

City of Ramsey
Agenda
City Council Work Session
Tuesday May 22, 2012
5:30 p.m.
Lake Itasca Room 7550 Sunwood Drive NW

- 1. Call to Order**
- 2. Topics for Discussion**
 1. Review Proposed Single Family Floor Plan for Ramsey Town Center 10th Addition
 2. Review Allowable Residential Uses Permitted by Minnesota Statute
 3. Review Zoning Code Updates Related to the 2030 Comprehensive Plan Update
- 3. Future Topics for Discussion - *See Attached Calendar***
 1. Review Future Work Session Topics/Calendar
- 4. Mayor/Council/Staff Input**
- 5. Adjournment**

CC Work Session**2. 1.****Meeting Date:** 05/22/2012**By:** Tim Gladhill, Community Development**Title:**

Review Proposed Single Family Floor Plan for Ramsey Town Center 10th Addition

Background:

The City has received a request to review a single family floor plan in the Ramsey Town Center 10th Addition from Novak Fleck Custom Homes. The Builder has not yet submitted an application for a Building Permit review, but wants to receive preliminary comments from the City Council.

Staff does not typically forward each new floor plan for review by the City Council. As Staff works through implementation of the revised Design Framework, Staff wants to ensure that the Design Framework has been drafted consistent with the policy direction from the City Council.

Staff has been reviewing the proposed plan with the Builder and identified two (2) issues with the floor plan as it relates to the Design Framework for The COR. The builder would like to review the proposed floor plan in more detail with the City Council. The proposed floor plan is a split level with a tuck-under garage. The Builder has addressed many of the items of the Design Framework, such as additional brick, variation of materials, and an attempt to provide equal treatment to each side of the home. The Builder has also chosen a floor model that limits the massing of the roof line on the street facing facade.

As mentioned, Staff identified two (2) outstanding items to address. First, the floor plan appears to be dominated by the projecting, attached garage with a minimal, recessed front entry. The Builder has made an effort to off set this provision by enhancing the covered front entryway, which expands beyond the limits of the front facade as well as providing for a second story over the garage. Secondly, as previously stated, the front porch is not fully an integral portion of the primary structure, and extends sideways beyond the limits of the dwelling itself. The size of the covered front porch meets the technical dimensions of the required front porch. Staff would like feedback from the City Council as to whether it believes the front porch is an integral part of the dwelling and its compliance with the Design Framework for The COR.

A copy of the Design Framework has been forwarded to the Builder. Staff has been working with the Builder to identify issues with the chosen floor plan and compliance with the Design Framework. The Builder has provided several renditions and ideas to address the Design Framework, and has made an effort to amend the front facade to meet the City's guidelines.

Mr. Rick Novak of Novak and Fleck Custom Homes will be available to answer questions on the proposed floor plan.

Notification:

No notification required.

Observations:**Recommendation:**

Based on discussion.

Funding Source:

Review is being handled as part of regular Staff duties.

Council Action:

Based on discussion.

Attachments

Request for Review Letter

Front Elevation

Lower Level Plan

Main Level Floor Plan

Upper Level Floor Plan

Form Review

Inbox

Kurt Ulrich

Reviewed By

Kurt Ulrich

Date

05/17/2012 03:00 PM

Form Started By: Tim Gladhill

Started On: 05/16/2012 02:18 PM

Final Approval Date: 05/17/2012



Novak-Fleck, Inc.

Custom Home Builder

5-16-12

City of Ramsey
7550 Sunwood Drive NW
Ramsey MN 55303

Dear Ramsey City Counsel,
Please accept our new home plan for approval. We have worked with Tim Gladhill for numerous hours to come up with a plan that we feel meets the City of Ramsey standards.

We greatly appreciate your time in reviewing and accepting our plan.

Sincerely,

Rick Novak
Novak-Fleck Inc

8857 Zealand Avenue North • Brooklyn Park, MN 55445
(763) 424-4955 • Fax: (763) 391-6680 • www.novak-fleck.com

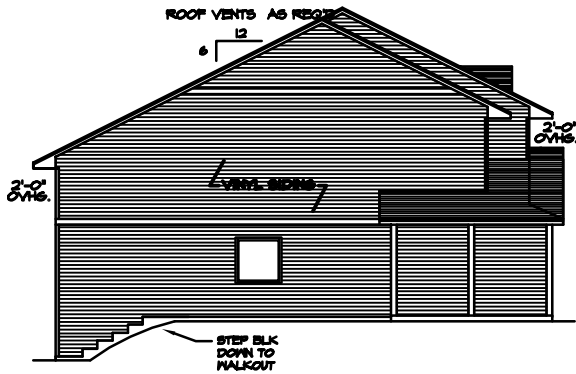


Builder License #0001631



NF

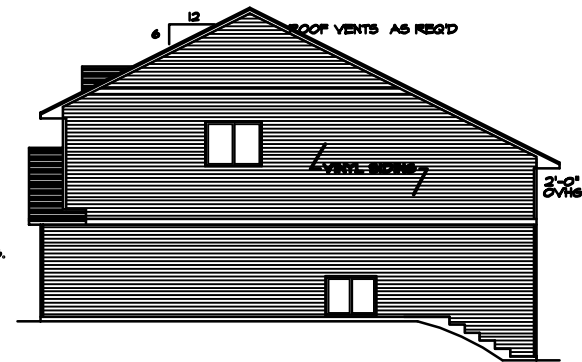
NOVA-FLEX INC.
RESIDENTIAL DESIGN



LEFT ELEVATION
SCALE: 1/8"=1'-0"



REAR ELEVATION
SCALE: 1/8"=1'-0"



RIGHT ELEVATION
SCALE: 1/8"=1'-0"



FRONT ELEVATION
SCALE: 1/4"=1'-0"

NOTE:
-DUE TO ELECTRONIC REPRODUCTION THIS PLAN MAY NOT SCALE CORRECTLY. THE HOUSE WILL BE BUILT ACCORDING TO THE DIMENSIONS SPECIFIED.
-ALL ELECTRICAL SYMBOLS SHOWN ARE APPROXIMATE ACTUAL PLACEMENT WILL BE DETERMINED BY THE ELECTRICIAN PER CODE REQUIREMENTS.
-ALL SQUARE FOOTAGES ARE PRELIMINARY BUT NOT GUARANTEED.
-ARTWORK BOXES ON EXTERIOR WALLS (CATEGORY ONE)
-CAULK & FLASH ALL EXTERIOR OPENINGS.

WINDOW GUIDE

2'-0" OVH

PLAN REVIEW/DATE

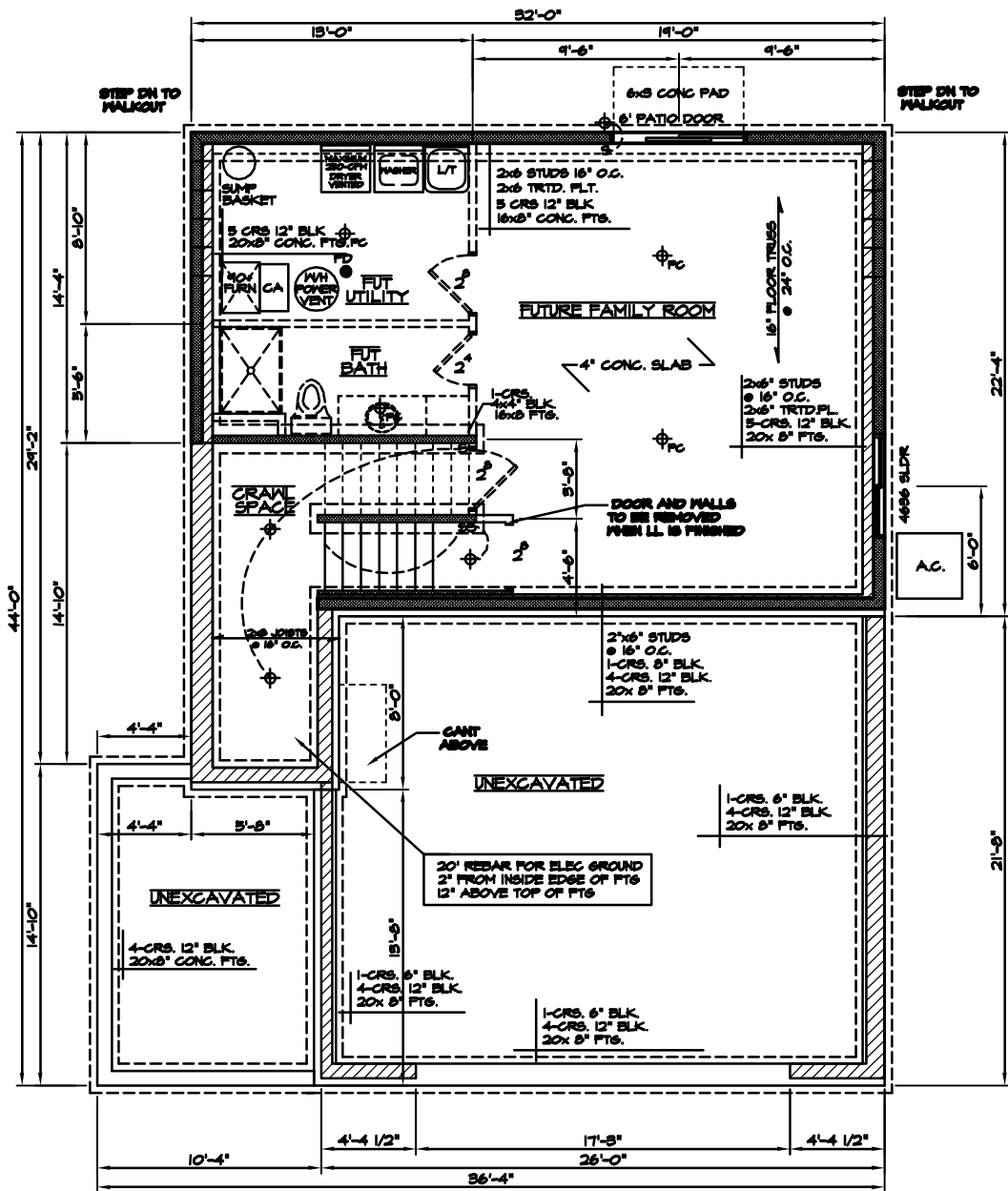
BUYER/DATE

BUYER/DATE

STANDARD SERIES SPLIT

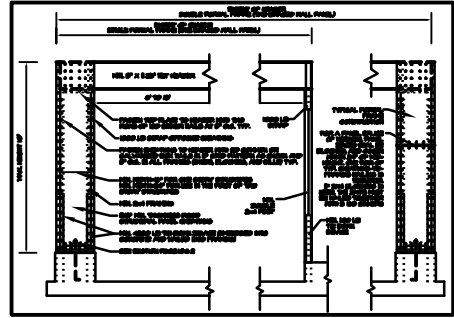
FIRST FLOOR-	16742
FRENCH-	16742
SECOND FLOOR-	62642
FRENCH-	62642
LOWER LEVEL-	73344
FRENCH-	0000

FRENCH PTB.
RAVENS
SPEC



LOWER LEVEL & FOUNDATION PLAN
SCALE: 1/4"=1'-0"

WINDOW HDR. SIZES
 1'-5" = 2-2x10 HDRS.
 6'-8" = 2-1 3/4"x9 1/2" TIMBERSTRAND
 9'-12" = 2-1 3/4"x11 7/8" TIMBERSTRAND
 (UNLESS NOTED OTHERWISE)



NOTE:
 -DUE TO ELECTRONIC REPRODUCTION THIS PLAN MAY NOT SCALE CORRECTLY. THE HOUSE WILL BE BUILT ACCORDING TO THE DIMENSIONS SHOWN.
 -ALL ELECTRICAL SYMBOLS SHOWN ARE APPROXIMATE. ACTUAL PLACEMENT WILL BE DETERMINED BY THE ELECTRICIAN PER CODE REQUIREMENTS.
 -ALL SQUARE FOOTAGES ARE PRELIMINARY. (CATEGORY ONE)
 -CAULK & FLASH ALL EXTERIOR OPENINGS.

WINDOW GUIDE

PLAN REVIEW/DATE

BUYER/DATE

BUYER/DATE

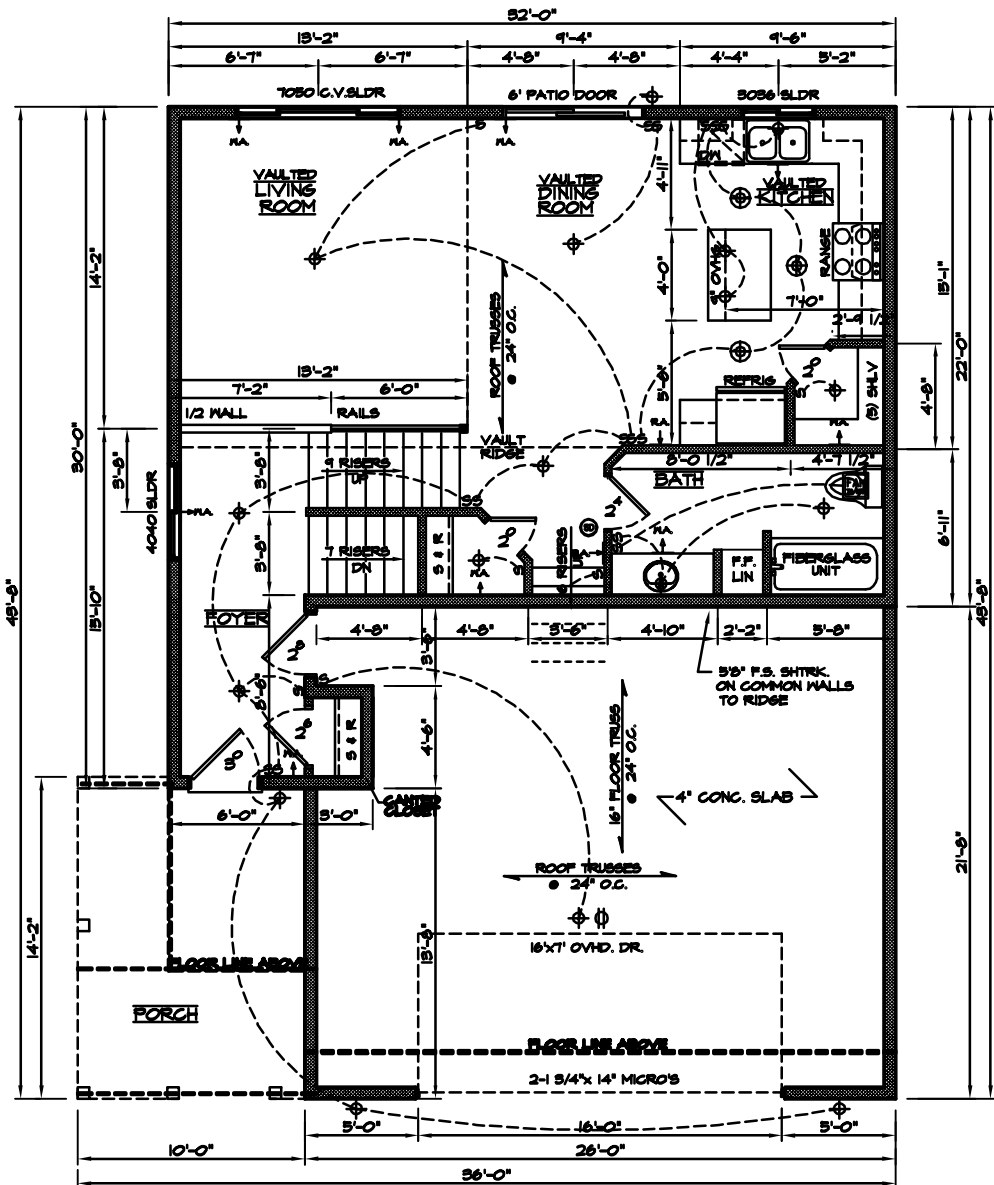
STANDARD SERIES SPLIT

FIRST FLOOR = 1512
 FINISHED
 SECOND FLOOR =
 FINISHED
 LOWER LEVEL =
 FINISHED
 FINISHED 20.0 FTG.
 RAFTERS
 SPEC

NF

NOTES

NOTE:
ALL CABINET & VANITY DIMENSIONS & DOOR SWINGS ARE TO BE DETERMINED BY THE MANUFACTURER. ELEVATIONS & DIMENSIONS ARE FOR REFERENCE ONLY AND MAY VARY.



○ BARN
■ PILE

CABINET ELEV.
SCALE: 1/4"=1'-0"

VANITY ELEV.
SCALE: 1/4"=1'-0"

NOTE:

- DUE TO ELECTRONIC REPRODUCTION THIS PLAN MAY NOT SCALE CORRECTLY. THE HOUSE WILL BE BUILT ACCORDING TO THE DIMENSIONS SHOWN.
- CALL TO FIELD CONSULTANT FOR SPECIFICATIONS AND CHANGES MAY BE NECESSARY.
- ALL ELECTRICAL SYMBOLS SHOWN ARE APPROXIMATE. ACTUAL PLACEMENT WILL BE DETERMINED BY THE ELECTRICIAN PER CODE REQUIREMENTS.
- ALL SQUARE FOOTAGES ARE PRELIMINARY BUT NOT GUARANTEED.
- CAULK & FLASH ALL EXTERIOR OPENINGS.

WINDOW GUIDE

PLAN REVIEW/DATE

BUYER/DATE

BUYER/DATE

STANDARD SHEETS
SPLIT

FIRST FLOOR-	167.42
FRENCH-	167.42
SECOND FLOOR-	628.42
FRENCH-	628.42
LOWER LEVEL-	733.44
FRENCH-	00.00

FRENCH
RAVENS
SPEC

NF

NOT A CONTRACT
FOR CONSTRUCTION

NOTE:
-DUE TO ELECTRONIC REPRODUCTION THIS PLAN MAY NOT SCALE CORRECTLY. THE HOUSE WILL BE BUILT ACCORDING TO THE DIMENSIONS SHOWN.
-ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
-ALL ELECTRICAL SYMBOLS SHOWN ARE APPROXIMATE ACTUAL PLACEMENT WILL BE DETERMINED BY THE ELECTRICIAN PER CODE REQUIREMENTS.
-ALL SQUARE FOOTAGES ARE PRELIMINARY BUT NOT GUARANTEED.
-ARTWORK BOXES ON EXTERIOR WALLS. (CATEGORY ONE)
-CAULK & FLASH ALL EXTERIOR OPENINGS.

WINDOW GUIDE

PLAN REVIEW/DATE

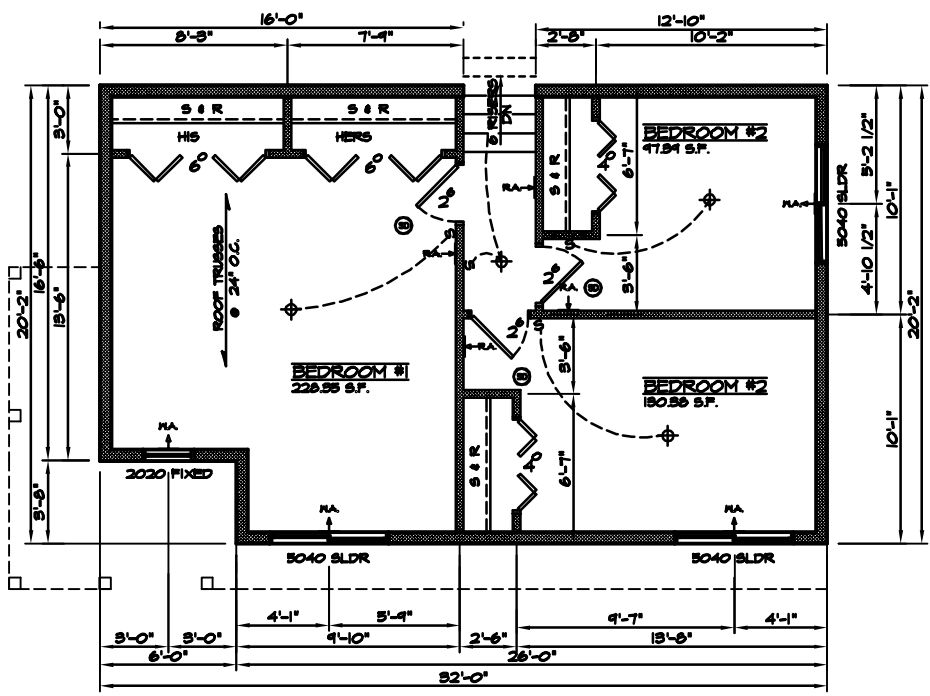
BUYER/DATE

BUYER/DATE

**STANDARD SERIES
SPLIT**

FIRST FLOOR-	167.42
FURNISH-	167.42
SECOND FLOOR-	626.42
FURNISH-	626.42
LOWER LEVEL-	733.44
FURNISH-	00.00

FRESH AIR P.T.S.
RAVENS
SPEC



UPPER LEVEL PLAN
SCALE: 1/4"=1'-0"

Meeting Date: 05/22/2012

By: Tim Gladhill, Community Development

Title:

Review Allowable Residential Uses Permitted by Minnesota Statute

Background:

The City Council identified a review of residential uses permitted under Minnesota Statutes as part of the 2012 Strategic Goals. This topic report is intended to provide a general overview of requirements of Minnesota Statutes and protections provided to certain uses. The City Attorney will also be available to review the applicable statutes.

Notification:

No notification required at this time.

Observations:

Permitted uses within a community are generally governed by the City's zoning ordinance. The City derives its police powers to provide for zoning regulations and enforcement through the State's enabling statute, Chapter 462. Specifically, Minnesota Statute Section 462.357 subd. 6a through subd. 8 provide standards a municipality must adopt as part of its zoning ordinance related to residential surroundings.

Subdivision 6a states that it is the policy of this state that persons with disabilities should not be excluded by municipal zoning ordinances or other land use regulations from the benefits of normal residential surroundings.

Subdivision 7 provides direction of uses that are permitted in single family areas. Said subdivision further states that these provisions do not apply to facilities whose primary purpose is to treat juveniles who have violated criminal statutes relating to sex offenses or have been adjudicated delinquent on the basis of conduct in violation of criminal statutes relating to sex offenses. Subdivision 7 states that the following shall be considered permitted single-family use:

- A state licensed residential facility or a housing with services establishment registered under chapter 114D serving six (6) or fewer persons.
- A licensed day care facility serving twelve (12) or fewer persons.
- A group family day care facility licensed under Minnesota Rules, parts 9502.0315 to 9502.0445 to serve fourteen (14) or fewer children.

Subdivision 8 states the following shall be considered permitted multifamily uses:

- A state licensed residential facility serving from seven (7) through sixteen (16) persons.
- A licensed day care facility serving from thirteen (13) through sixteen (16) persons.

Subdivision 8 further states that the City may require a conditional use or special use permit in order to assure proper maintenance and operation of a facility, provided that no conditions shall be imposed on the facility which are more restrictive than those imposed on other conditional uses or special uses of residential property in the same zones, unless the additional conditions are necessary to protect the health and safety of the residents of the residential facility. It appears that this provisions applies specifically to multifamily uses.

A common complaint Staff receives on these uses is a lack of advance notification, even though a license is being issued. Under recent amendments, Anoka County now provides some advance notification of a license about to be issued. Prior to that, the City was always notified once a license was issued. However, the City does not have a policy or ordinance that provides for direct notification to adjacent properties, nor a funding mechanism to provide said notification at this time. Furthermore, the City does not require a City-issued license for these uses.

As with all residential uses, the City has provisions found within City Code aimed at preventing permitted uses from becoming a nuisance or become inconsistent with the spirit and intent of the underlying zoning district. Most notably, Chapter 30 of City Code is the Public Nuisance chapter of City Code and provides a wide base of enforcement capabilities for situations defined as a Public Nuisance. These defined nuisances range from inoperable vehicles to accumulation of garbage and waste.

Chapter 30 mainly deals with outside conditions of a property. In addition, the City has adopted the International Property Maintenance Code that deals with the condition of buildings and structures. This maintenance code provides guidance in enforcing issues with the maintenance of existing structures. Furthermore, the Minnesota State Building Code provides the City an opportunity to review any modifications to the structure to ensure consistency with the underlying zoning district.

In addition, the City's off-street parking ordinance provides a limit on the number of items that are allowed to be stored outside and on a proper surface. This provision is aimed at preventing excessive off-street parking, and has an indirect effect of limiting the number of vehicle trips experienced under certain circumstances.

Also, the City does have a rental licensing program that applies to certain multi family structures, mainly apartment complexes with a common, internal hallway. In instances where problems arise in these settings, the City would have the opportunity to review the license for these facilities. Consistent with City Council direction and the revised Rental Licensing Program, this would not apply to single family and town home structures.

Finally, the City does have non-zoning related ordinances administered and enforced by the Police Department that protect public safety, public health, public peace and order, and public morals.

Looking forward, there are a few items for the City Council to consider. A provision that previously existed in City Code was a limitation on the number of unrelated persons allowed per dwelling unit. This was accomplished by a definition of 'Family'. Minnesota Statute and applicable case law provide sufficient legal authority to the City to provide said definition and provides framework into how the City may define. Staff continues to review other opportunities and ideas, and will provide additional recommendations at the Work Session.

Recommendation:

Based on discussion.

Funding Source:

Preparation of the Topic Report is being handled as part of regular Staff duties.

Council Action:

Based on discussion. Provide direction to City Staff as to potential ordinance amendments.

Attachments

[Minnesota Statute Section 462.357](#)

[Minnesota Statute Definitions](#)

Form Review

Inbox	Reviewed By	Date
Jim Way	Jim Way	05/16/2012 10:43 AM
Bill Goodrich	Jo Thieling	05/17/2012 05:45 PM
Kurt Ulrich	Jo Thieling	05/17/2012 05:47 PM

Form Started By: Tim Gladhill

Started On: 05/09/2012 04:37 PM

Final Approval Date: 05/17/2012

462.357 OFFICIAL CONTROLS: ZONING ORDINANCE.

Subdivision 1. **Authority for zoning.** For the purpose of promoting the public health, safety, morals, and general welfare, a municipality may by ordinance regulate on the earth's surface, in the air space above the surface, and in subsurface areas, the location, height, width, bulk, type of foundation, number of stories, size of buildings and other structures, the percentage of lot which may be occupied, the size of yards and other open spaces, the density and distribution of population, the uses of buildings and structures for trade, industry, residence, recreation, public activities, or other purposes, and the uses of land for trade, industry, residence, recreation, agriculture, forestry, soil conservation, water supply conservation, conservation of shorelands, as defined in sections 103F.201 to 103F.221, access to direct sunlight for solar energy systems as defined in section 216C.06, flood control or other purposes, and may establish standards and procedures regulating such uses. To accomplish these purposes, official controls may include provision for purchase of development rights by the governing body in the form of conservation easements under chapter 84C in areas where the governing body considers preservation desirable and the transfer of development rights from those areas to areas the governing body considers more appropriate for development. No regulation may prohibit earth sheltered construction as defined in section 216C.06, subdivision 14, relocated residential buildings, or manufactured homes built in conformance with sections 327.31 to 327.35 that comply with all other zoning ordinances promulgated pursuant to this section. The regulations may divide the surface, above surface, and subsurface areas of the municipality into districts or zones of suitable numbers, shape, and area. The regulations shall be uniform for each class or kind of buildings, structures, or land and for each class or kind of use throughout such district, but the regulations in one district may differ from those in other districts. The ordinance embodying these regulations shall be known as the zoning ordinance and shall consist of text and maps. A city may by ordinance extend the application of its zoning regulations to unincorporated territory located within two miles of its limits in any direction, but not in a county or town which has adopted zoning regulations; provided that where two or more noncontiguous municipalities have boundaries less than four miles apart, each is authorized to control the zoning of land on its side of a line equidistant between the two noncontiguous municipalities unless a town or county in the affected area has adopted zoning regulations. Any city may thereafter enforce such regulations in the area to the same extent as if such property were situated within its corporate limits, until the county or town board adopts a comprehensive zoning regulation which includes the area.

Subd. 1a. **Certain zoning ordinances.** A municipality must not enact, amend, or enforce a zoning ordinance that has the effect of altering the existing density, lot-size requirements, or manufactured home setback requirements in any manufactured home park constructed before January 1, 1995, if the manufactured home park, when constructed, complied with the then existing density, lot-size and setback requirements.

Subd. 1b. **Conditional uses.** A manufactured home park, as defined in section 327.14, subdivision 3, is a conditional use in a zoning district that allows the construction or placement of a building used or intended to be used by two or more families.

Subd. 1c. **Amortization prohibited.** Except as otherwise provided in this subdivision, a municipality must not enact, amend, or enforce an ordinance providing for the elimination or termination of a use by amortization which use was lawful at the time of its inception. This subdivision does not apply to adults-only bookstores, adults-only theaters, or similar adults-only businesses, as defined by ordinance.

Subd. 1d. **Nuisance.** Subdivision 1c does not prohibit a municipality from enforcing an ordinance providing for the prevention or abatement of nuisances, as defined in section 561.01, or eliminating a use determined to be a public nuisance, as defined in section 617.81, subdivision 2, paragraph (a), clauses (1) to (9), without payment of compensation.

Subd. 1e. **Nonconformities.** (a) Except as otherwise provided by law, any nonconformity, including the lawful use or occupation of land or premises existing at the time of the adoption of an additional control under this chapter, may be continued, including through repair, replacement, restoration, maintenance, or improvement, but not including expansion, unless:

(1) the nonconformity or occupancy is discontinued for a period of more than one year; or

(2) any nonconforming use is destroyed by fire or other peril to the extent of greater than 50 percent of its estimated market value, as indicated in the records of the county assessor at the time of damage, and no building permit has been applied for within 180 days of when the property is damaged. In this case, a municipality may impose reasonable conditions upon a zoning or building permit in order to mitigate any newly created impact on adjacent property or water body. When a nonconforming structure in the shoreland district with less than 50 percent of the required setback from the water is destroyed by fire or other peril to greater than 50 percent of its estimated market value, as indicated in the records of the county assessor at the time of damage, the structure setback may be increased if practicable and reasonable conditions are placed upon a zoning or building permit to mitigate created impacts on the adjacent property or water body.

(b) Any subsequent use or occupancy of the land or premises shall be a conforming use or occupancy. A municipality may, by ordinance, permit an expansion or impose upon nonconformities reasonable regulations to prevent and abate nuisances and to protect the public health, welfare, or safety. This subdivision does not prohibit a municipality from enforcing an ordinance that applies to adults-only bookstores, adults-only theaters, or similar adults-only businesses, as defined by ordinance.

(c) Notwithstanding paragraph (a), a municipality shall regulate the repair, replacement, maintenance, improvement, or expansion of nonconforming uses and structures in floodplain areas to the extent necessary to maintain eligibility in the National Flood Insurance Program and not increase flood damage potential or increase the degree of obstruction to flood flows in the floodway.

(d) Paragraphs (d) to (j) apply to shoreland lots of record in the office of the county recorder on the date of adoption of local shoreland controls that do not meet the requirements for lot size or lot width. A municipality shall regulate the use of nonconforming lots of record and the repair, replacement, maintenance, improvement, or expansion of nonconforming uses and structures in shoreland areas according to paragraphs (d) to (j).

(e) A nonconforming single lot of record located within a shoreland area may be allowed as a building site without variances from lot size requirements, provided that:

(1) all structure and septic system setback distance requirements can be met;

(2) a Type 1 sewage treatment system consistent with Minnesota Rules, chapter 7080, can be installed or the lot is connected to a public sewer; and

(3) the impervious surface coverage does not exceed 25 percent of the lot.

(f) In a group of two or more contiguous lots of record under a common ownership, an individual lot must be considered as a separate parcel of land for the purpose of sale or development, if it meets the following requirements:

(1) the lot must be at least 66 percent of the dimensional standard for lot width and lot size for the shoreland classification consistent with Minnesota Rules, chapter 6120;

(2) the lot must be connected to a public sewer, if available, or must be suitable for the installation of a Type 1 sewage treatment system consistent with Minnesota Rules, chapter 7080, and local government controls;

(3) impervious surface coverage must not exceed 25 percent of each lot; and

(4) development of the lot must be consistent with an adopted comprehensive plan.

(g) A lot subject to paragraph (f) not meeting the requirements of paragraph (f) must be combined with the one or more contiguous lots so they equal one or more conforming lots as much as possible.

(h) Notwithstanding paragraph (f), contiguous nonconforming lots of record in shoreland areas under a common ownership must be able to be sold or purchased individually if each lot contained a habitable residential dwelling at the time the lots came under common ownership and the lots are suitable for, or served by, a sewage treatment system consistent with the requirements of section 115.55 and Minnesota Rules, chapter 7080, or connected to a public sewer.

(i) In evaluating all variances, zoning and building permit applications, or conditional use requests, the zoning authority shall require the property owner to address, when appropriate, storm water runoff management, reducing impervious surfaces, increasing setback, restoration of wetlands, vegetative buffers, sewage treatment and water supply capabilities, and other conservation-designed actions.

(j) A portion of a conforming lot may be separated from an existing parcel as long as the remainder of the existing parcel meets the lot size and sewage treatment requirements of the zoning district for a new lot and the newly created parcel is combined with an adjacent parcel.

Subd. 1f. **Substandard structures.** Notwithstanding subdivision 1e, Minnesota Rules, parts 6105.0351 to 6105.0550, may allow for the continuation and improvement of substandard structures, as defined in Minnesota Rules, part 6105.0354, subpart 30, in the Lower Saint Croix National Scenic Riverway.

Subd. 1g. **Feedlot zoning controls.** (a) A municipality proposing to adopt a new feedlot zoning control or to amend an existing feedlot zoning control must notify the Pollution Control Agency and commissioner of agriculture at the beginning of the process, no later than the date notice is given of the first hearing proposing to adopt or amend a zoning control purporting to address feedlots.

(b) Prior to final approval of a feedlot zoning control, the governing body of a municipality may submit a copy of the proposed zoning control to the Pollution Control Agency and to the commissioner of agriculture and request review, comment, and recommendations on the environmental and agricultural effects from specific provisions in the ordinance.

(c) The agencies' response to the municipality may include:

(1) any recommendations for improvements in the ordinance; and

(2) the legal, social, economic, or scientific justification for each recommendation under clause (1).

(d) At the request of the municipality's governing body, the municipality must prepare a report on the economic effects from specific provisions in the ordinance. Economic analysis must state whether the ordinance will affect the local economy and describe the kinds of businesses affected and the projected impact the proposal will have on those businesses. To assist the municipality, the commissioner of agriculture, in cooperation with the Department of Employment and Economic Development, must develop a template for measuring local economic effects and make it available to the municipality. The report must be submitted to the commissioners of employment and economic development and agriculture along with the proposed ordinance.

(e) A local ordinance that contains a setback for new feedlots from existing residences must also provide for a new residence setback from existing feedlots located in areas zoned agricultural at the same distances and conditions specified in the setback for new feedlots, unless the new residence is built to replace an existing residence. A municipality may grant a variance from this requirement under section 462.358, subdivision 6.

Subd. 1h. Comprehensive plans in greater Minnesota; open spaces. When adopting or updating a comprehensive plan in a municipality located within a county that is not a greater than 80 percent area, as defined in section 103G.005, subdivision 10b, and that is located outside the metropolitan area, as defined by section 473.121, subdivision 2, the municipality shall consider adopting goals and objectives for the preservation of agricultural, forest, wildlife, and open space land and the minimization of development in sensitive shoreland areas. Within three years of updating the comprehensive plan, the municipality shall consider adopting ordinances as part of the municipality's official controls that encourage the implementation of the goals and objectives.

Subd. 2. General requirements. (a) At any time after the adoption of a land use plan for the municipality, the planning agency, for the purpose of carrying out the policies and goals of the land use plan, may prepare a proposed zoning ordinance and submit it to the governing body with its recommendations for adoption.

(b) Subject to the requirements of subdivisions 3, 4, and 5, the governing body may adopt and amend a zoning ordinance by a majority vote of all its members. The adoption or amendment of any portion of a zoning ordinance which changes all or part of the existing classification of a zoning district from residential to either commercial or industrial requires a two-thirds majority vote of all members of the governing body.

(c) The land use plan must provide guidelines for the timing and sequence of the adoption of official controls to ensure planned, orderly, and staged development and redevelopment consistent with the land use plan.

Subd. 3. Public hearings. No zoning ordinance or amendment thereto shall be adopted until a public hearing has been held thereon by the planning agency or by the governing body. A notice of the time, place and purpose of the hearing shall be published in the official newspaper of the municipality at least ten days prior to the day of the hearing. When an amendment involves changes in district boundaries affecting an area of five acres or less, a similar notice shall be mailed at least ten days before the day of the hearing to each owner of affected property and property situated wholly or partly within 350 feet of the property to which the amendment relates. For the purpose of giving mailed notice, the person responsible for mailing the notice may use any appropriate records to determine the names and addresses of owners. A copy of the notice

and a list of the owners and addresses to which the notice was sent shall be attested to by the responsible person and shall be made a part of the records of the proceedings. The failure to give mailed notice to individual property owners, or defects in the notice shall not invalidate the proceedings, provided a bona fide attempt to comply with this subdivision has been made.

Subd. 4. **Amendments.** An amendment to a zoning ordinance may be initiated by the governing body, the planning agency, or by petition of affected property owners as defined in the zoning ordinance. An amendment not initiated by the planning agency shall be referred to the planning agency, if there is one, for study and report and may not be acted upon by the governing body until it has received the recommendation of the planning agency on the proposed amendment or until 60 days have elapsed from the date of reference of the amendment without a report by the planning agency.

Subd. 5. **Amendment; certain cities of the first class.** The provisions of this subdivision apply to the adoption or amendment of any portion of a zoning ordinance which changes all or part of the existing classification of a zoning district from residential to either commercial or industrial of a property located in a city of the first class, except a city of the first class in which a different process is provided through the operation of the city's home rule charter. In a city to which this subdivision applies, amendments to a zoning ordinance shall be made in conformance with this section but only after there shall have been filed in the office of the city clerk a written consent of the owners of two-thirds of the several descriptions of real estate situate within 100 feet of the total contiguous descriptions of real estate held by the same owner or any party purchasing any such contiguous property within one year preceding the request, and after the affirmative vote in favor thereof by a majority of the members of the governing body of any such city. The governing body of such city may, by a two-thirds vote of its members, after hearing, adopt a new zoning ordinance without such written consent whenever the planning commission or planning board of such city shall have made a survey of the whole area of the city or of an area of not less than 40 acres, within which the new ordinance or the amendments or alterations of the existing ordinance would take effect when adopted, and shall have considered whether the number of descriptions of real estate affected by such changes and alterations renders the obtaining of such written consent impractical, and such planning commission or planning board shall report in writing as to whether in its opinion the proposals of the governing body in any case are reasonably related to the overall needs of the community, to existing land use, or to a plan for future land use, and shall have conducted a public hearing on such proposed ordinance, changes or alterations, of which hearing published notice shall have been given in a daily newspaper of general circulation at least once each week for three successive weeks prior to such hearing, which notice shall state the time, place and purpose of such hearing, and shall have reported to the governing body of the city its findings and recommendations in writing.

Subd. 6. **Appeals and adjustments.** Appeals to the board of appeals and adjustments may be taken by any affected person upon compliance with any reasonable conditions imposed by the zoning ordinance. The board of appeals and adjustments has the following powers with respect to the zoning ordinance:

(1) To hear and decide appeals where it is alleged that there is an error in any order, requirement, decision, or determination made by an administrative officer in the enforcement of the zoning ordinance.

(2) To hear requests for variances from the requirements of the zoning ordinance including restrictions placed on nonconformities. Variances shall only be permitted when they are in

harmony with the general purposes and intent of the ordinance and when the variances are consistent with the comprehensive plan. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance. "Practical difficulties," as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance; the plight of the landowner is due to circumstances unique to the property not created by the landowner; and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems. Variances shall be granted for earth sheltered construction as defined in section 216C.06, subdivision 14, when in harmony with the ordinance. The board of appeals and adjustments or the governing body as the case may be, may not permit as a variance any use that is not allowed under the zoning ordinance for property in the zone where the affected person's land is located. The board or governing body as the case may be, may permit as a variance the temporary use of a one family dwelling as a two family dwelling. The board or governing body as the case may be may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.

Subd. 6a. **Normal residential surroundings for persons with disabilities.** It is the policy of this state that persons with disabilities should not be excluded by municipal zoning ordinances or other land use regulations from the benefits of normal residential surroundings. For purposes of subdivisions 6a through 9, "person" has the meaning given in section 245A.02, subdivision 11.

Subd. 7. **Permitted single family use.** A state licensed residential facility or a housing with services establishment registered under chapter 144D serving six or fewer persons, a licensed day care facility serving 12 or fewer persons, and a group family day care facility licensed under Minnesota Rules, parts 9502.0315 to 9502.0445 to serve 14 or fewer children shall be considered a permitted single family residential use of property for the purposes of zoning, except that a residential facility whose primary purpose is to treat juveniles who have violated criminal statutes relating to sex offenses or have been adjudicated delinquent on the basis of conduct in violation of criminal statutes relating to sex offenses shall not be considered a permitted use.

Subd. 8. **Permitted multifamily use.** Except as otherwise provided in subdivision 7 or in any town, municipal or county zoning regulation as authorized by this subdivision, a state licensed residential facility serving from 7 through 16 persons or a licensed day care facility serving from 13 through 16 persons shall be considered a permitted multifamily residential use of property for purposes of zoning. A township, municipal or county zoning authority may require a conditional use or special use permit in order to assure proper maintenance and operation of a facility, provided that no conditions shall be imposed on the facility which are more restrictive than those imposed on other conditional uses or special uses of residential property in the same zones, unless the additional conditions are necessary to protect the health and safety of the residents of the residential facility. Nothing herein shall be construed to exclude or prohibit residential or day care facilities from single family zones if otherwise permitted by a local zoning regulation.

Subd. 9. **Development goals and objectives.** In adopting official controls after July 1, 2008, in a municipality outside the metropolitan area, as defined by section 473.121, subdivision 2, the municipality shall consider restricting new residential, commercial, and industrial development so that the new development takes place in areas subject to the following goals and objectives:

- (1) minimizing the fragmentation and development of agricultural, forest, wildlife, and open space lands, including consideration of appropriate minimum lot sizes;
- (2) minimizing further development in sensitive shoreland areas;
- (3) minimizing development near wildlife management areas, scientific and natural areas, and nature centers;
- (4) identification of areas of preference for higher density, including consideration of existing and necessary water and wastewater services, infrastructure, other services, and to the extent feasible, encouraging full development of areas previously zoned for nonagricultural uses;
- (5) encouraging development close to places of employment, shopping centers, schools, mass transit, and other public and private service centers;
- (6) identification of areas where other developments are appropriate; and
- (7) other goals and objectives a municipality may identify.

History: 1965 c 670 s 7; 1969 c 259 s 1; 1973 c 123 art 5 s 7; 1973 c 379 s 4; 1973 c 539 s 1; 1973 c 559 s 1,2; 1975 c 60 s 2; 1978 c 786 s 14,15; Ex1979 c 2 s 42,43; 1981 c 356 s 248; 1982 c 490 s 2; 1982 c 507 s 22; 1984 c 617 s 6-8; 1985 c 62 s 3; 1985 c 194 s 23; 1986 c 444; 1987 c 333 s 22; 1989 c 82 s 2; 1990 c 391 art 8 s 47; 1990 c 568 art 2 s 66,67; 1994 c 473 s 3; 1995 c 224 s 95; 1997 c 113 s 20; 1997 c 200 art 4 s 5; 1997 c 202 art 4 s 11; 1997 c 216 s 138; 1999 c 96 s 3,4; 1999 c 211 s 1; 2001 c 174 s 1; 2001 c 207 s 13,14; 2002 c 366 s 6; 2004 c 258 s 2; 2005 c 56 s 1; 1Sp2005 c 1 art 1 s 92; art 2 s 146; 2007 c 140 art 12 s 14; 2008 c 297 art 1 s 60,61; 2009 c 149 s 3; 2011 c 19 s 2

245A.02 DEFINITIONS.

Subdivision 1. **Scope.** The terms used in this chapter and chapter 245B have the meanings given them in this section.

Subd. 2. **Adult.** "Adult" means a person who is 18 years old or older and who:

(1) has a mental illness, a developmental disability, a physical disability, or a functional impairment; or

(2) is chemically dependent or abuses chemicals.

Subd. 2a. **Adult day care or family adult day services.** "Adult day care," "adult day services," and "family adult day services" mean a program operating less than 24 hours per day that provides functionally impaired adults with an individualized and coordinated set of services including health services, social services, and nutritional services that are directed at maintaining or improving the participants' capabilities for self-care. Adult day care, adult day services, and family adult day services do not include programs where adults gather or congregate primarily for purposes of socialization, education, supervision, caregiver respite, religious expression, exercise, or nutritious meals.

Subd. 2b. **Annual or annually.** "Annual" or "annually" means prior to or within the same month of the subsequent calendar year.

Subd. 3. **Applicant.** "Applicant" means an individual, corporation, partnership, voluntary association, controlling individual, or other organization that has applied for licensure under this chapter and the rules of the commissioner.

Subd. 3a. **Certification.** "Certification" means the commissioner's written authorization for a license holder licensed by the commissioner of human services or the commissioner of corrections to serve children in a residential program and provide specialized services based on certification standards in Minnesota Rules. The term "certification" and its derivatives have the same meaning and may be substituted for the term "licensure" and its derivatives in this chapter.

Subd. 4. **Child.** "Child" means a person who has not reached age 18.

Subd. 5. **Commissioner.** "Commissioner" means the commissioner of human services or the commissioner's designated representative including county agencies and private agencies.

Subd. 5a. **Controlling individual.** "Controlling individual" means a public body, governmental agency, business entity, officer, owner, or managerial official whose responsibilities include the direction of the management or policies of a program. For purposes of this subdivision, owner means an individual who has direct or indirect ownership interest in a corporation, partnership, or other business association issued a license under this chapter. For purposes of this subdivision, managerial official means those individuals who have the decision-making authority related to the operation of the program, and the responsibility for the ongoing management of or direction of the policies, services, or employees of the program. Controlling individual does not include:

(1) a bank, savings bank, trust company, savings association, credit union, industrial loan and thrift company, investment banking firm, or insurance company unless the entity operates a program directly or through a subsidiary;

(2) an individual who is a state or federal official, or state or federal employee, or a member or employee of the governing body of a political subdivision of the state or federal government that operates one or more programs, unless the individual is also an officer, owner, or managerial official of the program, receives remuneration from the program, or owns any of the beneficial interests not excluded in this subdivision;

(3) an individual who owns less than five percent of the outstanding common shares of a corporation:

- (i) whose securities are exempt under section 80A.45, clause (6); or
- (ii) whose transactions are exempt under section 80A.46, clause (2); or

(4) an individual who is a member of an organization exempt from taxation under section 290.05, unless the individual is also an officer, owner, or managerial official of the program or owns any of the beneficial interests not excluded in this subdivision. This clause does not exclude from the definition of controlling individual an organization that is exempt from taxation.

Subd. 6. **County agency.** "County agency" means the agency designated by the county board of commissioners, human service boards, local social services agencies or multicounty local social services agencies, or departments where those have been established under the law.

Subd. 6a. **Drop-in child care program.** "Drop-in child care program" means a nonresidential program of child care in which children participate on a onetime only or occasional basis up to a maximum of 90 hours per child, per month. A drop-in child care program must be licensed under Minnesota Rules governing child care centers. A drop-in child care program must meet one of the following requirements to qualify for the rule exemptions specified in section 245A.14, subdivision 6:

(1) the drop-in child care program operates in a child care center which houses no child care program except the drop-in child care program;

(2) the drop-in child care program operates in the same child care center but not during the same hours as a regularly scheduled ongoing child care program with a stable enrollment; or

(3) the drop-in child care program operates in a child care center at the same time as a regularly scheduled ongoing child care program with a stable enrollment but the program's activities, except for bathroom use and outdoor play, are conducted separately from each other.

Subd. 6b. **Experience.** For purposes of child care centers, "experience" includes paid or unpaid employment serving children as a teacher, assistant teacher, aide, or a student intern in a licensed child care center, in a public or nonpublic school, or in a program licensed as a family day care or group family day care provider.

Subd. 6c. **Foster care for adults.** "Foster care for adults" means a program operating 24 hours a day that provides functionally impaired adults with food, lodging, protection, supervision, and household services in a residence, in addition to services according to the individual service plans under Minnesota Rules, part 9555.5105, subpart 18.

Subd. 7. **Functional impairment.** For the purposes of adult day care, adult day services, family adult day services, or adult foster care, "functional impairment" means:

(1) a condition that is characterized by substantial difficulty in carrying out one or more of the essential major activities of daily living, such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working; or

(2) a disorder of thought or mood that significantly impairs judgment, behavior, capacity to recognize reality, or ability to cope with the ordinary demands of life and that requires support to maintain independence in the community.

Subd. 7a. **HIV minimum standards.** "HIV minimum standards" means those items approved by the department and contained in the HIV-1 Guidelines for chemical dependency treatment and care programs in Minnesota including HIV education to clients, completion of HIV training by all new and existing staff, provision for referral to individual HIV counseling and services for all clients, and the implementation of written policies and procedures for working with HIV-infected clients.

Subd. 7b. **Interpretive guidelines.** "Interpretive guidelines" means a policy statement that has been published pursuant to section 245A.09, subdivision 12, and which provides interpretation, details, or supplementary information concerning the application of laws or rules. Interpretive guidelines are published for the information and guidance of consumers, providers of service, county agencies, the Department of Human Services, and others concerned.

Subd. 8. **License.** "License" means a certificate issued by the commissioner authorizing the license holder to provide a specified program for a specified period of time and in accordance with the terms of the license and the rules of the commissioner.

Subd. 9. **License holder.** "License holder" means an individual, corporation, partnership, voluntary association, or other organization that is legally responsible for the operation of the program, has been granted a license by the commissioner under this chapter or chapter 245B and the rules of the commissioner, and is a controlling individual.

Subd. 10. **Nonresidential program.** "Nonresidential program" means care, supervision, rehabilitation, training or habilitation of a person provided outside the person's own home and provided for fewer than 24 hours a day, including adult day care programs; and chemical dependency or chemical abuse programs that are located in a nursing home or hospital and receive public funds for providing chemical abuse or chemical dependency treatment services under chapter 254B. Nonresidential programs include home and community-based services and semi-independent living services for persons with developmental disabilities that are provided in or outside of a person's own home.

Subd. 10a. **Parent cooperative.** "Parent cooperative" means a nonprofit group child care program that is governed by a board that meets regularly and makes all continuing operational decisions about the program. At least 70 percent of the board membership must be parent-users of the program.

Subd. 11. **Person.** "Person" means a child or adult as defined in subdivisions 2 and 4.

Subd. 12. **Private agency.** "Private agency" means an individual, corporation, partnership, voluntary association or other organization, other than a county agency, or a court with jurisdiction, that places persons who cannot remain in their own homes in residential programs, foster care, or adoptive homes.

Subd. 13. **Individual who is related.** "Individual who is related" means a spouse, a parent, a natural or adopted child or stepchild, a stepparent, a stepbrother, a stepsister, a niece, a nephew, an adoptive parent, a grandparent, a sibling, an aunt, an uncle, or a legal guardian.

Subd. 14. **Residential program.** "Residential program" means a program that provides 24-hour-a-day care, supervision, food, lodging, rehabilitation, training, education, habilitation, or treatment outside a person's own home, including a program in an intermediate care facility for four or more persons with developmental disabilities; and chemical dependency or chemical abuse programs that are located in a hospital or nursing home and receive public funds for providing chemical abuse or chemical dependency treatment services under chapter 254B. Residential programs include home and community-based services for persons with developmental disabilities that are provided in or outside of a person's own home.

Subd. 15. **Respite care services.** "Respite care services" means temporary services provided to a person due to the absence or need for relief of the primary caregiver, the person's family member, or legal representative who is the primary caregiver and principally responsible for the care and supervision of the person. Respite care services are those that provide the level of supervision and care that is necessary to ensure the health and safety of the person. Respite care services do not include services that are specifically directed toward the training and habilitation of the person.

Subd. 16. **School-age child.** "School-age child," for programs licensed or required to be licensed as a child care center, means a child who is at least of sufficient age to have attended the first day of kindergarten, or is eligible to enter kindergarten within the next four months, but is younger than 13 years of age.

Subd. 17. **School-age child care program.** "School-age child care program" means a program licensed or required to be licensed as a child care center, serving more than ten children with the primary purpose of providing child care for school age children.

Subd. 18. **Supervision.** For purposes of child care centers, "supervision" means when a program staff person is within sight and hearing of a child at all times so that the program staff can intervene to protect the health and safety of the child. When an infant is placed in a crib room to sleep, supervision occurs when a staff person is within sight or hearing of the infant. When supervision of a crib room is provided by sight or hearing, the center must have a plan to address the other supervision component.

Subd. 19. **Family day care and group family day care child age classifications.** (a) For the purposes of family day care and group family day care licensing under this chapter, the following terms have the meanings given them in this subdivision.

(b) "Newborn" means a child between birth and six weeks old.

(c) "Infant" means a child who is at least six weeks old but less than 12 months old.

(d) "Toddler" means a child who is at least 12 months old but less than 24 months old, except that for purposes of specialized infant and toddler family and group family day care, "toddler" means a child who is at least 12 months old but less than 30 months old.

(e) "Preschooler" means a child who is at least 24 months old up to the age of being eligible to enter kindergarten within the next four months.

(f) "School age" means a child who is at least of sufficient age to have attended the first day of kindergarten, or is eligible to enter kindergarten within the next four months, but is younger than 11 years of age.

History: 1987 c 333 s 2; 1988 c 411 s 1; 1989 c 282 art 2 s 60-65; 1990 c 568 art 2 s 40; 1991 c 142 s 1; 1992 c 513 art 9 s 7,8; 1993 c 338 s 1,2; 1994 c 631 s 31; 1995 c 158 s 1,2; 1995 c 202 art 1 s 25; 1995 c 207 art 2 s 4; 1997 c 248 s 3-7; 1999 c 36 s 1; 2000 c 327 s 6; 1Sp2001 c 9 art 14 s 4-6; 2002 c 375 art 1 s 5,6; 2002 c 379 art 1 s 113; 2004 c 288 art 1 s 2-7; 2005 c 56 s 1; 1Sp2005 c 4 art 1 s 4; 2006 c 196 art 1 s 52; art 2 s 5

CC Work Session

2. 3.

Meeting Date: 05/22/2012

By: Tim Gladhill, Community Development

Title:

Review Zoning Code Updates Related to the 2030 Comprehensive Plan Update

Background:

Staff has begun the process of completing the final, remaining Zoning Code Updates necessary to implement the 2030 Comprehensive Plan, as well as certain other previously discussed amendments. These updates and additions are based on past site plan reviews and comments and/or conditions placed on applications. A major portion of the zoning amendment is the official implementation of the Office Park Zoning District south of Highway 10. In addition, the Zoning Amendments are intended to take feedback from previous reviews and made the zoning ordinance more clear, concise, and easier to navigate and read. Upon completion, it is the intent of staff to develop a series of handouts for each zoning district to list applicable standards and include illustrations to visualize standards in order to further supplement the zoning code.

The following has been prepared as a baseline to frame the overall policy discussion. Items contemplated within can be changed, modified, eliminated, or increased based on direction from the Planning Commission and City Council. Staff has attempted to include as many of the ideas suggested as part of the Comprehensive Plan, various subsequent discussions (including the EPB/PC Joint Work Session), and City Council's Strategic Goals for 2012 in developing these discussion points for further review. For purposes of this Work Session discussion, only a few highlights are included that Staff believes need policy direction before preparing the final draft.

Notification:

No notification required at this time. A Public Hearing will be held at the Planning Commission when reviewed.

Observations:

The items for discussion as part of this Topic Report can be summarized in the following policy questions to address:

1. Consolidating design standards/exterior materials in one location per land use type to avoid duplication
2. Expanded design elements
3. Moving landscaping requirements related to parking lots to the off-street parking section
4. Expanding list of uses in the off-street parking table
5. Encouraging limitation of parking spaces and impervious surface
6. Consolidating landscaping requirements in one location per land use type

Special Requirements and Performance Standards

The Planning Commission reviewed a restructuring of the Employment and Business District sections and was favorable to the proposal. The restructured text would relocate all design and special requirements that are consistent across similar districts in one (1) location. This would reduce duplication and make the code easier to navigate and administer. The sub-districts would then focus on the permitted uses. Staff would like City Council feedback on this amendment.

The Planning Commission also reviewed the current requirements for exterior materials and discussed expanding this section to provide additional direction, allowable materials, and architectural accenting provisions. This could also include mechanical equipment screening (roof top and ground), trash enclosure screening, and site lighting requirements. This could help provide clarification to developers when preparing a site plan, based on previous feedback on site plan review. Staff would like City Council feedback on whether to stick with existing City Code

provisions by simply outlining exterior materials or if there is a desire to provide additional architectural elements.

This consolidated section provides a one stop location for an applicant to understand what all the requirements are for building and site design for the Employment Districts. The added building design standards reinforce what the city is striving for based on past site plan and building plan reviews and comments. By making expectations clear, applicants can be more successful in preparing a quality submittal the first time. Clear and concise ordinances make it easier for an applicant to perform to the city's expectations while providing the city codes that fortify these requirements.

Off-Street Parking

This amendment builds upon existing landscaping requirements based on parking lots and provides additional direction on acceptable means of accomplishing these requirements. The amendment moves parking lot landscaping standards from individual districts into the Off-Street Parking Ordinance. The intent of relocating this text is to provide all off-street parking information in one location and reduce duplication of standards. The proposed text also expands language to provide direction on the intent and placement of parking lot landscaping based on feedback from previous site plan review.

Based on discussion on screening parking and outdoor storage areas, perimeter parking area landscape requirements have been added, which requires sites in business or employment districts abutting a street or similar district to provide landscape screening at a minimum of three (3) feet in height to screen headlights. Where a business or employment district abuts a residential district, a landscape screen of six (6) feet in height and eighty percent (80%) opacity is required, similar to what is required today.

Other Considerations for Off-Street Parking:

While preparing draft updates of the parking ordinance, staff explored alternatives that may help the city achieve objectives to reduce impervious surface and outside storage. Below are some of these alternatives we would like to review with the City Council. These alternatives could be added to the ordinance as a requirement or through an incentive in an effort to balance economic development objectives while also reducing overall costs for new development. Again, discussion on this provision began as a discussion to reduce the amount of outside storage area for the Office Park District. Staff would like policy direction as to whether to expand this, if approved, to other business and employment districts as well.

Alternative 1: In an attempt to encourage shared parking and maximize parking allotments for larger sites, such as for office buildings and large-format retailers, the use of parking maximums for some larger parking lot users (big box retailers, office buildings, larger industrial users) to prevent underutilized parking could be implemented. This option could be a requirement of the ordinance or if an applicant wants to add parking beyond the minimum, require mitigation features such as additional storm water management techniques within the parking and drive areas. This not only benefits sites for aesthetic reasons but also reduces the amount of storm water management required. Use of these mitigation techniques could also be used to provide credit to certain utility fees, to be discussed more in detail at a later date.

Alternative 2: In another attempt to discourage over parking of sites, staff would like to discuss with the City Council a requirement that any parking areas over the minimum be required to use a pervious paver system. That way, additional parking does not truly expand the amount of impervious surface and actually provides storm water benefits. As it relates to balance of economic development, pervious parking areas could qualify for stormwater utility credit.

Alternative 3: Staff would like to explore expanding upon current storm water management practices by encouraging the use of best management practices for storm water management within parking and drive areas. If this were added, storm water credits would apply. This could be used as a tool to address Council's goals of further studying development fees (in this instance, storm water management).

The Planning Commission did review the entire text at the March Planning Commission Meeting for discussion

purposes. One additional recommendation that the Planning Commission made was to consider consolidating landscaping into one section to provide more consistency and to limit duplication. Staff wanted to review the provisions above before preparing the final draft for Public Hearing.

Recommendation:

Provide feedback on the above items related to the Zoning Code amendment.

Funding Source:

Preparation of the Zoning Code amendments is part of the consulting planning budget.

Council Action:

Based on discussion. Provide Staff with direction on the following elements:

1. Consolidating design standards/exterior materials in one location per land use type to avoid duplication
2. Expanded design elements
3. Moving landscaping requirements related to parking lots to the off-street parking section
4. Expanding list of uses in the off-street parking table
5. Encouraging limitation of parking spaces and impervious surface
6. Consolidating landscaping requirements in one location per land use type

Form Review

Inbox
Chris Anderson
Kurt Ulrich

Reviewed By
Chris Anderson
Kurt Ulrich

Date
05/17/2012 08:59 AM
05/17/2012 02:51 PM
Started On: 05/10/2012 02:16 PM

Form Started By: Tim Gladhill

Final Approval Date: 05/17/2012

CC Work Session

3. 1.

Meeting Date: 05/22/2012

By: Jo Thieling, Administrative Services

Title:

Review Future Work Session Topics/Calendar

Background:

Attached for review is the list of future work session topics.

Funding Source:

N/A

Council Action:

For review - no formal action necessary.

Attachments

Future Topics/Calendar

Form Review

Inbox

Kurt Ulrich

Form Started By: Jo Thieling

Reviewed By

Kurt Ulrich

Final Approval Date: 05/17/2012

Date

05/17/2012 03:02 PM

Started On: 05/17/2012 01:19 PM

**Work Session Calendars
2012**

Month	Date	Topics for Discussion
May	29	<ul style="list-style-type: none"> • Continue Budget Discussions (KU) • Council Strategic Goals (PB)
June	5	<ul style="list-style-type: none"> • Consider City Land Acquisition Policy (PB) • Policy for the Disposition of Surplus City Owned Land (PB)
Others on List – including 2011 Strategic Planning Items		<ul style="list-style-type: none"> • Lot Combination Policy (TG) • Discuss Noise Ordinance (JW) • Update Landfill Land Use Plan (Tim G) • Consider Amendments to Facility Use Program (Jo) • Discuss Leash Law (JW) • 167th & 47 Water Services Extension/Master Planning • Review Pilot Programs (e.g. volunteer programs – low maintenance options) • Build on outdoors/sportsmen’s market (e.g. stock pond/lake) • Develop community center/indoor sports complex • Old Town Hall relocation • Strategic Action Plan Update • Seek grant funding for transportation projects and service delivery • Complete US 10/ County Road 83 interchange design – pursue funding • Establish position on TH #47 South of Bunker to Highway #10 <p><u>Public Works</u></p> <ul style="list-style-type: none"> • Review plan for US Highway #10 pedestrian overpass and connection with Municipal Center ramp • Consider opportunities for four-wheeler & golf cart use • Review Project Management Issues (e.g. 151st & 167th Projects)
HRA		
Month	Date	Topics for Discussion
May	1	<ul style="list-style-type: none"> • Review Center Street Project Schedule • Review Comprehensive Plan Amendment for The COR (TG)
May	8	<ul style="list-style-type: none"> • Review Exit Strategy for COR Development • Review Agreement with PSD regarding Master Declaration Resolution • Review Dashboard (<i>a regular agenda item for first regular meeting of month</i>)
June	12	<ul style="list-style-type: none"> • Review Dashboard • Funding for Sunwood Improvements
Future		<ul style="list-style-type: none"> • Discuss Housing Assistance Policy (TG)
		<ul style="list-style-type: none"> •