



## **MAYOR & COUNCIL COMMUNICATION**

**DATE: February 5, 2014**

**CONSENT**

**ITEM #8**

**ORDINANCE 08-098**

**AGENDA ITEM:** Zoning District Cleanup Ordinance

**SUBMITTED BY:** Nick M. Johnson, City Planner

**THROUGH:** Dean Zuleger, City Administrator

**REVIEWED BY:** Planning Commission  
Kyle Klatt, Community Development Director

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### **SUGGESTED ORDER OF BUSINESS:**

- Introduction of Item .....Community Development Director
- Report/Presentation.....Community Development Director
- Questions from Council to Staff ..... Mayor Facilitates
- Call for Motion ..... Mayor & City Council
- Discussion ..... Mayor & City Council
- Action on Motion..... Mayor Facilitates

**POLICY RECCOMENDER:** The Planning Commission and Staff recommend amending the City's Zoning Code by eliminating non-pertinent zoning districts that no longer are utilized to implement the City's Comprehensive Plan or apply to existing property in Lake Elmo.

**FISCAL IMPACT:** None

**SUMMARY AND ACTION REQUESTED:** The City Council is asked to consider a zoning text amendment to eliminate all non-pertinent zoning districts in the City's Zoning Code. This action is intended to improve the organization of the Zoning Code and help reduce overall confusion. This effort is a continuation of the Zoning Code Update Project.

*The Planning Commission and Staff are recommending that the City Council eliminate all non-pertinent zoning districts in the City's Zoning Code. If the item is removed from the Consent Agenda, the recommended action can be completed through the following motion:*

***"Move to adopt Ordinance 08-098, eliminating all non-pertinent zoning districts that are no longer necessary to implement the City's Comprehensive Plan."***

### **LEGISLATIVE HISTORY/PLANNING COMMISSION REPORT:**

The City Council formally adopted the Village Land Use Plan in December of 2013. This action represents the completion of major land use updates to the city's Comprehensive Plan that occurred over the course of 2012 and 2013. In addition to the updates to the Comprehensive Plan, the City adopted an update to its official Zoning Map in March of 2013. As part of this update to the Zoning Map, all of the specific holding district zoning designations that were assigned to parcels guided for future development were replaced by the Rural Development Transitional District (RT). Due to this change, there are now 19 holding districts in the City's Zoning Code that are no longer pertinent. In addition, the City has adopted new sections of the Zoning Code that relate to urban residential districts, rural districts and commercial districts. These actions were completed in the latter half of 2012. Given that these new districts have been adopted, there are still many outdated districts in the earlier sections of the Zoning Code that are no longer necessary, or do not apply to any real property in Lake Elmo. The proposed action is intended to rectify this situation and make the Zoning Code more straight forward.

The Planning Commission reviewed the proposed zoning district cleanup ordinance at a meeting on January 13, 2014. After an initial review, the Planning Commission held a public hearing on January 27, 2014. No one spoke in favor or against the proposed ordinance. The Planning Commission understood the purpose of the proposed action and did not engage in any substantial discussion. The proposed zoning district cleanup ordinance was unanimously recommended for approval by the Planning Commission.

### **BACKGROUND INFORMATION (SWOT):**

**Strengths:** Removing the non-pertinent and outdated zoning district improves the organization of the City's Zoning Code, thereby reducing overall confusion users of the document.

**Weaknesses:** None

**Opportunities:** Staff recommends taking every opportunity to improve the organization of the Zoning Code. The more straightforward and better organized that the City can make the document, the easier it is to use for outside entities. Making the document more accessible and easier to understand reduces public inquiries from people or organizations seeking clarification on the City's Zoning Code. The goal is to reduce the amount of public inquiries seeking clarification to focus staff attention on other areas or projects.

**Threats:** None

### **RECOMMENDATION:**

*Based on the aforementioned, the Planning Commission and Staff are recommending that the City Council eliminate all non-pertinent zoning districts in the City's Zoning Code. If the item is*

*removed from the Consent Agenda, the recommended action can be completed through the following motion:*

***“Move to adopt Ordinance 08-098, eliminating all non-pertinent zoning districts that are no longer necessary to implement the City’s Comprehensive Plan.”***

**ATTACHMENTS:**

1. Ordinance 08-098
2. Planning Commission Memo, 1/13/14