

PLANNING COMMISSION MINUTES

DATE: March 28, 2016

TIME: 4:30 p.m.

PRESENT: Commissioners Shortridge, M. Olson, Boettcher, L. Olson, Buelow, Porter and Hahn

ABSENT: Commissioners Davis and Ballard

STAFF PRESENT: City Planner Mark Moeller; City Planner Carlos Espinosa, and City Manager Steve Sarvi

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

Approval of Minutes – February 8, 2016

The minutes from the Commission's meeting of February 8, 2016 were reviewed, and upon motion by Commissioner L. Olson, and second by Commissioner M. Olson were unanimously approved as submitted.

Discussion – Development Code Diagnosis Report and Draft Unified Development Code Annotated Outline – Representatives of Hoisington Koeqler Group to Facilitate Meeting

Vice Chair Hahn introduced this item by noting that the focus of today's meeting was a presentation by representatives of the Hoisington Koeqler Group, relative to the Development Code Update Project. He noted that this focus would revolve around the consultants Development Code Diagnosis Report and Draft Unified Development Code Annotated Outline, included as part of today's Commission agenda package, and as Exhibit A to permanent minutes.

At this point, he introduced representatives of the Hoisington Koeqler Group to provide further comment.

Jeff Miller stated that since their last meeting with the Commission (and City Council) at the end of January, he and co-planner Rita Trapp had conducted a fairly exhaustive diagnosis of City current development codes. These include Zoning, Subdivision, Shoreland Management, Site Plan, Planning Commission, and general City administration chapters. The purpose of the code diagnosis was to provide a detailed documentation of the strengths and weaknesses of the City's current codes in terms of usability, organization, effectiveness of standards, and inconsistencies within codes. He explained that a summary of report findings had been included in the Development Code Diagnosis and Annotated Outline Report.

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Along with the code diagnosis section, Mr. Miller explained that the document includes a recommended outline for the City's New Unified Development Code.

Mr. Miller further stated that as part of today's meeting, he and Ms. Trapp will begin the process of updating the development code by presenting a draft chart which is designed to restructure and categorize uses that are presently allowed across all of City's zoning districts.

At this point, Mr. Miller provided a general summary of diagnosis findings, including:

- Code Reorganization – At present, development code provisions are generally found throughout 6 chapters of City Code, while the zoning ordinance currently includes 19 individual articles. As proposed, the Draft Unified Development Code Annotated Outline incorporates all development code provisions into a single chapter including 7 articles. Additionally, the current cumulative approach used in administering the present zoning ordinance is complex and could be greatly simplified.
- Administrative Procedures – Although variance procedures are fairly well defined, conditional use provisions are integrated into a couple of code sections. Additionally, provisions related to the Architectural Review Board are awkward and administrative provisions of this board should be greatly clarified. Provisions of this board should be greatly clarified. Provisions for zoning certificates and certificates of occupancy should be clarified.
- Individual zoning districts lack a statement of purpose and general language is outdated. The Zoning Code includes a complex system of defining district standards. These make it difficult for the average citizen to understand. Cluster Development provisions include inconsistencies.
- Downtown Districts – At present, there are a number of various zoning/overlay districts that apply to the Central Business District Core. A great deal of the core area does include manufacturing zoning which no longer fits the area. Current development provisions do not fully reflect Comprehensive Plan recommendations.

At this point, Mr. Miller asked the Commission if they had questions of his presentation.

Commissioner Shortridge asked Mr. Miller if he had received a copy of a letter that had been forwarded from the Heritage Preservation Commission relative to its desire to, in part, provide input into downtown planning. Mr. Miller replied that neither he nor Ms. Trapp had received such a letter. At this point, a copy of the letter was provided to Mr. Miller. Mr. Miller noted that when work begins on restructuring CBD zoning, HPC feedback would be encouraged.

At this point, Ms. Trapp reviewed recommendations for the Unified Development Code Annotated Outline. As currently proposed, this new chapter would include a total of 7

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articles plus an appendix. At this point, she summarized the proposed structure of this code as reflected in the Commission's agenda package.

In response to a question by Commissioner M. Olson, Ms. Trapp noted that although new code provisions may result in the creation of nonconformities, specific language related to that issue had not yet been drafted. As a result, she was unsure as to the extent of this issue.

At this point, Mr. Miller provided a handout to the Commission relating to Consultant recommendations as to how various zoning use categories and types would be structured in the development code. Included in this information was a proposed chart showing current zoning ordinance uses and where they are generally permitted or conditionally permitted within the Code. Mr. Miller noted that given that the identification of uses within current zoning is cumulative across districts, the presentation of a simple chart which lists uses, and where they are permitted, would be a tool of the Unified Development Code. Also, included on this chart were consultant recommendations for where uses would be restructured. In part, this restructuring would reduce the number of permitted allowable uses from 125 to 100, thereby simplifying the code. At this point, Mr. Miller reviewed with the Commission, the use chart that included 7 general land use categories relating to:

- Residential Use
- Public & Institutional Use
- Commercial Use
- Manufacturing Use
- Recreation and Open Space Use
- Natural Resource and Agricultural Use
- Utilities and Transportation Use

He then reviewed proposed uses within each of these major categories. He concluded by emphasizing that this information was being presented on a preliminary basis only. Once refined, it will, in part, be used in the restructuring of various zoning districts. He and Ms. Trapp will be coming back to the Commission at a future point to formally adopt final use chart.

Upon general Commission discussion, Mr. Miller asked if there was a desire to retain "shotgun lots" that exist throughout the City. It was noted that such lots were generally created prior to 1960 (the enation of the City's current zoning ordinance), and generally do not meet requirements of underlying zoning. Such lots are presently treated as "lots of record" under zoning provisions that allow for levels of flexibility without the need for variances. Once such lots are restructured (i.e.: combined with another lot of record), they are no longer treated as lots of record. At that point, redevelopment would be subject to performance standards of underlying zoning.

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Commissioner L. Olson stated that he would not like to see any provision that would restrict a property owner from buying two nonconforming lots and combining them into one.

Commissioner Shortridge suggested that the redevelopment of lots of record should have some controls.

Commissioner Porter stated that he has driven through areas of the City that have high concentrations of "shotgun lots", and suggested that it may be difficult to define a theme within such neighborhoods.

Commissioner M. Olson suggested that the incorporation of photos would be valuable in helping the average citizen to understand design standards.

Ms. Trapp emphasized that the scope of this project relates to developing form based concepts/standards for the Central Business District area and a couple of mixed use commercial districts. Given budget constraints, it will not be possible to extend that concept to other areas. However, it is something the City could initiate as a separate project.

Discussion then ensued relative to additions for attached dwellings vs. shared wall buildings and "floors". Mr. Miller emphasized that all of these would be included in the draft Unified Development Code.

Commissioner Shortridge asked if the proposed code would address small lot and building concepts. Mark Moeller, City Planner, noted that this is a concept that can now be accomplished through the Cluster Development process.

Commissioner Boettcher stated that use concepts for some theaters currently include bars. He asked if these types of concepts would be included under the revised development code. Mr. Miller responded that it would be clarified under the definition section.

In addressing parks and park land, Mr. Miller again stated that such classifications as active park, playground, playfield, or passive park would be defined under the new code.

It was further suggested that vineyards and micro distilleries be added as permitted uses within certain zoning districts. Mr. Miller responded that he and Ms. Trapp would take a look at this.

At this point, Mr. Miller noted that he and Ms. Trapp would return to the Commission during its meeting of Monday, April 25th to continue discussion of the updated code. He encouraged all to be prepared for a meeting which is a bit longer than normal.

Other Business

Mr. Moeller introduced Steve Sarvi as the City's new City Manager. At this point, the Commission introduced themselves to Mr. Sarvi.

It was noted that Winona State University would be hosting an Open House relative to its planned comprehensive plan update. This meeting will be held at 5:30 on Wednesday, March 30th. Mr. Espinosa stated that he planned to attend.

Commissioner M. Olson stated that the Commission had received a copy of the VEH site plan for redevelopment of a site on Frontenac Drive. Given her review of the plan, she did have concerns related to the projects impervious surface cover and the fact that no sidewalks exist along Frontenac adjacent to the development. Given this, she was inclined to request that the project be reviewed by the full Commission.

Following brief discussion, it was suggested that if Commissioner M. Olson wanted full Commission review of the site plan, it could be requested under site plan ordinance provisions. Commissioner M. Olson stated that she would do so.

Adjournment

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



Mark Moeller
City Planner