uses as permitted uses. Residential uses could be considered through a conditional use permit or interim use permit.
 - b. The minimum lot size in the B-1 District is 10,000 square feet with a minimum lot width of 50 feet. The lot size requirements should be reviewed to ensure sufficient minimum requirements for highway commercial uses.
2. **I-1, Light Industrial, Section 1106, Subd. 9.** As the City continues to grow and expands industrial areas near higher visible roadways, the city may wish to include additional design standards or landscaping/screening requirements.
3. **Amend the I-2 Zoning Regulations, Section 1106, Subd. 10. (6), Conditional Uses.** A number of the currently allowed conditional uses may not fit with the stated goals and vision of the community. These uses should be reviewed to ensure compatibility.
4. **Review Section 1107, Performance Standards including Subd. 16, Off-Street Parking requirements** to ensure the regulations are consistent with the desired vision for each district, as described in the Comprehensive Plan.
5. **Review site coverage regulations** in each district, specifically the highway commercial district, to ensure adequate green space to achieve the City's vision.
6. **Develop minimum Design Standards** for buildings in the B-1, Highway Commercial District, Section 1106.
7. **Zoning Map.** It is recommended the City update the Zoning Map to rezone properties identified in Chapter 4 as redevelopment sites with a different zoning designation to ensure consistency between the Comprehensive Plan future land use map and Zoning Map.

III. SUBDIVISION ORDINANCE

The City of Montgomery Subdivision Ordinance regulates the division or platting of land within the City's corporate limits. The Planning Commission has been working on updates to the Subdivision Ordinance; however, the changes have not been officially adopted at the time of this Comprehensive Plan update.

Purpose: As stated in the Subdivision Ordinance, the Ordinance, "is enacted for the purpose of safeguarding the best interests of the public, the homeowner, the subdivider, and the investor; encouraging well planned subdivisions by the establishment of adequate standards for design and construction and in order that new subdivisions will be integrated in the general plans of the community, thereby contributing toward an attractive, orderly, stable, and wholesome community environment with adequate municipal services and safe streets."

Contents: The Subdivision Ordinance includes the following Sections:

- Section 1200 – Scope, Application, Rules and Definitions
- Section 1205 – Subdivision Procedures

- Section 1210 – General Requirements for Subdivisions
- Section 1215 – Design Standards
- Section 1225 – Documents to be Filed
- Section 1230 – Administration
- Section 1298 – Compliance, Violations and Penalties
- Section 1299 – Separability

Implementation: The Subdivision Ordinance is subject to periodic review to ensure consistency with the City's Comprehensive Plan and overall goals/objectives as defined by the City. The City Council may amend the Ordinance provided the Council adheres to constitutional, statutory and other lawful procedures. The City shall not approve Subdivision Ordinance amendments which conflict with the current Comprehensive Plan.

In order to ensure the Subdivision Ordinance is consistent with the goals and objectives of this Comprehensive Plan, the Planning Commission and Council, after approving the Comprehensive Plan, should consider amending the subdivision ordinance to address the following:

Recommendations:

1. **Section 1200.** The Planning Commission and City Council should consider expanding the applicability of the Subdivision Ordinance, expansion of definitions utilized and update language relating to variances and practical difficulties.
2. **Section 1205.** The Planning Commission and Council should review the required process and expand the language to include notification to MnDOT for plats along state highways, the county for plats along county roads and the park board for review of park land dedication.
3. **Section 1205.03.** The Planning Commission and Council should consider language for “minor subdivision” and a simplified process to handle divisions which result in no more than two lots.
4. **Section 1210.** The Planning Commission and Council should review and consider expanding the general improvements required and conditions for preliminary plat approval.
5. **Section 1215. Design Standards.** The City should consider requirements for the planting of trees in new subdivisions and preservation of steep slopes, per Chapter 2 of this Comprehensive Plan.
6. **Section 1215.03, Subd. 8. On-Site Utilities.** City staff and the Planning Commission should review current provisions which allow for on-site utilities versus connections to the City’s utility system and prepare recommendations for potential amendments, encouraging the use of the City’s public infrastructure.
7. **Section 1215.07, Subd. 3: Parks, Open Space and Natural Resources.** The Planning Commission and City Council should review park dedication standards to assure they are adequately addressing the needs of the park system through developer dedication. The City should require the Park Board review proposed parkland dedication and/or fee in lieu of parkland dedication and make a recommendation to the City Council relating to the adequacy of said dedication and its consistency with existing plans and ensure fees are appropriate to support capital improvement proposed in the capital improvement plan.
8. **Section 1215.08, Premature Subdivisions.** The Planning Commission and City Council should consider expanding this Section to include as a premature subdivision those plats where the design of the subdivision or the type of improvements will conflict with easements of record or with easements established by judgment of the court. This Section should be expanded to note, “The City shall not deny approval of a subdivision based solely on an inadequate supply of parks, open spaces, trails or recreational facilities within the municipality.”

IV. CAPITAL IMPROVEMENT PLAN

The City of Montgomery is in the process of developing a Capital Improvement Program (CIP) which identifies projects, prioritizes expenditures by year to be completed, includes the estimated cost and identifies sources of funding. The CIP should be reviewed as a part of the annual budget process.

The overall objective of the Capital Improvement Plan (CIP) is to provide for the efficient use of fiscal resources in funding future capital expenses. The CIP should be a flexible, evolving tool the City uses as a guide for the future. The annual CIP update should allow for capital necessity and prioritization changes. Along with anticipated expenditures, the CIP should include proposed sources of funding such as special assessments, enterprise funds (water, sanitary sewer, and storm sewer), state aid, annual levy, etc. Expenditures for water, sewer, transportation (street/sidewalk/trail), equipment purchases and public facilities are included. The phasing in of projects which require the same sources of funds assists in retaining a level annual tax levy.

V. HOUSING PLAN

Chapter 5 of the Comprehensive Plan addresses a Housing Plan for the City of Montgomery. The following goals are included:

1. Encourage a Balanced Supply of Housing.
2. Promote Well-Maintained Housing
3. Design Pedestrian and Vehicular Linkages between Housing, Recreation and Employment
4. Address Affordable Housing Needs identified and still relevant from the 2007 Housing Study
5. Encourage Infill Programs to Stimulate Residential Development
6. Review the Role of the HRA

VI. GROWTH AREAS AND ANNEXATION

The City of Montgomery, through its comprehensive planning process, has identified land use needs to accommodate additional residential, commercial and industrial development both within the existing corporate limits as well as in potential annexation areas. The urban growth boundary (Map 6-8 included in Chapter 4) is anticipated to meet the needs of the city to the year 2035 and beyond. The urban growth boundary will coincide with municipal utility service areas and projected capital infrastructure. Parcels within the urban growth boundary are to be annexed into the City of Montgomery prior to being developed.

At this time the City does not have a Joint Annexation Agreement in place with Montgomery or Lanesburgh Townships.

Recommendations:

1. It is recommended the City of Montgomery begin working with Montgomery and Lanesburgh Townships on the development of an Orderly Annexation Agreement.
2. Take an active role and provide comments on the Le Sueur County Comprehensive Plan, especially for areas which affect Montgomery or can be cooperative projects such as transportation systems, regional trails or parks and land uses adjacent to the city.

VII. COMPREHENSIVE PLAN REVIEW AND REVISION

The Comprehensive Plan is intended to guide the growth of the community. As events and circumstances within the community change, the Comprehensive Plan shall be reviewed and updated, as appropriate. Amendments to the Comprehensive Plan shall not occur without public notice, a public hearing conducted by the Planning Commission and final approval by the City Council. Amendments to the Comprehensive Plan should be considered if there have been changes within the community or issues arise which were not anticipated by the Plan.

Recommendations:

1. It is recommended the Planning Commission and City Council review and update the Comprehensive Plan at five to ten year intervals to ensure it is a current reflection of the city's growth patterns, community goals and land use needs.
2. The Comprehensive Plan may be amended upon petition from the public, initiation by the Planning Commission or direction from the City Council. No amendment shall be adopted until a public hearing has been conducted by the Planning Commission with recommendation to the City Council. A 2/3 affirmative vote of the City Council is required to amend the Plan.
3. It is recommended that, on an annual basis, the City Administrator report to the Planning Commission and City Council (re)development issues which have occurred as they relate to the Comprehensive Plan, proposed projects which have an impact on the accuracy on the Plan projections, and a list of implementation goals identified within the Plan and the status of implementation.