



MAYOR AND COUNCIL COMMUNICATION

DATE: 5/21/2013

REGULAR

ITEM #: 13

AGENDA ITEM: Zoning Text Amendment – Specific Development Standards

SUBMITTED BY: Nick Johnson, City Planner

THROUGH: Dean Zuleger, City Administrator

REVIEWED BY: Planning Commission
Kyle Klatt, Planning Director

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item..... Staff
- Report/Presentation..... Staff
- 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

SUMMARY AND ACTION REQUESTED:

The City Council is asked to consider a Zoning Text Amendment, establishing specific development standards for multiple use classifications in Lake Elmo. These development standards will be organized under Article 7 under the new organizational structure of the Zoning Code. The proposed amendment will also serve to establish the template/location where all existing and future performance standards related to specific use classifications will be organized. This Zoning Text Amendment is part of the ongoing effort to reorganize and improve the Lake Elmo Zoning Code in preparation of future sewered growth.

The Planning Commission recommends the City Council approve Ordinance 08-080 through the following motion:

“Move to approve Ordinance 08-080, establishing specific development standards for multiple use classifications in the Lake Elmo Zoning Code”

In addition, Staff recommends that the City Council approve Resolution No. 2013-44, authorizing summary publication of Ordinance 08-080, through the following motion:

“Move to approve Resolution No. 2013-44, authorizing summary publication of Ordinance 08-080.”

BACKGROUND AND STAFF REPORT:

Staff is continuing to progress on a large project aimed at incrementally reorganizing and improving the Lake Elmo Zoning Code in preparation of upcoming growth. In this spirit, Staff determined that it was important to establish specific development standards for use classifications that are currently not

thoroughly addressed in the existing Zoning Code. In addition, working on these standards would also further the reorganizational efforts by establishing Article 7 - Specific Development Standards, creating a location within the new structure to relocate existing performance standards and adopt new standards. It is important to note that any standards that pertain to use classifications across all zoning districts shall be located within Article 7. For example, if the City needs to establish standards for the use Nursing and Personal Care that will apply to the use regardless of the zoning district, then the standard would be located in Article 7, as opposed to specific standards for uses that apply only in certain districts.

The Planning Commission reviewed the proposed Specific Development Standards Ordinance at a regular meeting on April 22, 2013. At this meeting, the Planning Commission made some recommendations related to minor adjustment of the ordinance. Staff responded to this request by making refinements. After an initial review, the Planning Commission held a public hearing on the proposed ordinance on May 13, 2013. No one spoke in favor or against the ordinance at the public hearing. The Planning Commission unanimously recommended the proposed ordinance for approval (Vote: 4-0).

Regarding the standards contained within Article 7, the specific development standards will be organized by use classification under the following subsections: Residential and Related Uses, Public and Civic Uses, Services, Food Services, Automotive/Vehicular Uses, Outdoor Recreation Uses, Indoor Recreation/Amusement, Industrial and Extractive Uses, Transportation, Utility and Communications Uses and Accessory Uses. These categories directly relate to the use classifications found in §154.012. The majority of the standards contained within the proposed ordinance pertain to uses that are not adequately addressed in the existing Zoning Code. However, the proposed ordinance does address Gas Stations, Restaurants with Drive-Through and Drive-Through Facilities. Performance standards for similar uses (Service Stations and Drive-In Business) currently exist in §154.102 and §154.109. For that reason, Staff evaluated these standards for effectiveness and best practices and carried the effective standards forward in the proposed ordinance. As part of the proposed ordinance, Staff recommends striking §154.102 and §154.109 to be consistent with the proposed structure or organization of the Lake Elmo Zoning Code. Finally, other uses that have existing standards in place, such as wireless towers or mining, will be evaluated for effectiveness and reorganized into the new structure as time allows. The reorganization efforts are not a high priority as long as some effective standards are in place. Staff will continue to make these structural changes incrementally.

RECOMMENDATION:

The Planning Commission recommends the City Council approve Ordinance 08-080 through the following motion:

“Move to approve Ordinance 08-080, establishing specific development standards for multiple use classifications in the Lake Elmo Zoning Code”

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ATTACHMENT(S):

1. Ordinance 08-080
2. Resolution No. 2013-44