

# Zoning Ordinance Update Process

## Public Input Session

October 14, 2009

## **Goals of the Zoning Ordinance Revisions**

1. Bring the Zoning Ordinance into compliance with the Comprehensive Plan.
2. Revise the Administration and Procedures section of the ordinance to make the city's development process clear.
3. Create a PUD Ordinance to allow flexibility from standard zoning in exchange for strengthened city control over development.
4. Resolve the procedural issue of the Zoning Board of Appeals taking final action on large development projects with variances.
5. Add performance standards to address several issues raised over the past couple years.

# City Code

Chapter 1. General Code Provisions and Administration

Chapter 2. Public Dances Lawful Gambling & Amusement Devices

Chapter 3. Animals

Chapter 4. Buildings, Construction & Signs

Chapter 5. Civil Defense and Emergencies

Chapter 6. Fire Protection

Chapter 7. Health

**Chapter 8. Land Use, Plats and Zoning**

Chapter 9. Liquor

Chapter 10. Misdemeanors and Nuisances

Chapter 11. Public Utilities

Chapter 12. Streets and Parks

Chapter 13. Trades and Occupations

Chapter 14. Traffic Control and Vehicles

## **CHAPTER 8. LAND USE, PLATS AND ZONING**

[Section 801](#) - Heritage Preservation Board

[Section 805](#) - Planning Commission

[Section 810](#) - Plats and Subdivisions

[Section 815](#) - Radio and Television Antennas and Towers

[Section 820](#) - Vacation of Streets, Alleys, Public Ways and Utility Easements

[Section 830](#) - Tree Removal, Grading and Excavation

[Section 835](#) - Comprehensive Plan

[Section 845](#) - Restricted Access Parking Lots

[Section 850](#) - Zoning

# **City of Edina Zoning Ordinance Table of Contents**

- 850.01 Findings, Purpose and Objectives
- 850.02 Short Title
- 850.03 Rules of Construction, Interpretation, Severability, Definitions
- 850.04 Administration and Procedures for Variances, Rezoning, Transfer to Planned Districts, Conditional Use Permit, Temporary Conditional Use Permits.
- 850.05 Districts
- 850.06 District Boundaries
- 850.07 General Requirements Applicable to all Districts
- 850.08 Parking and Circulation
- 850.09 Loading Facilities
- 850.10 Landscaping and Screening
- 850.11 Single Dwelling Unit District (R-1)
- 850.12 Double Dwelling Unit District (R-2)
- 850.13 Planned Residence District (PRD, PSR)
- 850.14 Mixed Development District (MDD)
- 850.15 Planned Office District (POD)
- 850.16 Planned Commercial District (PCD)
- 850.17 Planned Industrial District (PID)
- 850.18 Regional Medical District (RMD)
- 850.19 Automobile Parking District (APD)
- 850.20 Edina Heritage Landmarks
- 850.21 Floodplain Overlay District (FD)

<i>Stage</i>	<i>Task</i>	<i>Description</i>	<i>Involvement</i>	<i>Timing</i>
<b>Assessment and information gathering</b>				
1		Compile a list of modifications required to bring zoning ordinance into conformance with comprehensive plan; identify, from a Planning Commission perspective, other areas of the zoning ordinance requiring revision or update; analyze the development review process to identify deficiencies from a city perspective	Planning Commission	This task has been largely accomplished, but may need to be more definitively memorialized.
2		Engage representatives from various segments of the development community in a forum aimed at gaining their insights into the city's development review process and zoning requirements	Planning Commission, development community representatives (retail, office, industrial, multi-family residential, single family residential, and institutional)	ZOUC meeting on 13 May 2009
3		Invite other city commissions to ZOUC meeting(s) to identify directions for zoning revisions consistent with their goals and the city's regulatory needs, and to review other directions under consideration by each commission	Planning Commission, other commissions	Beginning with ZOUC meeting on 10 June 2009 and continuing through August 2009
4		Conduct a community meeting to share the process of updating the zoning ordinance with the Edina community, to solicit input regarding anticipated changes or areas of potential change, and seek local insights into city development review process and zoning requirements	Planning Commission, general public (residents, business owners, property owners)	September 2009
5		Conduct a workshop with City Council to review input gathered from Stage 1, and to solicit further input regarding the city's development review process and zoning requirements	Planning Commission, City Council	

<b>Formulation of potential revisions</b>				
6		Develop draft revisions required to align the zoning ordinance with the comprehensive plan	Planning Commission	Complete by 14 October 2009
7		Develop draft revisions or recommend alternatives to the zoning ordinances focusing on performance standards; form subcommittees to develop recommendations for revisions or additions for areas of the ordinance where direct input from other commissions provides a greater degree of specificity or insight for the proposed revision	Planning Commission, other commissions	Complete by 11 November 2009
8		Frame a development review process that addresses deficiencies identified during the first stage of the zoning ordinance update	Planning Commission	Complete by 13 January 2010
9		Formulate draft recommendations for changes to the zoning ordinance and development review process	Planning Commission	Complete by 9 February 2010
10		Conduct a workshop with City Council to review input offered during Stage 2 and draft recommendations for changes to the zoning ordinance and development review process	Planning Commission, City Council	Late February 2010

## Evaluation of potential revisions

11	Conduct a community meeting to share draft recommendations for changes to the zoning ordinance with the Edina community and the development review process	Planning Commission, general public (residents, business owners, property owners)	Late March 2010
12	Invite development community representatives to a forum to review the draft recommendations of changes to the zoning ordinance and the development review process	Planning Commission, development community representatives (retail, office, industrial, multi-family residential, single family residential, and institutional)	ZOUC meeting on 13 April 2010
13	Conduct a workshop(s) with other city commissions to review the draft recommendations for changes to the zoning ordinance and the development review process	Planning Commission, other commissions	ZOUC meeting on 12 May 2010
14	Prepare recommendations for changes to the zoning ordinance and development review process based on input from community, development community representatives, City Council, and other city commissions	Planning Commission	ZOUC meeting on 9 June 2010
15	Conduct a workshop with City Council to informally evaluate the potential revisions to the development review process and zoning ordinances,	Planning Commission, City Council	Late June 2010

## Confirmation

16	Distribute recommendations for changes to the zoning ordinances and the development review process to other city commissions; request a formal review and recommendation by each reviewing commission	Planning Commission representatives, other city commissions	July and August 2010
17	Develop final recommendations for changes to the zoning ordinances and the development review process based on the formal review by other city commissions	Planning Commission	ZOUC meeting on 8 September 2010
18	Conduct regulatory hearings at the Planning Commission and City Council to adopt the recommended changes to the zoning ordinances and development review process	Planning Commission, City Council	Beginning November 2010

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# Zoning Ordinance Update Input Sessions

May 13, 2009	Developer Input Session
June 10, 2009	Energy and Environment Commission
July 29, 2009	Park Board Transportation Commission Heritage Preservation Board
August 12, 2009	Roger Knutson – City Attorney Dan Cornejo – Former City Planner
September 9, 2009	Work Plan Outline discussion
September 30, 2009	Zoning Board of Appeals members
October 14, 2009	Review with the General Public

# Developer Input Session

May 13, 2009

Use a carrot instead of a stick to move development toward community goals

Provide clarity and predictability in ordinances and the development review process

Look for ways to streamline the development review process

Institute a PUD process to achieve higher quality projects

Investigate a sketch plan review process for potential development proposals

Understand the ways in which developers and neighbors rely on the ordinances

Improve communication between developers and neighbors

Strive for balance between whole community and immediately-affected neighbors

# Energy and Environment Commission

June 10, 2009

How do we verify performance of buildings after approval?

Understand true total cost of projects (future energy)

LEED concepts as opposed to LEED certification

Incentives versus mandates

Tree ordinance/policy

The City should set the example

How do we help the City meet its carbon reduction goals (ICLEI)?

How do we identify performance standards that really work?

# Park Board, Transportation Commission, Heritage Preservation Board

July 29, 2009

Encourage redevelopment projects to include open space, green space accessible by the public

Look for public/private partnerships

Transportation and Planning commissions are currently duplicating efforts on review of basic traffic issues

Transportation commission could be focused more on system-wide traffic issues

Make the process clear to applicants and the public

Fix conflicts (driveway width and others) between zoning and HPB Plan of Treatment

Current setback rules eliminate certain historic housing styles

Consider a sketch plan review process

# Roger Knutson and Dan Cornejo

August 12, 2009

The zoning ordinance is a tool to implement City policy through the vision created by the comprehensive plan

A series of variance requests for the same thing suggest a need to amend the zoning ordinances

A sketch plan review should be voluntary and not part of a formal application to avoid getting into time restrictions

Edina currently has a very difficult development process to navigate. Confusing for developers, citizens, commissioners and the City Council

A PUD should be coupled with strong, clear underlying zoning requirements per district

Make sure underlying zoning works well and have a PUD available for when more creative solutions are necessary

Be careful about getting into building design issues when discussing sustainable design

# Edina Zoning Ordinance Work Plan (9-30-09)

## 1. Aligning Ordinances with the Comprehensive Plan

Building Heights

## 2. Organization of the Ordinances

Structure

Navigation (definitions, statements of intent etc.)

## 3. Development Review Process

Sketch Plan Review

Traffic/Parking Review

Planning Commission role vs. Transportation Commission role

Variance Review

Planning Commission role vs. Zoning Board of Appeals role

Project Review

Role of the Energy & Environment Commission

Public Hearings

Duplication of Public Hearings by the Planning Commission and City Council

## 4. Content Changes

Planned Unit Development (PUD)

Performance Standards

Driveway width; tree preservation; sustainable design; lighting; noise; landscape requirements; impervious surface max.; parking regulations/proof-of-parking; pedestrian connectivity; outdoor fireplaces.

Other (The bucket list)

Wetland setbacks; CUP Standards; sign plan/sign ordinance; front yard setback; text amendments; maximum/minimum size for apartments; bringing the ordinance into compliance with state statutes in regard to group homes, non-conforming uses; 60-120-day rule.

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## Exercise One

Shaping an Understandable and Responsive  
Development Review Process

# Edina Zoning Ordinance Work Plan

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# What is a PUD?

**A Planned Unit Development (PUD) is a designed grouping of varied and compatible land uses within one contained development or subdivision.**

**The purpose of a PUD is to provide enhanced City control over development through comprehensive procedures and standards allowing more flexibility in a development than would be possible under a conventional zoning district.**

**The intent of a PUD is to:**

Create or maintain a development pattern that complies with the city's comprehensive plan.

Allow for the mixing of land uses within a development when such mixing of land uses could not otherwise be accomplished in standard zoning districts.

Provide for variations to the strict application of the land use regulations in order to improve site design and operation, while at the same time incorporate design elements (e.g., sustainable design, special construction materials, landscaping, lighting, etc.) that exceed the city's standards to offset the effect of any variations.

Promote a more creative and efficient approach to land use within the city, while at the same time protecting and promoting the health, safety, comfort, aesthetics, economic viability, and general welfare of the city.

Preserve and enhance natural features and open spaces.

Maintain or improve the efficiency of public streets and utilities.

Ensure the establishment of appropriate transitions between differing land uses.

## Exercise Two

Adjustments, Modifications, New Elements, Additions