2 planning Comissioners + 1 citizen

Exercise One

# shaping an understandable and responsive process...

## *Instructions*

In Edina, as in most communities, proposals for development are generally subject to review by a number of city commissions and the City Council. While our city code frames a review process, it is likely not well understood by the public, and it may not always lead to the best results. Please work in small groups to **define the review process as you perceive it**, then offer your thoughts about **a process that might be ideal for Edina.** As we intend to use your response to explore a more understandable and responsive review process, you need not be concerned about the statutory review process used currently in Edina. Use more than one sheet if necessary.

| perceived process | ideal process |
|---|---|
| Developer meets with staff to take temperature | Same |
| Developer creates preliminary plans + submits application | Variance requests/hearings at least before final devel. plan. |
| Transportation review — City staff + Review makes recommendation | |
| - Transportation reviews - make recommendation to planning comm. | |
| planning commision + public hearing | |
| review by council? — Approval w/feedback | |
| final review by planning Commision + public hearing | |
| Council + public hearing | |
| variance to board of zoning appeals | |
| Plan approved if no appeals | |
| | |

**problems with the *perceived* process**

- variance is too late in process
- process seems inefficient
- too many public hearings?
- council needs to hear everything again.

**benefits of the *ideal* process**

- variance earlier
- reduced public hearings
-

*Vocal minority is too powerful at the council level.

Planning Commission

Exercise One

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| perceived process | ideal process |
|---|---|
| Developer hires staff & prepares initial plans | ~~SRetch~~ DITTO |
| Developer approaches City staff & discusses ideas & finalizes plans in detail | Developer has SRetch Plan review of staff |
| Developer may amend plans based on staff input (Variance removal, etc.) | Developer has SRetch Plan review (with modification) with the Planning Commission |
| Preliminary review w/ Planning Commission by ~~[illegible]~~ & City Planner of his recommendations | Final Plans are reviewed by Transportation, ZBA & any other appropriate Commission |
| Transportation Commission ~~Final Review of Plan Commission~~ Review | Planning Commission sees final recommendations of all above & staff recommendations & holds public hearing. |
| ZBoard Appeals review of variances required | Planning Commission votes |
| Final Planning Commission review of plans / Public Hearing | ECC Review & Public hearing as needed |
| ECC Review & Public Hearing as needed | |

**problems with the *perceived* process**

- Multiple Public Hearings & Comment can be confusing to Public
- Order of ZBA / Transportation & Planning Commission mtgs not always conducive to best input.
- Developers have much $ & time invested prior to commencing entire process.

**benefits of the *ideal* process**

- SRetch Plan saves initial investment & frustration for developers
- Planning Comm. has benefit of all commissions input prior to public hearing & vote
- Primary Public hearing is at Planning Commission level
- Should preclude as many appeals to ECC ~~by [illegible]~~

Edina
**Zoning Ordinance**
Update

October 14, 2009

TAB

Exercise One

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### perceived process

DEVELOPER MEETS W CITY PLANNER

DEVELOPER OUTLINES IDEAS
CITY DESCRIBES SOME PROBLEMS

~~DEVR REVISES IDEAS & DRAWS~~
A CODED PLAN

SCHED OF MTG W ETC

ETC REVIEWS & COMMENTS OR
MOD ITS WANTS & NEEDS

D GOES AHEAD W PC
PC AGREES TO PLAN W/W-O ETC

CC IS SCHEDULED
CC MAY AGREE/DIS W PLAN
AND MAKE ITS OWN CHANGES
W/O ETC/PC OR STAFF

### ideal process

1. DEVELOPER SCHEDULES & MEETS CITY PLANNER/PUB WORKS/POLICE/FIRE BUILDING DEPT (CODES REVIEW)
2. DEVELOPER ASSEMBLES SKETCH OF PROPOSAL MEETING ZONING CODES & BLDG CODES, COMP PLAN
3. 2ND MTG WITH CITY STAFFERS
4. CITY STAFFERS MEET AND REVIEW CITY INFRASTRUCTURE NEEDS & DETERMINE CODE VARIANCES MAKING LIST
5. CITY CALLS 3RD C-D MTG TO REVIEW 4 ABOVE AND TO DISCUSS HOW THESE NEEDS & VARIANCES CAN BE MITIGATED AND MODIFIED
6. ~~C+D AGREE TO MTG W~~ ETC/PC/CC SCHEDULE
7. ETC OK
8. PC OK
9. CC OK
10. D DRAWS FINAL PLAN OR PREL PLAN
11. D+C BLDG DEPT & PD REVIEW IN JOINT SESSION
12. FINAL PLAN
13. BID SET

problems with the ***perceived*** process

PROCESS DOES NOT GIVE AN OPTIMUM RESULT AND IS UNPREDICTABLE AND MAY REQUIRE RE-DO IF ETC, PC ARE NEGLECTED

benefits of the ***ideal*** process

PROCESS IS SEQUENTIAL AND COSTS TO ~~D~~ ARE MINIMIZED. POLITICAL SOLUTION IS MORE IN LINE WITH AGREEMENTS AT EACH STEP.

Exercise One

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just thoughts

no sequence

| perceived process | ideal process |
|---|---|
| favoritism toward developers | |
| homeowners have to uphold to higher standard than developers | |
| codes don't protect homeowners | city takes homeowners interests first and foremost |
| city needs on site inspection for any variences | city inspects developers with same intensity as homeowners |
| planning commission should not argue reasons for subdivision | codes must be totally clear for average citizen or citizen has no recourse in court |
| no tree ordinance | stick to codes. quit giving variances |
| | close loopholes abide by intent of code not what can be gotten away with |
| | variances should benefit people already living in area |

problems with the ***perceived*** process

no chance for rebuttal in planning meetings after closed to public

benefits of the ***ideal*** process

city lives and acts by its codes
does what government should do and work for the residents
codes are not just rhetoric

Exercise One

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| perceived process | ideal process |
|---|---|
| Visit to Building/Planning Dept's To collect information | Have full zoning ordinance info available online |
| Back to Planning w/first plans, were reviewed | Have property surveys more carefully checked for all info accuracy, & read for all info — such as elevations & setbacks |
| Literally back to drawing board, revise plans, resubmit | |
| Plans okay'd, received permit | Don't reward a developer or permit applicant for dishonest application information |
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| problems with the *perceived* process | benefits of the *ideal* process |
|---|---|
| City code is too often not enforced – builder allowed to do as they please | |

Exercise One

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| perceived process | ideal process |
|---|---|
| Preliminary Plan submitted to City Planner | proposed major projects presented to affected neighborhoods — far beyond the 200 to 1,000 feet in present code |
| City Planner / Staff meets with Developer / Proponent | Prelim Plan (Draft) reviewed by City Planner |
| City Planner prepares recommendation to Plan. Commission | Variance, if required acted upon in Prelim Plan |
| Planning Commission reviews Prelim Plan, Developer / Proponent present (at Public Hearing) | |
| Plan. Com Acts on Proposal - If variances required, they are submitted to Variance Code | |
| If variance, Variance Committee meets and acts on request | |
| Preliminary Plan submitted to City Council for action | |
| City Council acts on Prelim. Plan | |

NOTE: Does not occur in Prelim. approval. Only in final

Repeat above for Final Approval.

| problems with the *perceived* process | benefits of the *ideal* process |
|---|---|
| 1) Variances routinely approved Developer / Proponent does not generate / clearly define undue hardship. There are too many unwarranted approvals. | |
| 2) Variances not acted on in Prelim approval process | |

JKB & JKB

Edina
**Zoning Ordinance**
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Exercise Two

# adjustments, modifications, new elements, additions...

## *Instructions*

The City of Edina is obligated to align its zoning code with its recently adopted Comprehensive Plan. While portions of the code relating to building height, for instance, are clearly framed in terms of the changes required, the Comprehensive Plan deals with other areas of potential change in more general terms. In this exercise, please work in small groups to **identify those areas of the zoning code where you believe attention should be directed**. Identify the desired change by topic, and then frame the goals or intentions that support the topic. Finally, when you feel you have identified all of the desired changes, assign a priority for that topic (with a ranking of "1" being the highest priority).

| priority | topic | goals or intentions |
|---|---|---|
| ~~[illegible]~~ | ~~Create Dynamic Affix model for city~~ | ~~eliminate ad hoc decision making, reduce costs, no longer reinventing the wheel~~ |
| 2 | Reorganize code: Present code is a 7-hump camel; Consider outside source to review + streamline code, e.g. Scottsdale | Clarity for affected parties: developers, residents, staff |
| 3 | Parking - reduce requirements | Cut back on unused space and reduce size of ramps |
| 1 | Enforce undue hardship requirements for variance requirements. Require action in Preliminary - Approval rather than in "Final approval Process" | |
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JEB & KB

Exercise Two

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| priority | topic | goals or intentions |
|---|---|---|
| 1 | Sketch Plan Review Process | Minimize Developer investment prior to Planning Comm. input. Make adjustments early to eliminate or minimize EAC appeals. |
| 1 | PUD | |
| 2 | Parking | Get code stds studied & articulated so that "proof of parking" is unnecessary. |
| 2 | Tree Preservation ~~& Landscape~~ | Need stds & plans that have teeth. |
| 3 | Outdoor Fireplace Stds | Minimize fire hazards; minimize environmental impact; minimize neighbor discomfort. |
| 2 | Wetland setbacks | Critical to preservation in a fully developed community. |
| 2 | Garage (Attached) Setback Loophole need to be addressed | Correct "~~land~~ unintended consequences." |
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| priority | topic | goals or intentions |
|---|---|---|
| 1-2 | SIGNAGE ORDINANCE | CLARITY - CRITICAL TO BE CLEAR FOR CURRENT DEVELOPMENT. |
| 1 | SKETCH PLAN REVIEW | DECIDE. THIS WOULD BE A HELPFUL TOOL, AND IMPROVE PROCESS. |
| 2 | PARKING REGS | |
| 2 | SMALL AREA PLANS | ARE WE GOING TO HAVE THEM? OR NOT? HOW WILL THEY WORK. NEED CLARITY |
| 1 | P.U.D. | FIGURE IT OUT. IT WILL SIMPLIFY THINGS AND HELP GET BETTER PROJECTS. |
| 2 | PUBLIC MEETINGS | DECIDE WHERE THERE SHOULD BE ONE MEETING - PC OR CC. |
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Edina
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TAKS

Exercise Two

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| priority | topic | goals or intentions |
|---|---|---|
| 1 | LIST OF CONDITIONS, CITY NEEDS | DEVELOP STANDARD LIST |
| 2 | DEVELOPER-CITY STAFF MTG | DEVELOP STD LIST-AGENDA |
| 3 | NON-CONFORMING USES | DEVELOP CASES & SOLUTIONS W ANTENNAS, TURBINES, SIGNS |
| 4 | LANDSCAPE | PROVIDE DEVES W LSCAPE STANDARDS & ACCEPTABLE TREES, CALIPER SIZES, BOX SIZES |
| 5 | STREET DESIGN STANDARDS | ROUND ABOUTS NOT WORKING, SIGNALS, STRIPING, SCH ZONES, QUIET ZONES |
| | | |
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| | | |

2 commissioners + 1 citizen

Exercise Two

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| priority | topic | goals or intentions |
|---|---|---|
| 2 | Driveway width | - use average of block or within a certain radius |
| 1 | Side yard setback | - use average of neighboring properties or radius to create design requirements. |
| 3 | Drive thru's | - eliminate them |
| 4 | Alternative Energy Technology | - forward looking |
| 5 | parking | - too much is required. |
| 7 | more communication less ambiguity in code. | |
| 6 | Signing Ordinance | - too liberal, needs to be tightened. |
| | | |
| | | |
| | | |

Jackie Whitbeck
please call if you want to discuss 952-922-5045

Exercise Two

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| priority | topic | goals or intentions |
|---|---|---|
| 1 | set backs | side set back has to be more than 5' period regardless of attached garage loop holes in code and its intention |
| 1 | house size restriction | not enough limits on size of new house must not allow neighborhoods to become disjointed and existing neighbors to suffer consequences of |
| 1 | new home elevation ie kitty o dea ordinance | when homes are relocated to far different position on lot new home can alter elevation tremendously |
| 1 | code | wording must be clear to average layman or does not hold up in court |
| 1 | historic landmark | city should be able to exert discression in protecting development around existing landmark in addition to just country club are |
| 1 | variance | stick to code do not be so quick to grant variances |
| 1 | Subdivision | no developer should build as if they have a subdivision when they have not obtained it / denies homeowners right to due process |
| | | |
| | | |
| | | |

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| priority | topic | goals or intentions |
|---|---|---|
| | Cold weather concrete rules for construction | (see additional sheets) better quality construction, fewer lawsuits, longerity of buildings |
| | Side setbacks for attached garages | (see additional sheets) |
| | tree ordinance | (see additional sheet) preserve mature, original trees; mangge invasive species (buckthorn, mulberry) |
| | Driveway width | consider narrower allowed for 50' wide lots |
| | Driveway surface | Allow latticework concrete pavers (Anchor Block makes them) |
| | Single car garage | Allow single car garages for 50' wide lots |
| | | |
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