PLANNING COMMISSION MINUTES

DATE: February 24, 2014

TIME: 4:30 p.m.

PRESENT: Chairperson Porter, Commissioners Boettcher, Buelow, Davis, Ballard, Hahn, and L. Olson

ABSENT: Chairman Porter and Commissioners English and M. Olson

STAFF PRESENT: City Planner, Mark Moeller

The meeting was called to order at 4:30 p.m. by Vice Chair Hahn.

Approval of Minutes – January 27, 2014

The minutes from the Commission's meeting of January 27, 2014 were reviewed and upon motion by Commissioner Buelow and second by Commissioner Boettcher were unanimously approved as submitted.

Commission Bylaws

Vice Chair Hahn called on Mark Moeller, City Planner, to provide staff comment of this issue. Mr. Moeller noted that the Commission's agenda included a revised set of Commission Bylaws that had tentatively been approved during its last meeting. Given review of the document, it was moved by Commissioner Davis and seconded by Commissioner Buelow to recommend approval of the bylaws as presented. When the question was called, the vote of the Commission was unanimous to approve the motion.

Discussion – General CUP Requirements

Vice Chair Hahn called on Carlos Espinosa, Assistant City Planner, to provide a summary of this item.

Mr. Espinosa noted that, within the general framework of the zoning ordinance, most zoning districts provide for uses that are either permitted outright, or conditional through a defined approval process. This process is generally referenced as a conditional use permit. Outside of this language, Mr. Espinosa explained that there are no general requirements within the zoning ordinance relating to conditional use permits or the conditional use permit process. As such, he felt that the inclusion of general requirements to the conditional use process would increase the City's discretionary power when reviewing conditional use permit applications. As such, staff is recommending that the Commission consider the addition of "general" CUP requirements to the City Code. For Commission reference, draft language relating to this proposal had been included in the Commission's agenda package. He also noted

that various cities of St. Paul, Mankato, Rochester, and Red Wing, Minnesota had been included for comparison purposes. At this point, Mr. Espinosa reviewed the proposal noting a listing of ten general requirements that would be considered by the Board of Adjustment, in addition to conditions relating to specific uses. He noted that these ten general conditions were designed to insure that conditional uses do not somehow negatively impact neighborhoods or neighborhood character.

The proposal also included language relating to the idea that conditional use permits, once approved, would be valid for no more than twelve months, unless the building permit is issued. In instances where a building permit is not required, the subject property must be put to use in compliance with the conditional use permit within twelve months, unless an extension had been granted by the City Council.

Finally, the proposal reaffirms the idea that, under current procedure, conditional use permits are approved by the City Board of Adjustment in accordance with Section 22.21. Here, Mr. Espinosa noted that staff was proposing that the Commission consider the transfer of Conditional Use Permit activities to the Planning Commission. This would free up the Board of Adjustment to consider variances alone. This change would generally be consistent with what most cities do throughout the state.

In concluding, Mr. Espinosa stated that staff was simply seeking Commission input into this issue this afternoon. Should the Commission find that the proposal makes sense, it should direct staff to continue working on it. He further noted that the proposal had not yet been reviewed by the City Attorney, and that this review would be the next step in the process.

At this point, discussion ensued relative to the conditional use process recently used to approve sand processing facilities. In response to a question by Commissioner Davis, Mr. Espinosa stated that the City Board of Adjustment used a list of ten conditions, specific to the use, in evaluating the proposal. He emphasized that state and local enabling laws do permit the board to add additional conditions if they relate to health, safety, and welfare concerns. Conditions outside of those ten specific to the site could vary dependent on the use.

Following Commission discussion, the general consensus of those present was that the conditional use proposal, as presented this afternoon, was acceptable. With this, staff was directed to continue moving forward in developing it. It was further recommended that consideration be given to transferring conditional use permit approval authority from the Board of Adjustment to the Planning Commission. Mr. Espinosa stated that he would discuss these issues with the City Attorney. Once the proposal is finalized, it will be brought back to the Commission for a hearing.

Other Business

Vice Chair Hahn stated that, Commissioner Mandi Olson had recently suggested that the Commission conduct a review of the 2007 Comprehensive Plan in order to define

accomplished goals. Given that, he had put together a "snapshot" pdf of comprehensive plan items that list the Planning Commission as "lead or coordinating agency". His purpose in developing the document was to streamline the review process rather than to manually tracking down all instances where the Planning Commission is called out. Given the document, it was suggested that the Commission conduct a surficial review of it to determine where additional work may be needed. With this, Vice Chair Hahn noted that the first major heading on the list related to land use plan actions. A short term objective listed under this heading recommended that the City adopt the Land Use Map and land use categories of the Comprehensive Plan to be used to guide future zoning changes and capital investments. The consensus of the Commission was that, given adoption of the full 2007 Comprehensive Plan, this recommendation had been completed.

The land use plan action category also included a recommendation to update the City's Zoning Ordinance and development regulations. Generally, this proposal called for a total rewrite of the Zoning Ordinance and development standards including changes to the following:

- Integration of local historic district standards. Mr. Moeller noted that both of the City's Downtown Historic Districts are subject to provisions of the City Preservation Ordinance as well as specific design guidelines. Given that these now exist, they could easily be incorporated within any rewrite of the Zoning Ordinance.
- Encouragement of mixed use where shown in plan land use categories. Mr. Espinosa explained that the mixed use concept had been incorporated through adoption of the B-2.5 Zoning District a few years ago. Additionally, this zoning classification had been applied to an approximate two block area located northerly of Second and to both sides of Washington Street. He emphasized that this mixed use district was a blend between commercial and industrial zoning and was designed to promote these along with residential uses. Over time, this classification could expand to other areas of the Central Business District.
- Integration of sensitive resources overlay standards with zoning. Here, Mr. Moeller explained that both Bluff and Shoreland Overlay Districts are visually represented on the zoning map. Along with these, it was envisioned that flood plain overlay districts would also be shown, once the flood plain ordinance is totally rewritten and adopted.
- Standards for residential neighborhood design that will encourage the integration of diverse housing types, schools, parks and open space. Mr. Espinosa stated that he envisioned these standards would be part of zoning and development regulation updates. Although staff has proposed the update of these regulations for a number of years, adequate funds have not been made available for the purpose. However, staff remained hopeful that this will occur at some point within the near future.
- Amend the City's Subdivision Ordinance to require narrower local residential streets, sidewalks or interconnected trails along every local residential street and street trees or equivalent landscaping along most streets. Here it was further

suggested that the City consider developing a Unified Development Code that could be used to streamline development procedures by combining zoning, subdivision, environmental and similar regulations into a single cross-referenced document. Again, Mr. Moeller noted that although this philosophy had not yet been fully developed, it was hoped that it could be done in coordination with the zoning ordinance and development regulation update.

- Finally, the recommendation was presented to use the Comprehensive Plan routinely in reviewing applications for rezoning, subdivision or site plan approvals. Mr. Moeller explained that the Comprehensive Plan is used extensively for these purposes.

Arts and Humanities Plan Actions

Under this heading, it was recommended that the City establish a mixed use arts oriented district focused on the downtown. Staff noted that this is an issue that has not been implemented.

Environment and Energy Plan Actions

Action items under this heading included the development of conservation design standards, impervious coverage limitations, improve landscape standards, and setbacks from blufftops and ridgelines.

In addressing this category, Mr. Moeller stated that a zoning ordinance/subdivision ordinance rewrite along with the development of Unified Development Code could result in the preparation of specific low impact conservation design standards to be used in new developments. Additionally, although impervious cover limitation standards had been included within bluff and shoreland overlay districts, there was no general city wide standard that applies at this point. Additionally, the idea of developing improved landscape standards is one that staff would fully support. However, it was envisioned that this would occur, again, with a zoning ordinance rewrite.

Historic Preservation Plan Actions

This general heading recommended the establishment of local historic districts in downtown Winona along with the implementation of design standards and guidelines for the downtown area. Mr. Moeller explained that, in responding to this recommendation, the City has created two historic districts downtown and both are listed as National Register and Local Districts. Additionally, design guidelines and standards for these districts have been approved and are currently being used to promote district intent.

Parks and Recreation Plan Actions

Here it was suggested that the City establish a parks commission or committee. Mr. Moeller stated that at one point in time the City did have a park commission. However, his belief was that commission was dissolved with the adoption of the City Manager form of government. He was unclear at this point why the City would return to that form of administration.

Riverfront Plan Actions
Here it was suggested that the concept of river activity zones be employed in future planning. In addressing this heading, Mr. Moeller explained that this too is something that could be addressed through a zoning ordinance update, if the Commission and City Council find a purpose for it.

Vice Chair Hahn stated that given review this afternoon, it was obvious that a number of 2007 Comprehensive Plan recommendations had, in fact, been implemented since that time. For the most part, those that have yet to be completed relate to a project that would serve to rewrite zoning, subdivision, and/or other ordinances and regulations. He suggested that the Commission may want to provide a recommendation to Council requesting that consideration be given to budgeting for these items in the near future.

Mr. Espinosa stated that the Environmental Quality Committee will meet on Tuesday to address a number of questions that have been raised by CASM. He further explained that air quality monitoring was being conducted from the YMCA building and that raw data from monitor will be posted on the City's website within the next week. Thus far, no significant problems have been noted from testing.

Commissioner Boettcher alluded to concerns related to the cost of flood plain insurance.

Adjournment

There being no further business to come before the Commission, the meeting was adjourned.

Mark Moeller
City Planner