



MAYOR AND COUNCIL COMMUNICATION

DATE: 2/19/13

REGULAR

ITEM #: 15

AGENDA ITEM: Zoning Text Amendment – Planned Unit Development (PUD) Ordinance

SUBMITTED BY: Nick M. Johnson, City Planner

THROUGH: Dean A. Zuleger, City Administrator

REVIEWED BY: Planning Commission
Kyle Klatt, Planning Director

SUMMARY AND ACTION REQUESTED:

As part of ongoing efforts by Staff to integrate best practices and incrementally improving the structure of the Zoning Code, Staff submitted a proposed Planned Unit Development (PUD) Ordinance to the Planning Commission to replace the existing ordinance. The Planning Commission held a public hearing on the proposed ordinance on 12/10/2013, and further reviewed the ordinance at the meeting on 1/14/2013. At the meeting on 2/11/13, the Planning Commission recommended approval of the proposed PUD Ordinance (§154.800) as amended. The City Council is asked to consider the zoning text amendment to incorporate the proposed PUD Ordinance (Ord. 08-070) into the City's Zoning Code.

BACKGROUND INFORMATION:

As the City prepares for new sewer growth in the I-94 Corridor and Village, it is important to update the Zoning Code to ensure that best practices of implementation are utilized. Staff has taken an incremental approach to evaluating various ordinances in the Zoning Code to investigate opportunities for improvement. In addition, Staff is working to incrementally reorganize the structure of the Zoning Code, so that the standards and zoning districts are outlined in a more straightforward manner. The proposed update of the PUD Ordinance is aimed at furthering both of these efforts, incorporating best practices for planned developments, as well as incorporating the ordinance into the new structure of the Zoning Code.

For those less familiar with planned developments, or PUDs, the purpose is to allow greater flexibility in the use of land and placement and size of building in order to achieve higher quality development through the inclusion of various amenities that the public deems important. In other words, projects are allowed additional flexibility for the tradeoff of site amenities that would otherwise not be included based upon the standard procedures for development in the base zoning districts.

STAFF REPORT:

As Staff evaluated the City's existing PUD Ordinance, multiple opportunities for improvement were identified. The opportunities for improvement include the following:

- The existing PUD ordinance does not adequately identify the goals or objective for planned developments in Lake Elmo.
- There are no standards for the inclusion of open space within planned developments.
- The existing PUD Ordinance does not adequately specify how increased densities are achieved in planned developments.

The proposed PUD Ordinance (Ord. 08-070) addresses all of these opportunities by identifying the City's objectives for planned developments, requiring a minimum amount of open space (20%) and establishing a more structured approach to achieving increases in residential density.

In regards to the identifiable objectives (§154.801), it is important to have the goals for planned developments clearly communicated. For a planned development application to be considered, the development must meet at least one of the community's identified objectives to be considered for approval. By requiring that the City's objectives for planned developments are met, the City can weed out the applications for a planned development that are solely interested in density increases.

Regarding density, the proposed PUD Ordinance allows for a maximum increase of residential density up to 20% in exchange for various site amenities. All of the site amenities are given a certain amount of amenity points depending on the cost to install the amenity, as well as the value of the amenity to the community. Each percentage increase in residential density is equivalent to one (1) amenity point. In other words, if a planned development includes a 10% increase in density from the base zoning district, then the project must include one or a combination of amenities that equal 10 amenity points. Staff recommends this approach to awarding increased density because it ensures that various amenities that the community values will be included in planned developments. In addition the approach is more structured in that it creates a level playing field for all applications for planned developments, as opposed to other PUD ordinances that operate more similarly to an open negotiation between the applicant and the City.

In addition to the PUD Ordinance itself, Staff recommends that the City pursue a summary publication of the ordinance due to the length of the document. The City Council is required to pass a resolution (2013-14) authorizing summary publication. The summary publication (Resolution No. 2013-14) of Ord. 08-070 is also attached. *Requires 4/5 vote.*

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission is recommending that the City Council adopt of the proposed PUD Ordinance through the following motion:

“Move to adopt Ordinance 08-070 to incorporate recent best practices related to the execution of PUDs and make continued organizational improvements to the Zoning Code.”

In addition, Staff is recommending that the City Council approve summary publication of the ordinance through the following motion:

“Move to approve Resolution No. 2013-14, authorizing summary publication of Ordinance 08-070.”

ATTACHMENTS:

1. Ordinance 08-070
2. Resolution No. 2013-14 – Summary Publication. *Requires 4/5 vote.*

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item City Administrator
- Report/Presentation.....Planning Director
- Questions from Council to Staff Mayor Facilitates
- Public Input, if Appropriate Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion Mayor & City Council
- Action on Motion..... Mayor Facilitates