



**COMMUNITY DEVELOPMENT**

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May 20, 2020

Planning Commissioners  
Winona, Minnesota 55987

Dear Commissioner:

The next meeting of the Planning Commission will be held on **Tuesday, May 26, 2020, at 4:30 p.m. electronically via Zoom. Instructions for access to Zoom are attached to this meeting notice.**

1. Call to Order
2. Approval of Minutes – May 11, 2020
3. Discussion – Commission Code Concerns
4. Discussion – Short Term Rentals Update
5. Other Business
6. Adjournment

Sincerely,

A handwritten signature in black ink, appearing to read "Carlos Espinosa".

Carlos Espinosa  
City Planner

## Zoom Procedures for Planning Commission

All interested parties are invited to participate via electronic means. This meeting is open to the public via web or phone. This meeting begins at 4:30 pm; please log in prior to the start of the meeting. You may exit the meeting at any time.

### Planning Commission and Staff:

- To join the Zoom Meeting via web, go to: <https://zoom.us/j/575007967>  
and enter Meeting ID: 575 007 967
- To join via phone, dial either phone number:  
+1 312 626 6799 US (Primary)  
+1 646 558 8656 US (Backup)  
When prompted, enter the following Meeting ID: 575 007 967  
Then enter your participant ID if you have one; if not, enter #

### For participants:

- Only use one audio source; audio from computer is preferred if available.
- Be aware of background noise from your location.
- If using phone, do not use the speaker function.
- If using a web cam, be aware of what is in your background.
- If you have headphones, please use them as that will limit background noise
- Please mute your audio until you wish to speak. Then unmute your audio, and ask the Chairman for permission to talk.
- If using web access, note the options for you to view the meeting (gallery shows all participants same size)

### Other notes:

- Staff will "host" the meeting on a city computer and will manage when participants' audio is muted / unmuted.
- The public hearing notices included the Zoom meeting information, and also indicated that written comments could be submitted to staff by a set date prior to the Planning Commission meeting. These written comments will be provided to the Commissioners either in advance or at the public hearing.

## PLANNING COMMISSION MINUTES

**DATE:** May 11, 2020  
**TIME:** 4:30 p.m.  
**PRESENT:** Chairman Buelow, Commissioners Hahn, Boettcher, Ballard, Olson, Hall, Shortridge and Paddock  
**ABSENT:** Commissioner Marks  
**STAFF PRESENT:** City Planner Carlos Espinosa

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The meeting was called to order at 4:30 p.m. by Chairman Buelow.

### Approval of Minutes – April 13, 2020

The minutes from the April 13, 2020 meeting were reviewed and then approved unanimously upon a motion from Commissioner Hahn and second by Olson.

### Public Hearing – City of Winona Land Disturbance Activity Permit

Chairman Buelow opened the public hearing and called on the petitioner.

The petitioner's representative - John Howard, City of Winona Natural Resource Sustainability Coordinator - described the project and noted that 5-6 check dams are proposed to be installed to help manage stormwater in bluffland areas.

Commissioner Shortridge asked if the residential areas where the dams are proposed have stormwater ponds. Mr. Howard responded that they don't – they were built before the requirement for on-site stormwater facilities. The lack of stormwater ponds is one of the main reasons the check dams are needed.

Commissioner Buelow asked how long the project will take. Mr. Howard said that he estimates the project will take one week.

Commissioner Boettcher asked about costs for the City of Winona. Mr. Howard stated that the City had received external funding for the project and the labor was being provided the Conservation Corps – thus costs to the City will be minimal.

There being no further questions for the petitioner, Chairman Buelow asked if there was anyone else who would like to speak.

Deborah Swenson - 1311 Ridgewood Drive – stated that she has seen a lot of erosion adjacent to her house within the project area. As a result, she is happy to see this project being proposed.

Steve Hess – 1404 Skyline Drive – asked if the lawns needed to access the project areas will be fixed up if needed. Mr. Howard responded affirmatively.

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There being no other people who wished to speak, Chairman Buelow closed the public hearing.

Next, Commissioner Shortridge made a motion to recommend approval of the request. The motion was seconded by Commissioner Ballard. Upon vote, the motion passed unanimously.

**Other Business**

Commissioner Shortridge noted that changes to City Code and the Comp Plan may be needed to address issues related to a few recent projects. Mr. Shortridge stated that he had concerns about how cluster development is defined, the lack of design and primary/secondary use standards for low density housing, and the absence of a suitable land use category for Multi-family housing outside the core area of Winona. Multiple other Commissioners echoed these concerns. City Planner Espinosa stated that staff would examine these topics and bring them back to the Commission for discussion at a future meeting.

**Adjournment**

The meeting was adjourned at 5:21 p.m.

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Carlos Espinosa  
City Planner

# PLANNING COMMISSION

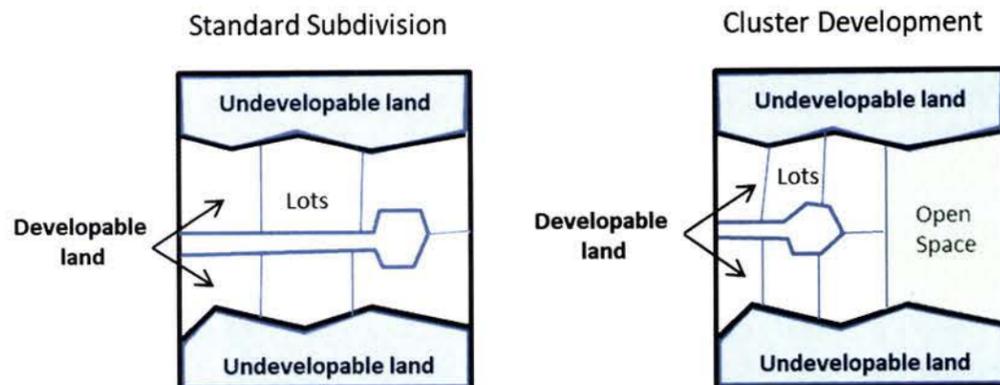
AGENDA ITEM: 3. Discussion – Commission Code Concerns

PREPARED BY: Carlos Espinosa

DATE: May 26, 2020

At the last meeting Commissioner's expressed concerns related to the definition of cluster development, the lack of design and primary/secondary use standards for low density housing, and the absence of a suitable land use category for multi-family housing outside the core area of Winona. To address these concerns, staff would propose the following for discussion:

- 1) Consider removing the reference to the "preliminary cluster development plat procedures" in the bluffland ordinance. Instead, the Code would simply require that any preliminary plat related to the bluffland ordinance be heard at public hearings in front of both the Planning Commission and City Council.
- 2) Add the following language to the definition of cluster development:
  - A) General Requirements and Definition.
    1. A cluster development shall be permitted in any residential district of the city.
    2. A cluster development is a development providing housing. It is not a development providing any commercial or other services except those incidental and necessary to the main use. A cluster development shall group group homes closer together on smaller lots than standard subdivisions in order to preserve developable open space. An example of this is below:



- 3) Limit the size of garages in relation to floor area of dwellings. For example, a garage could be required to be no larger than the floor area of the dwelling. City Code currently does not limit garage size.
- 4) When the Comprehensive Plan is updated (currently planned for 2021-2022), create a land use designation for "Suburban Multi-family" housing and include appropriate guidance for the use.

Attachment:

- Bluffland Ordinance Excerpt and Full Cluster Ordinance

**Bluffland Ordinance Excerpt:**

42.02.32 8)b)5.

Any Land Disturbance Activity Permit Application associated with the platting of land shall be processed in accordance with preliminary cluster development plat procedures of Section 43.06.34. The preliminary plat application shall represent the Land Disturbance Activity Permit application, and shall include all information required per UDC Application Manual, and of Chapter 43 Article 06 Division 3. Following its preliminary plat hearing, the Commission shall consider the full application. Should it find that the application, as presented, is consistent with applicable provisions of Chapter 43 Article 06 Division 3, and this section, the Commission may recommend approval of the application to the City Council. Commission approval may include any reasonable condition to ensure that all provisions of Chapter 43 Article 06 Division 3, and this section, are met.

**43.06.34 Cluster Development Plan**

A) Purpose

- 1) The City Council finds that there is a need to permit cluster developments in the city to provide for improved living and working environments, to promote more economical use of land, to provide needed housing, to encourage the building and use of a variety of types of residential housing, to encourage ingenuity and originality in total subdivision and individual site designs, to preserve open space, to respect the physical qualities of land areas, and to save scarce natural resources. To aid in achieving those needs variation in lot areas are permitted. Also procedures are established to assure adequate maintenance and restricted use of open space areas for the benefit of the inhabitants of the developments or the dedication to public use. Also procedures are established to assure adequate protection of existing and potential developments adjoining the proposed cluster development.

B) General Requirements and Definition.

- 1) A cluster development shall be permitted in any residential district of the city.
- 2) A cluster development is a development providing housing. It is not a development providing any commercial or other services except those incidental and necessary to the main use.
- 3) A cluster development may include any residential use which is both permitted within, and regulated by, underlying zoning.
- 4) The maximum number of dwelling units for a cluster development shall not exceed the number resulting from calculations of the following formula:

$$N.D. = N.L. - \frac{(N.L. \times .75)}{M.L.}$$

Where:

- N.D.* = Net Dwelling Units (Maximum)  
*N.L.* = Net Land Area =  $G - (F.P. + O.S. + X)$   
*G* = Gross Development Site Area  
*F.P.* = Land which is located within the established flood plain as defined on City of Winona Flood Hazard Overlay Districts  
*O.S.* = Required open space provisions pursuant to 43.04.26 Natural State Areas.  
*X* = Any other land area, which, because of physical limitations may be required to remain in a natural state.  
*.75* = 1 - Fixed percentage for street right-of-way purposes (.25) to be applied regardless of the amount of land actually used for right-of-way  
*M.L.* = Minimum lot size permitted within applicable zoning district.

- 5) A cluster development shall be constructed in accordance with a preliminary subdivision plan reviewed by the Planning Commission and approved by the City Council under regulations for the subdivision of land.
  - 6) Modification and variation of the yard and lot requirements of Sections 43.02.23 and 43.02.24 may be permitted. Such modifications and variations shall be shown on any cluster preliminary subdivision plan. Distances between dwellings or dwelling groups shall not be less than 15 feet. Minimum front yards shall be a minimum of 20 feet. Any yard within the cluster development which abuts an adjoining residential development shall be the same as required for the adjoining residential development.
  - 7) The number of attached dwellings shall not exceed 6 within the R-1.5 district and 8 in the R-2 district. Building line and elevations shall be staggered to prevent straight-wall effect.
  - 8) In each zone allowing cluster development the lot size may be reduced from the general lot size for that zone to an unspecified minimum lot size for cluster development. All such lot reductions shall be compensated for by an equivalent amount of land in cluster open space to be preserved and maintained for its scenic values, and for recreation and conservation purposes. Improvements shall be limited to serving such purposes.
  - 9) All cluster developments shall meet the public recreation open space requirements of Section 43.04.24, provided that no credit shall be allowed for private cluster open spaces. However, private cluster open spaces, if dedicated for public use, may be used to fulfill land dedication requirements.
- C) Approval Criteria. The approved preliminary subdivision plan for a cluster development shall provide for a total environment better than that which would be achieved under standard regulations. If, in the opinion of the Planning Commission

and/or City Council, the proposed plan could be improved by the reasonable modification of the location of cluster open space or building or configurations of lots, streets and parking areas, the proposed plan shall be so modified. In acting on a proposed plan, particular consideration should be given to the following criteria:

- 1) Individual lots, buildings, streets and parking areas shall be designed and situated to minimize alteration of the natural site features to be preserved.
  - 2) The usability of cluster open space intended for recreation or public use shall be determined by the size, shape, topographic, and location requirements of the particular purpose proposed for the site.
  - 3) Cluster open space shall include irreplaceable natural features, located in the tract such as, but not limited to stream beds, significant stands of trees, individual trees of significant size, and rock outcroppings.
  - 4) Cluster open space intended for a recreation or public use shall be easily accessible to pedestrians including the handicapped and elderly.
  - 5) The suitability of cluster open space intended for scenic value and purposes shall be determined by its visibility from a significant number of units or buildings or length of public or private streets.
  - 6) Diversity and originality in lot layout and individual building design shall be encouraged to achieve the best possible relationship between development and the land.
  - 7) Individual lots, buildings, and dwelling units shall be arranged and situated to relate to surrounding properties, to improve the view from and the view of buildings, and to lessen areas devoted to motor vehicle access.
  - 8) Individual lots, buildings, dwelling units, parking areas, etc. shall be situated to minimize the adverse effects of shadows, noise and traffic.
- D) Procedure for Cluster Development Plan Approval. Submission and review of a cluster development shall be in accordance with the provisions of Section **43.06.32** and Section **43.06.33**. A cluster development preliminary plan may be required at the same time as a zoning or rezoning request.
- 1) Preliminary Plan. Planning Commission review for a preliminary cluster development plan shall be made in accordance with Section **43.06.32**. In reviewing the plan, the Commission shall ensure that it meets the purpose and requirements of this section. The action of this Commission shall be to recommend the approval, denial, or modification of the plan.
  - 2) Preliminary Plan to City Council. A report of the Commission's findings and recommendations shall be furnished to the City Council within 15 days of the

Commission's final action. The Council shall act in accordance with Section **43.06.32**. The City Council shall hold a public hearing in accordance with the procedures outlined in Section **43.06.13 I**. The action of the City Council shall be to approve, deny, or modify the plan. Modifications shall be made prior to Council final action.

- 3) Final Development Plan to City Council. A final development plan (plat) shall be submitted for all or any part of the approved preliminary development plan. The City Council shall review the plan in accordance with Section **43.06.33** and shall ensure that it is in substantial compliance with the preliminary development plan. The plan shall be in substantial compliance provided that does not: violate any provision of this Chapter, or vary any lot area by more than ten percent, or involve a reduction of ten percent of the area reserved for public or private cluster open space, or increase or decrease the total number of dwelling units by five percent. Failure to meet any of these criteria shall require resubmission of the preliminary plan for Planning Commission review and City Council action
- 4) Cluster Development. Status of Approved Preliminary Plan. An approved preliminary plan for a cluster development shall be the site plan for the development of the subject property.
- 5) A Development Agreement may be required as appropriate for approval of a cluster subdivision
- 6) Final Plat. Plan Effectuation. The plan shall be in effect when a final plat is filed with the County. A statement indicating that the land is located within an approved cluster development area shall be placed on the recorded plat.
- 7) The approved final plat shall be recorded within 180 days after the date of the City Council's approval. If not recorded within this timeframe, such approval shall be termed null and void. In the event a plat is considered invalid, the plat shall then be resubmitted.

Departure from Plan. No person before, during or after construction of a cluster development shall make or permit any substantial departure from the approved plan without the consent of the City Council. Insubstantial changes to the plan may be made if approved by the Community Development Department.

## PLANNING COMMISSION

AGENDA ITEM: 4. Discussion – Short Term Rentals Update

PREPARED BY: Carlos Espinosa

DATE: May 26, 2020

Staff will bring information related to the status of short term rentals in Winona and other cities to the meeting for discussion.