

**MINUTES
OF THE WORK SESSION OF THE
EDINA PLANNING COMMISSION
ZONING ORDINANCE UPDATE COMMITTEE
EDINA CITY HALL COUNCIL CHAMBERS
4801 WEST 50TH STREET
SEPTEMBER 9, 2009
7:00 PM**

Chair Fischer called the meeting of the Zoning Ordinance Update Committee (ZOUC) to order at 7:00 pm in the City of Edina Council Chambers. Planning Commission Members present: Mike Fischer, Michael Schroeder, Jeff Carpenter, Steve Brown, Arlene Forrest and Julie Risser. Public present: Tom Bonneville

Chair Fischer addressed the ZOUC and explained the intent of this work session is to re-cap past meetings and establish a work plan.

Planner Teague reminded Commissioners that this past April Mike Fischer and Kevin Staunton presented to the City Council a work plan to bring Edina's zoning code into agreement with the updated Comprehensive Plan. The April Council meeting "kicked off" the process of updating the zoning ordinance and the work session meetings formally began in May 2009.

Chair Fischer commented the Commission needs to focus on the big picture with the goal of drafting a statement of intent and formulating a work plan. Continuing, Chair Fischer said he visions at least four categories to the work plan and outlined the four categories with projected "time frame" – Note the proposed outline below with suggestions from the Zoning Ordinance Update Committee members:

1. Aligning ordinances with the Comprehensive Plan. 9 months.
 - Building heights – suggested in the Comp Plan are limits on building height for the different zoning districts/area.
2. Organization of the Ordinances. 12 months
 - Structure.
 - Navigation – How to make the ordinance easier to navigate for developers and residents. Develop a statement of intent. Clarify definitions, etc.

3. Development Review Process 12+ months

- It was previously discussed (at past work sessions) that a sketch plan review option should be folded into the ordinance
- Variance review – Commissioners noted that due to a recent court ruling the variance process was changed. The process now needs to be addressed and at minimum the process/order of review clarified. Commissioner Schroeder pointed out that if the Commission is considering redefining the variance process, it may be a good idea to invite the current members of the Zoning Board to a work session. Commissioner Carpenter agreed especially in light of the fact that there is a real possibility the Zoning Board would either be eliminated or re-configured in some form. Commissioners agreed there is merit in speaking with members of the Zoning Board. A discussion ensued with Commissioners scheduling a work session meeting with the Zoning Board directly after their September 30th PC meeting. Invite to be sent out by staff
- Traffic/Parking. It was acknowledged there is an overlap in the review process with both the Transportation Commission weighing in on a project as it relates to traffic and the Planning Commission also weighing in. (The Transportation Commission meets prior to the Planning Commission with their recommendations forwarded to the Commission for their review). The roles for both the Transportation and Planning Commission need to be clarified – (what is commented on and what shouldn't be)
- Public Hearings – There appears to be a duplication of public hearings – a few years ago the Council suggested that the Planning Commission conduct public hearings with the hope of stream lining the review process; however that hasn't been the case. Currently both the Planning Commission and Council hold public hearings for the same project. This has been an issue for both residents and developers.

Commissioner Risser serves as the Planning Commission liaison to the Energy and Environment Commission (EEC) and reported the EEC has indicated they would like to be queued into the project review process. Chair Fischer directed Commissioner Risser's request be added to the "list" Planner Teague is compiling. It was mentioned that adding an additional project review step would lengthen the process. It was also noted that the Council would need to delegate the EEC as an additional step in the development review process. (How would this request fit within the 60-120 day rule?)

- Role of the Energy and Environment Commission (?)

4. Content changes. 12+ months

- Performance Standards - Commissioners listed a number of items that need to be clarified and aligned with the Code. New issues may also need to be added – the following “issues/topics were raised:
 1. Driveway width (impact especially in Edina’s small lot areas) should there be a minimum width?
 2. Tree preservation – do we need a tree ordinance?
 3. Lighting – review current standards and if warranted modify them
 4. Noise
 5. Hard surface/lot coverage – review current standards and amend if needed
 6. parking regulations – It has appeared in the past that the current ordinance standards may be out of step with reality – the City has a policy of recommending a proof-of-parking agreement to retain green space. Commissioners noted that proof-of-parking isn’t even mentioned in the ordinances
 7. Setbacks for outdoor fireplaces
 8. Wetland setbacks. Commissioner Risser said she would like to see the City require setbacks from wetlands. Commissioner Risser acknowledged that currently the City has established setbacks from water bodies, reiterating wetlands should be included. A brief discussion ensued with Commissioners noting that currently projects that abut waterbodies/wetlands need to be heard and approved by the Watershed District (Minnehaha/Nine Mile) as a condition of approval.

- Planned Unit Development (PUD) – establish in the ordinance a Planned Unit Development and review process. Commissioners commented that in developing PUD standards they should keep in mind what they wouldn’t want to see. Planner Teague said Roger Knutson needs to be involved in writing PUD standards. Sustainable design was mentioned as a PUD standard; however, after further discussion it was decided that sustainable design should stand alone.

- Other – Planner Teague indicated he has been keeping a “list” of items that need to be addressed during the re-write process:

These items could fall under general standards. They are as follows:

1. Wetland setbacks – should the City establish setbacks;
2. Conditional Use Permit standards;
3. Fold the sign ordinance into 850;
4. Front yard setback – This needs to be clarified;
5. Should the ordinance have maximum/minimum apartment size per zoning district PRD-PSR;
6. Bring the ordinance into compliance with state statutes;
7. Non-conforming uses;
8. 60 day rule – 120 day rule;
9. Further review of 1st floor elevation; modify or create new.

Planner Teague said he would continue to add to the “list” as necessary.

Commissioners suggested that staff contact other cities to see how different zoning ordinances are structured and organized, and if they contain statements of intent. It was acknowledged that Mr. Knutson wasn't too comfortable with “guidance statements”. However, it was noted it is helpful to have the intent match the rule.

Commissioners stressed that Mr. Knutson should play an active role during the update process.

Commissioners also discussed the relationship of the Comprehensive Plan to the zoning ordinance. There was some discussion on the issue of “small area plans” and if they are still a valid option to be included in the ordinance. Commissioners felt the Comprehensive Plan is a living document, adding small area plans are still valid.

Concluding, Chair Fischer said the Zoning Ordinance Update Committee will meet with the general public on October 14, 2009 7:00-8:30 PM at the Senior Center. Chair Fischer said the public will be notified via postings, city-extra and an article(s) in the Sun Current. Chair Fischer said his vision is of an interactive meeting with an initial presentation on the process and “where we are now” – there could also be breakdowns into small groups, a question and answer period, etc. Chair Fischer said resident feedback is important, adding residents could also participate in the written form – worksheets and/or note cards could also be distributed.

Meeting adjourned at 8:30 pm.