



STAFF REPORT

DATE: 5/14/2024

Item#:

Workshop

TO: City Council
FROM: Ashley Monterusso, Planning Assistant
AGENDA ITEM: **Zoning Text Amendment – OP-PUD**
REVIEWED BY: Jason Stopa, Community Development Director
Nathan Fuerst, Bolton and Menk Planning Consultant
Sophia Jensen, City Planner
Jack Griffin, Focus Engineering
Marty Powers, Public Works Director

BACKGROUND:

Reviewing the Open Space Planned Unit Development (OP-PUD) Ordinance is an item on Planning Commission’s 2024 work plan. After reviewing recent concept plan applications, discussing challenges with developers, and reviewing the language with Engineering and Public Works, staff have identified several areas of the ordinance that could be corrected, updated, and clarified. Staff are proposing a general cleanup of the ordinance along with new standards for consideration.

ISSUE BEFORE COUNCIL:

The City Council is being asked to consider the proposed language and amendments and give staff guidance on the proposed OP-PUD standards changes.

PROPOSAL DETAILS:

City Zoning Code Sections under review:

- **1.08.010 (General Provisions - Terms Defined)**
- **105.12.1120 (Zoning Code – Planned Unit Development Regulations)**
- **105.12.980-105.12.1110 (Zoning Code – Open Space Planned Unit Developments)**

REVIEW AND ANALYSIS

See attached. Proposed language is underlined. Deleted language is shown with a ~~strikethrough~~.

1. 1.08.010 (General Provisions - Terms Defined)

- Staff is proposing adding a definition for “open space area” as referenced in 105.12.1050 (7)(a) under Open Space and park land adjustments. While open space is defined, there currently is not a definition for “open space area” or “cluster development” in the city code. Adding definitions is suggested to give clarity to the section since the developer is required to calculate the open space area.
- Proposed definitions:

Open space area means the measurement of all undeveloped land and natural features within a subdivision or planned unit development. Trails outside of the road rights-of-way and agricultural buildings are

included in the open space area. Road rights-of-way and buildable lots are not considered open space area.

Cluster development means a pattern of subdivision development which places dwelling units into compact groupings while providing a network of commonly owned or dedicated open space. Lots within a cluster development typically do not meet minimum lot width and area requirements.

2. 105.12.1120 (Zoning Code – Planned Unit Development Regulations) Add clarification to the intent of Planned Unit Developments. See attached for proposed update.

3. 105.12.980-105.12.1110 (OPEN SPACE PLANNED UNIT DEVELOPMENTS)

A. Add clarity to setbacks for accessory use - 105.12.1040

- Staff identified confusing language around setbacks within the OP-PUD for accessory structures. The added language and accompanying table reduce setbacks since the lot area requirements are reduced. Rural Residential requires a 10-acre minimum lot size. Adding new language to the sections is intended to offer clarity.

B. Update Open Space PUD Design Standards - 105.12.1050

Development Types: The department proposes two development types in an OP PUD. *For applying development standards, projects within an Open Space PUD shall be considered either a traditional or a cluster development. By default, a project shall be considered a traditional development. If 10 percent of the single-family lots within the proposed project do not meet the standards for a traditional development, the project shall be determined to be a cluster development.*

1. *Density.*

- Staff are suggesting increasing the density from .45 units per acre to .8 units per acre. The reason for increasing density is two-fold. First, the existing density is based on 1 acre lots and many of the developments are less than 1 acre with a communal drain field. Secondly, increasing density should make development in Lake Elmo more economically competitive.

2. *Density bonus.*

- Staff are also proposing a 10% density bonus for sites with considerable wetlands or natural area or stormwater reuse for irrigation. Currently there is a 20% density bonus for similar sites outlined in the standard PUD section. For clarity, this bonus is outlined in the OP-PUD section of code. The reduction in percentage from 20% to 10% is based on the newly proposed increase to the base density.

3. *Septic design identification.*

- Based on feedback from the city engineer, staff have added low pressure sewer guidance to sites proposing communal drain field.

4. *Identification of required buffers.*

Staff are proposing amending the language in this section for conciseness and clarity.

5. *Placement of streets.*

- Based on feedback from the city engineer, staff added clarifying language to permit 28-foot-wide streets with parking on one side of the road. This language is meant to add flexibility for developers while maintaining high design standards and connectivity for the city.

6. *Lot creation.*

- Staff is suggesting that single-family lots that are served by individual septic tanks, utilizing communal drain fields, decrease in size from 21,780 square feet to 16,000 square feet. Staff also propose a 100' minimum lot width and a 160' minimum lot depth. These changes are meant to encourage development, while preserving natural land.
- Staff is suggesting the addition of cluster development to this section and recommends that single-family lots being served by individual septic tanks utilizing communal drain fields shall be a minimum of 12,800 square feet in size with an 80' minimum lot width and 160' minimum lot depth. Cluster developments would be required to have a minimum open space area of 60%. Lots designed with rear-loaded parking through a secondary access (alley), may reduce the required front lot width to 80' for a traditional development and 60' for a cluster development. These changes are meant to encourage development, while preserving more open space area. Additionally, this can be more space-efficient and environmentally friendly compared to each lot having a separate drain field. Reducing the front lot width in cluster developments, from 80 feet to 60 feet, encourages density while allowing flexibility.

C. Update Open Space PUD Development Standards – 105.12.1060

1. *Building standards.*

- Staff are proposing adding an attached garage standard to be more consistent with the city's design standards. Staff are proposing that the width of the garage shall not exceed 40 percent of the width of the entire building façade that is fronting the primary street.

2. *Trail and sidewalk standards.*

- Staff is proposing adding "sidewalk" to this section of code to encourage both trails and sidewalks in Open Space PUDs. Adding sidewalks to this section allows developers to choose a combination of trails and/or sidewalks for their project.
- Staff propose changing language in this code to encourage that sidewalks be constructed along the lot frontage on one side of the road.
- Staff also propose additional language to encourage trail connections to other developments and public places.
 - There is flexibility in the language in this area of code to require more than the sum of the centerline length of all public roads in the development at the discretion of the community development director or the city engineer.

D. Update Open Space PUD Review Procedure, 105.12.1080

- Staff are proposing cleaning up language in this section for consistency. See attached language.

E. 105.12.980-105.12.1110

- Staff is proposing updates for all mentions of "planning director" to "community development director".

FISCAL IMPACT:

None.

NEXT STEPS:

- **Public hearing at Planning Commission meeting on 6/10**
- **City Council recommendation 6/18**

ATTACHMENTS:

- Draft ordinance language with existing language