



MAYOR & COUNCIL COMMUNICATION

DATE: April 1, 2014
CONSENT
ITEM # 5
ORDINANCE 08-105

AGENDA ITEM: Site and Building Plan Review Ordinance

SUBMITTED BY: Nick M. Johnson, City Planner

THROUGH: Dean Zuleger, City Administrator

REVIEWED BY: Planning Commission
Kyle Klatt, Community Development Director

SUGGESTED ORDER OF BUSINESS (if removed from the Consent Agenda):

- Introduction of ItemCommunity 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 repealing the Site and Building Plan Review Ordinance to improve operational efficiency and remove redundant and unnecessary provisions related to the review of building permits for permitted uses on pre-existing platted lots.

FISCAL IMPACT: None

SUMMARY AND ACTION REQUESTED: The City Council is asked to consider repealing the Site and Building Plan Review Ordinance as part of the Consent Agenda. The ordinance contains outdated information and requirements related to landscaping, storm water management and other provisions that no longer apply. In addition, it presents procedural inefficiencies that are not common amongst other communities.

The Planning Commission and Staff are recommending that the City Council repeal the Site and Building Plan Review Ordinance as part of the Consent Agenda. If removed from the Consent Agenda, the ordinance can be repealed through the following motion:

“Move to adopt Ordinance 08-105, repealing the Site and Building Plan Review Ordinance.”

LEGISLATIVE HISTORY/PLANNING COMMISSION REPORT:

In the judgment of staff, the Site and Building Plan Review Ordinance was originally adopted to ensure adequate plan preparation and orderly development in Lake Elmo. However, now that the City’s Zoning Code and other ordinances have since been updated, many provisions in the ordinance are now redundant or unnecessary. From a procedural standpoint, the ordinance (subsection B) requires the Planning Commission and City Council to review development or construction proposals for permitted uses on pre-existing platted lots. From a comparison perspective, this requirement is atypical in other communities, where Planning Commission and City Council review is only required for instances of platting, land subdivision and conditional uses. Now that the City has adopted the Design Guidelines and Standards Manual, staff now recommends processing building permits for permitted uses on platted lots administratively, as is the typical practice in most cities. Repealing the Site and Building Plan Review Ordinance would allow the City to proceed with growth of the community in a more efficient manner.

The Planning Commission reviewed the proposed action at its meeting on 3/24/14. There was minimal discussion of the proposed action. The Planning Commission unanimously recommended that the ordinance be repealed (Vote: 5-0).

BACKGROUND INFORMATION (SWOT):

Strengths: Removing redundant and unnecessary provisions in the City Code helps avoid confusion, making the process more straightforward for the applicant. In addition, processing building permits for permitted uses on platted lots administratively allows the City to be operationally efficient. Operational efficiency is important during a growth phase.

Weaknesses: None

Opportunities: The proposed action provides the City the opportunity to remove redundant and unnecessary provisions from the City Code, allowing for better communication with the applicant/taxpayer. In addition, repealing the ordinance allows the City to process building permits for permitted uses on platted lots administratively, improving operational efficiency.

Threats: Requiring Planning Commission and City Council review of all building permits for permitted uses on platted lots adds additional workload to these bodies. In addition, requiring Planning Commission and City Council review for permitted uses on platted lots is not common amongst other communities, putting Lake Elmo at a competitive disadvantage in some cases.

RECOMMENDATION:

Based on the aforementioned, the Planning Commission and Staff are recommending that the City Council repeal the Site and Building Plan Review Ordinance as part of the Consent Agenda. If removed from the Consent Agenda, the ordinance can be repealed through the following motion:

“Move to adopt Ordinance 08-105, repealing the Site and Building Plan Review Ordinance.”

ATTACHMENTS:

1. Ordinance 08-105
2. Planning Commission Report, 3/24/14
3. Site and Building Plan Review Ordinance