

## COMMERCIAL USES

As the discussion above notes, there is one commercially-classified use in the Township. The Township has chosen to zone no property for commercial use beyond the accessory activities that may occur on what are principally Agricultural or Residential properties. Where existing Commercial Uses are present, the standard approach is to consider nonconformities as an allowed ongoing activity, but without expansion. The Township may entertain the possibility of additional limited expansion when the Township is presented with the opportunity to address any existing or expected land use-related concerns.

Home-Based Business. The most prominent business activity in the Township is that of home-based business. The Township's zoning regulations create an extensive allowance for commercial uses that are established by the occupant of residential property. Those regulations are governed by the principle that while the Township maintains a broad acceptance of these business uses, there is a concurrent expectation that those businesses are operated in a manner that minimizes – or avoids completely – negative non-residential impacts on neighboring residential uses.

Because the land use approach of Chengwatana is to allow, within its single zoning district, the potential for rural residential throughout the township, it will be important for the Township to regulate home-based business as if such residential areas are currently in place – even if no such residential is yet developed. The expansion of commercial activity as businesses grow can be a powerful incentive to overlook the impacts when the surrounding areas are not yet developed.

The primary commercial activities in home-based businesses are to be contained within a building or buildings on otherwise residentially-used property. Concerns most often raised by the mixing of business uses in residential areas are due to outdoor use, including active noise issues, outdoor storage, or materials and equipment.

A successful approach to accommodating home-based business uses is through the application of Interim Use Permits. These zoning permits are specific to the use and the user, and can be time-limited to a specific period on the calendar, or to some specific event, such as the occupant's residence on the property. In this way, they avoid being automatically passed on as a property right from owner to owner when land changes hands (such as with permitted uses or conditional uses).

Short-Term Rental. A cross-use category, Short-Term Rental is a quasi-residential land use, which focuses on transient lodging occupants. While short-term rental occupants utilize the property in a residential manner, there are occasional impacts that can be of concern for permanent residents. Included are the potential for “party houses”, or increased amounts of traffic to and from the house.

Short-Term Rental differs from a home-based business in that the owner or a long-term resident of the property is most often not living on site. Non-resident business operators have more difficulty managing the potential impacts of their use. As such, it is desirable to license Short-Term Rental uses, or require Interim Use Permits to enable enforcement against disruptive land uses.

Resorts/RV Parks. Short-Term Rental consists generally of stays that are less than 30 days in length. More than this and the occupancy is classified as a residential use. Resorts provide residential occupancies for often a full season (and sometimes year-round), but the occupancy is of a recreational nature, and most resort stays are by those that have other permanent residency.

Resort development raises concerns related to clustering of recreational vehicles and/or cabins, and occasionally, some aspect of commercial activity serving the resort residents. Because Chengwatana has a strong recreational and environmental attraction, resort development requires a significant amount of careful consideration to ensure that is both environmentally sound and its impacts are not inconsistent with the residential uses surrounding (or sharing the road with) the resort use.

Interim Use Permits are well-suited to regulating this type of development. It is common throughout Minnesota that long-standing resort developments have sought to be converted to permanent residential uses. By tying the IUP firmly to the resort use, the property owner seeking this type of conversion would need to appeal to the Township and other regulatory authorities to ensure that any such conversion would be accomplished in accordance with the applicable land use regulations for that future use (rather than the prior resort use).

Event Centers. These uses are often hybrid uses that capitalize on an existing agricultural amenity of the property. Examples include apple orchards that accommodate harvest-related sales and entertainment, or vineyards that create on-site winemaking and related sales. Both examples, and others, will often seek to use the facilities developed for these ag-related activities on a more year-round basis.



The nature of these uses can be expansive, and depending on the use, create impacts far beyond the agricultural aspects of the property in question. Moreover, they will often create intensive traffic – and potential noise from music or crowds - when in use. The Township may require that such uses be restricted to paved roadways that are designed and maintained to handle these types of land uses. Rural gravel roadways are easily damaged by heavy traffic.

Further, ensuring that noise generated by these uses is well-insulated or directed away from sensitive neighboring land use is key to long-term compatibility.

Other Commercial Uses. At this time, no other commercial uses are anticipated in the Township. Because the overall Vision is focused on agriculture and rural residential, commercial activities shall be limited to those that are compatible with these objectives and that over the long-term, the attraction of the community's residential uses is protected from undue intrusion.

The Township expects that occasionally property owners to seek to introduce new or novel commercial uses. The introduction of new business activities that are not home-based will require amendment to the Township's zoning regulations. This process will provide an opportunity for both the Township officials and public to understand the nature of the proposed use, craft regulations around its introduction to the community, and consider whether the use and any restrictions can rise to meet the goals and policy expectations of Chengwatana.

This document is designed to provide a solid basis for determining when and whether the introduction of new uses is reasonable. It creates both a framework for allowing well-adapted uses, as well as a basis for rejecting those that are incompatible with the Vision and/or its component goals and policies.