



**City of Lake Elmo
Planning Commission Meeting
Minutes of March 12, 2012**

Chairman Van Zandt called to order the meeting of the Lake Elmo Planning Commission at 7:00 p.m. COMMISSIONERS PRESENT: Ziertman, Obermueller, Van Zandt, Hall, Fliflet, Williams, Pelletier, Haggard. COMMISSIONERS ABSENT: Bloyer. STAFF PRESENT: Planning Director Klatt, Interim City Planner Nick Johnson

Approve Agenda

M/S/P: Williams/Hall move to approve the agenda as presented. Vote 7:0

Minutes – February 27, 2012

M/S/P: Williams/Fliflet, move to approve the minutes of the February 13, 2012 meeting as presented. Vote 5:0 with two abstentions (Fliflet, Pelletier)

Business Item – Exterior Lighting Ordinance Review

Interim City Planner Johnson presented information concerning a model lighting ordinance that has been produced by the International Dark Sky Association and the Illuminating Engineering Society. The model ordinance has been adopted by many communities around the country and could serve as a blueprint for an amendment to the current lighting ordinance. He reviewed the concerns that have been previously expressed by the Planning Commission and Staff, and stated that he thought that the model ordinance could address these issues.

Fliflet stated that enforcement was going to be a significant issue, and that if the City would not be able or unwilling to enforce certain provision of the code then they should be removed.

It was stated that there does not appear to be any differentiation in the model ordinance between lighting in the center of a parking lot verses other portions of the site. Johnson replied that the performance standards are based on the type of lighting fixture that is use, which will vary across a typical site.

Van Zandt asked if the measure for lumens would vary depending on the type of lighting, using LED lighting as an example. Johnson stated that the ordinance would include a conversion chart for various types of lighting.

Van Zandt also questioned if there could be a record kept of the fixtures that were initially installed with each project. Johnson reported that this could be part of the application process, and that to implement an ordinance like the model ordinance would require some additional training for the staff that will be reviewing applications.

There was a general discussing concerning requirements within some of the homeowner's associations that require lights to be left on at night, and how these provisions may conflict with the model ordinance.

Fliflet asked if the model ordinance addresses streetlights. Johnson noted that the model ordinance does not address street lighting, which would be exempt from the requirements of the ordinance.

The Commission generally expressed concern regarding the safety of neighborhoods that do not have streetlights.

Van Zandt noted that there are ways to focus lighting so that a parking lot or other commercial developments may be able to reduce the light pollution while still providing for security.

Haggard asked if the City could regulate the height of lighting going into new developments. Johnson noted that the City could modify the model ordinance to regulate heights as deemed appropriate.

Fliflet suggested that Lake Elmo may want to consider a zoned-based system, and noted that the City has a lot of diverse land uses that may or may not need to be regulated as heavily. She also commented that there appear to a very large number of lights in the community that do not comply with either the existing ordinance or the proposed model ordinance.

Obermueller asked about enforcement, and if it might be possible for other staff to help enforce the code.

Ziertman stated that over time, lighting should be able to be brought into compliance. She commented that the current code is fairly restrictive when it comes down to the options available to residents, and that the model ordinance does appear to provide some additional flexibility.

Van Zandt questioned how streetlights had been provided in certain developments and who was responsible for these lights. Klatt replied that it varies, and that some of the fixtures are owned by Xcel and in other cases they may be owned by the City.

Williams asked what the City's legal authority would be to override neighborhood covenants. Klatt replied that in his experience, local codes would take precedent over any neighborhood covenants.

The Commission generally discussed how any new ordinance would be enforced and how it would be applied to existing residents and businesses.

Williams noted that education should be a major component of any lighting program.

Johnson suggested that a subcommittee of the Planning Commission could be formed to further study any potential ordinance changes.

Fliflet asked if updates to the lighting ordinance could be considered as part of planned updates to the City's design standards. Williams suggested that the Commission could address the questions of how to incorporate lighting into the ordinance at a future meeting.

Klatt stated that Staff would further discuss a proposed lighting ordinance with the Commission at a future meeting, which could include a discussion on how to incorporate lighting regulations into the City Code. He also noted that Staff could address some of the questions that came out of the current meeting discussion at this future date.

Council Updates

Klatt reported on recent City Council decisions concerning land use applications. He noted that the variance application for 5577 Lake Elmo Avenue had been tabled and will be considered at a future Council meeting.

Staff Updates

Klatt informed the Commission of upcoming Village Work Group meetings and offered a brief summary of a recent neighborhood meeting conducted by the I-94 planning group.

Commission Updates

The Commission discussed a letter that had been distributed by Obermueller concerning potential conflicts of interest.

Adjournment

The meeting was adjourned at 8:48 p.m.

Respectfully submitted,

Kyle Klatt
Planning Director