Norwood Young America

more than a place, it's home.

Norwood Young America Planning Commission
6:00 p.m., Tuesday, April 14, 2020
VIRTUAL MEETING UTILIZING ZOOM

AGENDA

Jerry Barr

Mike Eggers

John Fahey

Bill Grundahl

Paul Hallquist

Bob Smith

Craig Heher
Council Liaison

1. Call to Order
   Pledge of Allegiance
2. Adoption of Agenda
3. Approve Minutes of March 4, 2020 meeting
4. Introductions, Presentations, and Public Comment
   (Citizens may address the Planning Commission about any non-agenda item of concern. Speakers must state their name, address, and limit their remarks to three minutes. The Planning Commission will take no official action on these items but may refer the matter to staff for a future report or direct that the matter be scheduled for a future meeting.)
5. Public Hearings
   A. Zoning Code Amendment - Swimming Pool Covers
6. New Business
   A. Zoning Code Amendment – Swimming Pool Covers
   B. Shoreland Overlay District – Alternative "Old Town" Area Adjustments
7. Old Business
   A. Rezoning of Properties Adjacent to Railroad Street W.
8. Miscellaneous
   A. March Building Permit Report
9. Commissioner's Reports
10. Adjourn

UPCOMING MEETINGS

April 21st	Parks & Recreation Commission 4:45 p.m.
April 27th	City Council Work Session/EDA/Regular meeting 6:00 p.m.
May 4th	Planning Commission 6:00 p.m.
May 11th	City Council 6:00 p.m.
May 13th	Economic Development Commission 6:00 p.m.
TBA	Joint Meeting – City Council, PC, EDC, Parks & Recreation Commission & Chamber of Commerce Board 6:30 p.m.

Norwood Young America
Planning Commission Minutes
March 4, 2020

Present: Commissioners Jerry Barr, John Fahey, Bill Grundahl, Paul Hallquist, Craig Heher, and Bob Smith.

Absent: Commissioner Mike Eggers

Staff: City of Norwood Young America City Administrator Steve Helget and Planning Consultant Cynthia Smith Strack.

Public: Norwood Young America resident Andrea Girth and Steve Curfman from Curfman Trucking.

1. Call to Order.
The meeting was called to order by Chair Heher at 6:15 pm. All present stood for the Pledge of Allegiance.

2. Adoption of Agenda.

Chairperson Heher introduced the agenda.

Motion – Grundahl, seconded by Smith to approve the agenda. The agenda was approved 6-0.

3. Approval of Minutes from the Regular Meeting February 4, 2020.

Heher introduced the minutes from the February 4, 2020 regular meeting.

Motion – Fahey to approve the February 4, 2020 regular meeting minutes. Seconded by Smith. With all in favor the regular meeting minutes were approved 6-0.

4. Public Comment.

None.

5. Public Hearings.

A. Conditional Use Permit Amendment: Outdoor Storage 600 Railroad Street West – Curfman Trucking.

Chairperson Heher introduced the public hearing.

Strack noted the City Council has been working with Steve Curfman, Curfman Trucking on a non-compliant conditional use permit issued in 2017 and providing for outdoor storage at 600 Railroad Street West. The Council has agreed to hear a conditional use permit amendment request providing for lower required bunker heights and additional storage for bulk recycle piles at the site. The Planning Commission is to hold a public hearing and make a recommendation to the City Council. The current bunker height requirement is five feet, proposed to be reduced to four feet. The current CUP standard provides for two bulk storage piles at the southern portion of the site each not to exceed 3,500 cubic yards per bunker in volume. The proposed amendment is to allow a combined volume of 10,500 cubic

yards. Public hearing notice has been mailed, posted, and published. No comments for or against the amendment have been received. The Applicant was present in the audience.

Heher introduced Steve Curfman who provided an overview of the proposed volume of rubble/recycled materials to be stored on the site. Curfman noted he would not exceed 10,500 cubic yards of material on site.

Motion – Grundahl, Second Fahey to close the public hearing at 6:25 p.m. Approved 6-0.

B. Ordinance Amendment Providing for Accessory Dwelling Units.

Heher introduced the agenda item and opened the public hearing.

Strack provided an overview of the proposed amendment noting the Planning Commission and City Council had reviewed a framework and draft amendment over the previous several months.

As proposed internal ADU, ADU additions, and conversions of existing accessory structures to ADU (as of January 1, 2020) are all allowed as a right subject to issuance of an administrative permit and a rental license. Rental licenses are proposed to be required regardless of whether or not rent is exchanged and whether or not persons are related.

New detached ADU are allowed provided a CUP is issued.

All detached ADU are subject to standards required for accessory structures, including design requirements.

Standards applicable to all ADU, include:

A. A maximum of one accessory dwelling unit is allowed per lot.
B. Accessory dwelling units are allowed on lots with an existing detached single family dwelling. Accessory dwelling units are not allowed on twin home, townhome, condominium, or multiple family lots.
C. Impervious surface limits of the applicable zoning classification shall not be exceeded. If applicable, the maximum impervious surface allowed in a shoreland overlay district shall not be exceeded.
D. Detached accessory structures are subject to all standards contained in Section 1245.04 of the City Code pertaining to accessory structures, as may be amended.
E. Accessory dwellings internal to or attached to principal structures shall meet required setbacks, maximum height, and yard requirements of the applicable zoning district.
F. The existing detached single family dwelling or the accessory dwelling unit shall be occupied by the fee owner of the property.
G. The existing detached single family dwelling shall be maintained as homestead property.
H. The existing detached single family dwelling and the accessory dwelling unit must remain a single parcel of record under unified ownership without the possibility of splitting the property or changing ownership status to a condominium arrangement.
I. Accessory dwelling units shall be licensed under Section 350 of the City Code pertaining to licensing of rental dwellings regardless of whether or not rent is charged or the occupant is related to the homestead owner.
J. The following design standards apply to accessory dwellings:

i. Accessory dwellings internal to or attached to an existing detached single family dwelling shall be designed and constructed to maintain the appearance of a single family detached dwelling.
ii. Accessory dwellings shall have a minimum gross floor area of three hundred (300) square feet.
iii. Accessory dwellings shall have a maximum gross floor area of the greater of 900 square feet or 40% of the gross floor area of the principal structure to which it is accessory. In addition, detached accessory dwelling units must not exceed maximum aggregate area square footage or number of detached units provided for under Section 1245.04 of the City Code.
iv. A minimum of one (1) additional off-street parking space is required for the accessory dwelling unit.
v. Accessory dwellings internal to or attached to existing single family detached dwellings shall use the same water and sanitary sewer connection and water meter as the principal structure.
vi. As a condition of conditional use permit issuance, the City may require separate water and sanitary service lines be extended from the street to detached accessory dwelling units.
vii. For accessory dwellings internal to or attached to existing detached single family dwellings, there shall be no more than one exterior building entrance facing the front street.
viii. For lots with detached accessory dwelling units, there shall be no more than one driveway per street frontage.
ix. Dwelling units with exterior entrances different than the single family detached dwelling shall have a different street address (e.g. 200-A).
x. Detached accessory dwellings shall be designed for residential occupancy.

Heher invited Andrea Girth to comment. Ms. Girth stated the proposed language was appreciated and consistent with her plans to potentially establish an ADU.

Fahey inquired as to how the City could determine whether or not detached ADU should have separate utility connections. Strack suggested the details of each detached ADU conditional use permit request should be investigated and a decision made on the facts of the case. Corner lots proposed for detached ADU may be more easily provided separate service.

Fahey inquired as to how dwellings with separate entries would be addressed. Strack noted each city typically has an addressing policy which would likely provide direction. Clues could also be taken from existing units in the downtowns where accessory apartments were accessed independent of businesses. Strack noted the Post Office should be consulted as well.

Motion – Smith, Second Fahey to close the public hearing at 6:33 p.m. Approved 6-0.

6. New Business.

A. Conditional Use Permit Amendment: Outdoor Storage 600 Railroad Street West – Curfman Trucking.

Heher introduced the agenda item and highlighted the proposed amendments.

Motion – Fahey, Seconded by Smith to recommend the City Council approve the amendment and restatement of an existing conditional use permit for outdoor storage at 600 Railroad Street West as contained in the staff memo. Motion carried 6-0.

B. Discussion: Proposed Zoning Amendment – Swimming Pool Covers.

Heher introduced the agenda topic.

Strack stated that at the previous meeting the Commission had received public comment from a resident requesting the City consider allowing permanent pool covers as an alternative to requiring complete perimeter fencing around swimming pools. The Planning Commission had agreed to review potential code amendment language. A draft amendment was included in the packet and simply allowed a permanent pool cover as an alternative to fencing. If the Commission was comfortable with the proposed text, a hearing could be called for the April 7th meeting.

Heher summarized information from research he had performed. He recommended homeowners always consult with their insurance provider to inquire as to whether or not they will require fencing.

Smith commented the permanent pool coverage was a sensible option to provide to homeowners.

Grundahl noted fences can occasionally be unsightly.

Smith noted homeowners associations occasionally prohibited fences.

Motion Fahey, Second Smith to call for a public hearing on April 7th. Motion carried 6:0.

7. Old Business.

A. Code Amendment - Accessory Dwelling Units.

Heher introduced the agenda item and provided a summary of the process leading up to the public hearing. Grundahl expressed appreciation for the process.

Motion Grundahl, Second Barr to recommend the City Council approve the proposed code amendment providing for accessory dwelling units. Motion carried 6:0.

B. Review of Conditional Use Standards.

Heher introduced the agenda item. Strack noted the Commission initially discussed feedback from the joint Downtown group at the February meeting pertaining to conditional uses and process. At the February meeting the Commission concurred current standards seemed appropriate but it is always productive to review uses/process. The Commission directed Strack to prepare information for review at the March meeting. In the Planning Commission packet was a history of CUP's issued, a table of uses, and a performance standards matrix.

Heher noted outdoor storage seemed to be a consistent reason conditional use permits were requested. He opined that was probably not unusual. He further noted he sensed at least some Council Members would be hesitant to change standards providing for oversight of outdoor storage. Heher opined he did not envision changes to outdoor storage standards.

The Commission began reviewing information contained in the packet. Fahey suggested the Commission update the Code when the Comprehensive Plan was placed into effect and the official zoning map was updated this would result in a one time, more comprehensive update of the code.

Hallquist suggested the table of uses be retained and updated by staff as a quick reference for review and as a means of reviewing uses.

Strack noted she had comments on several of the uses but didn't include them in the information provided for meeting background as she was not specifically authorized to do that. The Commission recommended her comments be added to the table.

Heher stated the zoning matrix could be useful for staff in administering the code. Helget concurred noting the information could potentially be made available to the public.

The Commission will re-engage on this issue when the Comprehensive Plan is placed into effect.

C. Rezoning of properties adjacent to Railroad Street West.

Heher introduced the topic. Commissioners discussed potential alternatives and requested clarification of the scope of rezoning from Council during a future work session. Commissioners also requested Strack update the accompanying spreadsheet to indicate zoning of each property.

8. Miscellaneous.

A. February Building Permit Report.

The February building permit report was reviewed.

9. Commissioner Reports.

No Commissioners had updates. Heher provided updates from City Council meetings.

10. Adjourn

Motion – Hallquist, Seconded by Fahey to adjourn the meeting. With all in favor the meeting adjourned at 7:45 p.m.

Respectfully submitted,

_____

Steven Helget
Zoning Administrator

To: Chairperson Heher
Members of the Planning Commission
Administrator Helget

From: Cynthia Smith Strack, Planning Consultant

Date: April 7, 2020

Re: Public Hearing Code Amendment: Swimming Pool Covers

At the March meeting Commissioners called for a public hearing to consider a code amendment pertaining to swimming pools. The proposed amendment allows power safety covers in lieu of pool perimeter fences. The current code requires perimeter fences for certain pools. The draft code amendment is attached.

The Commission is to hold a public hearing and make a recommendation to the City Council, presumably to approve the amendment.

CITY OF NORWOOD YOUNG AMERICA
ORDINANCE NO. ____

AN ORDINANCE AMENDING CHAPTER 1245.06, SUBD. 3 PERTAINING TO GENERAL REQUIREMENTS FOR SWIMMING POOLS

I. THE CITY COUNCIL OF THE CITY OF NORWOOD YOUNG AMERICA, MINNESOTA HEREBY ORDAINS:

II. SECTION 1245.06, SUBD. 3 OF THE NORWOOD YOUNG AMERICA CITY CODE IS HEREBY AMENDED AS FOLLOWS.

A. *Drainage.* To the extent feasible, back flush water or water from the pool drainage shall be directed onto the owner's property or onto approved public drainage ways. In no case may the water be drained into the sanitary sewer.

B. *Fence/Guard Required.* All pools that are submerged fully or partially shall be provided with safeguards to prevent children from gaining uncontrolled access. This can be accomplished with **an ASTMF 1346 (as may be amended) approved power safety cover,** fencing, ~~screening or~~ other enclosure, or any combination thereof with sufficient density as to be inaccessible.

1. If fences are used they shall be at least four feet high. The bottom of the fence shall not be more than four inches from the ground.
2. Fences shall be of non-corrosive material. If lumber is used it shall be treated, redwood or cedar.
3. Fences shall be constructed so as to not be easily climbed. All fence openings points of entry into the pool area shall be equipped with gates or doors. All gates or doors shall be equipped with self-closing and self-latching devices placed at a sufficient height so as to be non-accessible to small children.
4. The fence or safeguard used shall be completely installed before filling the pool.

C. *Damages.* The lot owner shall be liable for any damages to public or private property caused by the swimming pool construction.

D. *Lighting.* Any pool lighting above the ground shall be directed toward the pool and not the adjacent property.

III. EFFECTIVE DATE: THIS ORDINANCE IS EFFECTIVE UPON ITS ADOPTION AND PUBLICATION AS PRESCRIBED BY LAW.

Adopted by the City of Norwood Young America on the __ day of ____, 2020.

Attest:

_____
Carol Lagergren, Mayor

_____
Kelly Hayes, City Clerk

Adopted:
Published:

To: Chairperson Heher
Members of the Planning Commission
Administrator Helget

From: Cynthia Smith Strack, Planning Consultant

Date: April 7, 2020

Re: Shoreland Overlay District – Alternative "Old Town" Area Adjusments

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BACKGOUND
City Administrator Helget, City Attorney Jay Squires, and I have had correspondence with MnDNR Shoreland Standards Administrator Daniel Petrik pertaining to impervious surface standards in various shoreland areas. The purpose of conversations was to arrive at an agreed understanding of how we were going to apply shoreland impervious surface standards moving forward.

As an outcome of the discussion:

1. The City was given direction to apply underlying impervious surface zoning standard (mostly 30%) in the Preserve developments and subdivisions adjacent to Brand Lake. We specifically required Preserve 5th to achieve 25% standard required by shoreland. That area is presumed to have to abide by that standard. The Meadows is allowed to develop at similar impervious coverage.

2. The area in the C-3 Downtown District and R-3 District adjacent to the north Downtown is subject to adjustments if the City proposes and adopts an "Old Town Area" with alternate standards for impervious surface. The City can also adopt an alternate standard for maximum building height (shoreland maximum is 25'). We need to call out a specific area on our zoning map. This is our task for the April 7th meeting. Presumably reverting to zoning district standards for height/impervious is the most direct method of defining what the alternate standard are going to be.

Going forward our process will be to identify an 'Old Town Area' present to DNR for comments and then amend our Code to incorporate the area and alternate standards.

Attached please find maps with shoreland areas denoted along with zoning. Please note we are addressing some inconsistencies with shoreland boundary (denoted by blue lines) between maps.

REQUEST
The Commission is to provide comment on boundaries of an 'Old Town Area" wherein alternate shoreland impervious surface and height standards would apply.

ATTACHMENTS:

1. Overview map of shoreland areas and vacant parcels.
2. Area maps of shoreland areas and vacant parcels.
3. Marked up zoning map showing ownership of parcels.
4. Spreadsheet with parcel data.

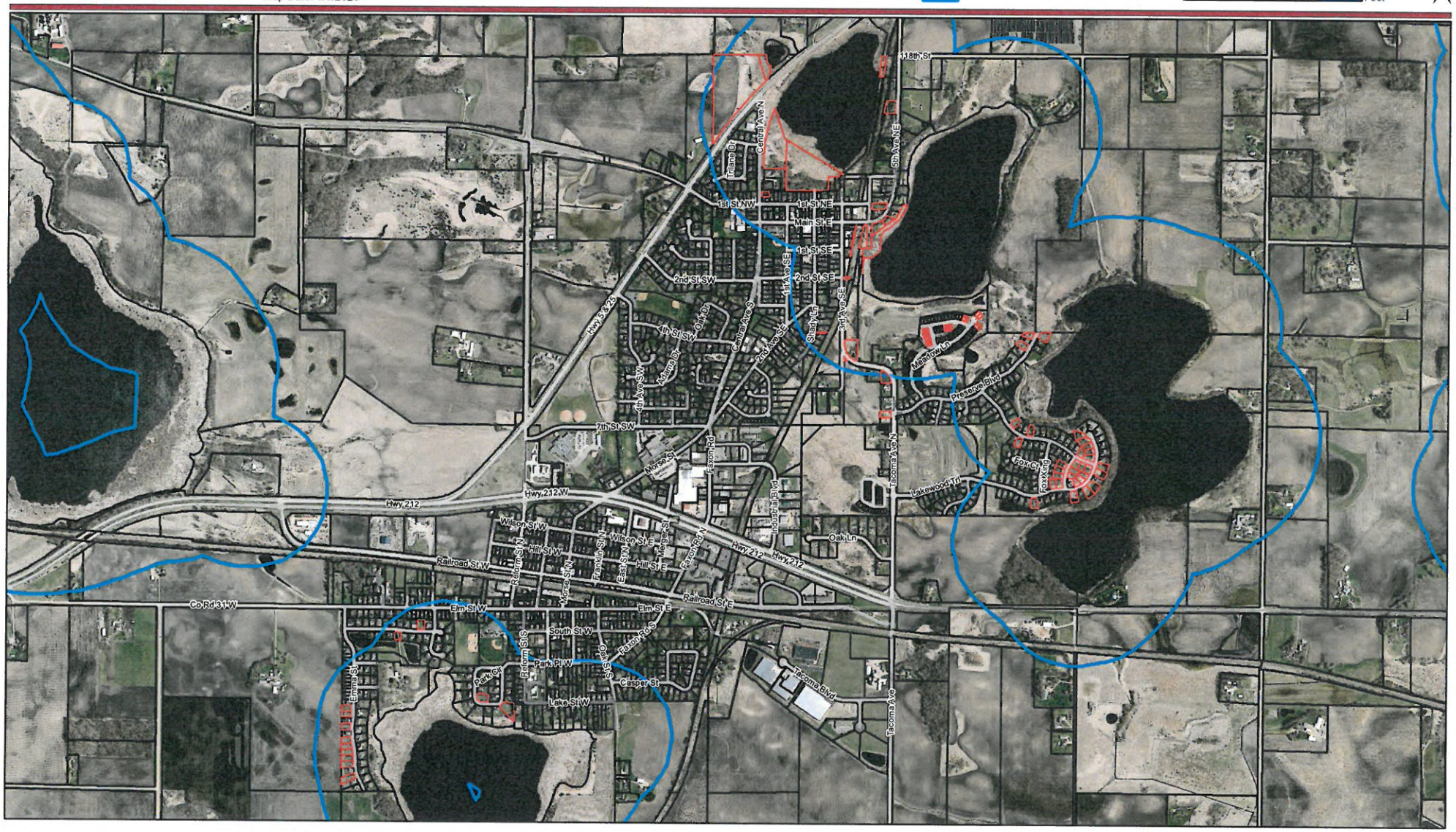
CITY OF NORWOOD YOUNG AMERICA
Shoreland Vacant Land Parcels - Overview Map

Map Date: 3/9/2020

Shoreland Vacant Land Parcels
All City Parcels
Shoreland Overlay District

0 320 640 1,280 1,920 2,560 Feet

N



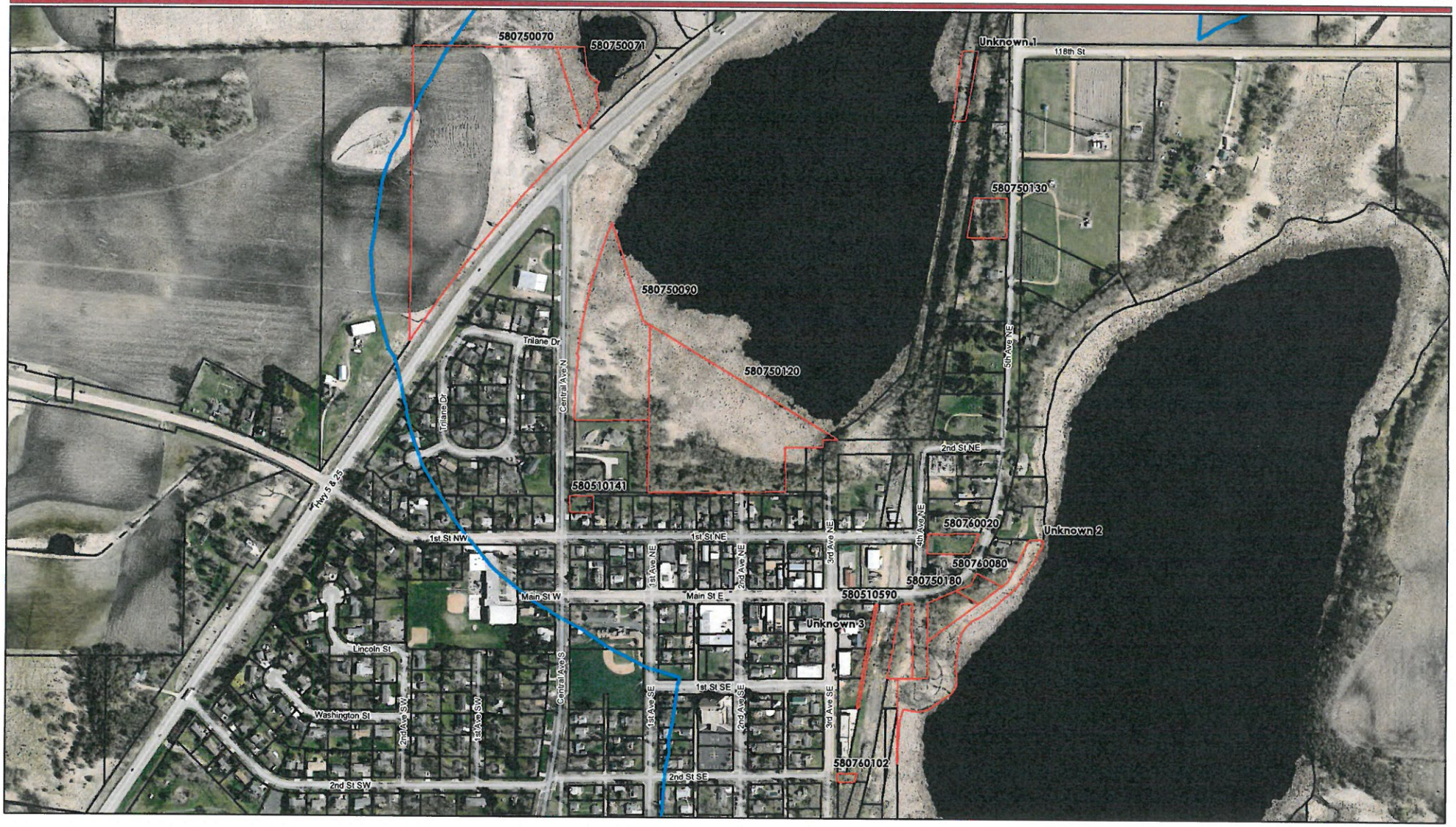
CITY OF NORWOOD YOUNG AMERICA
Shoreland Vacant Land Parcels - Page 1 of 3

Map Date: 3/9/2020

Shoreland Vacant Land Parcels
All City Parcels
Shoreland Overlay District

0 95 190 380 570 760 Feet

N



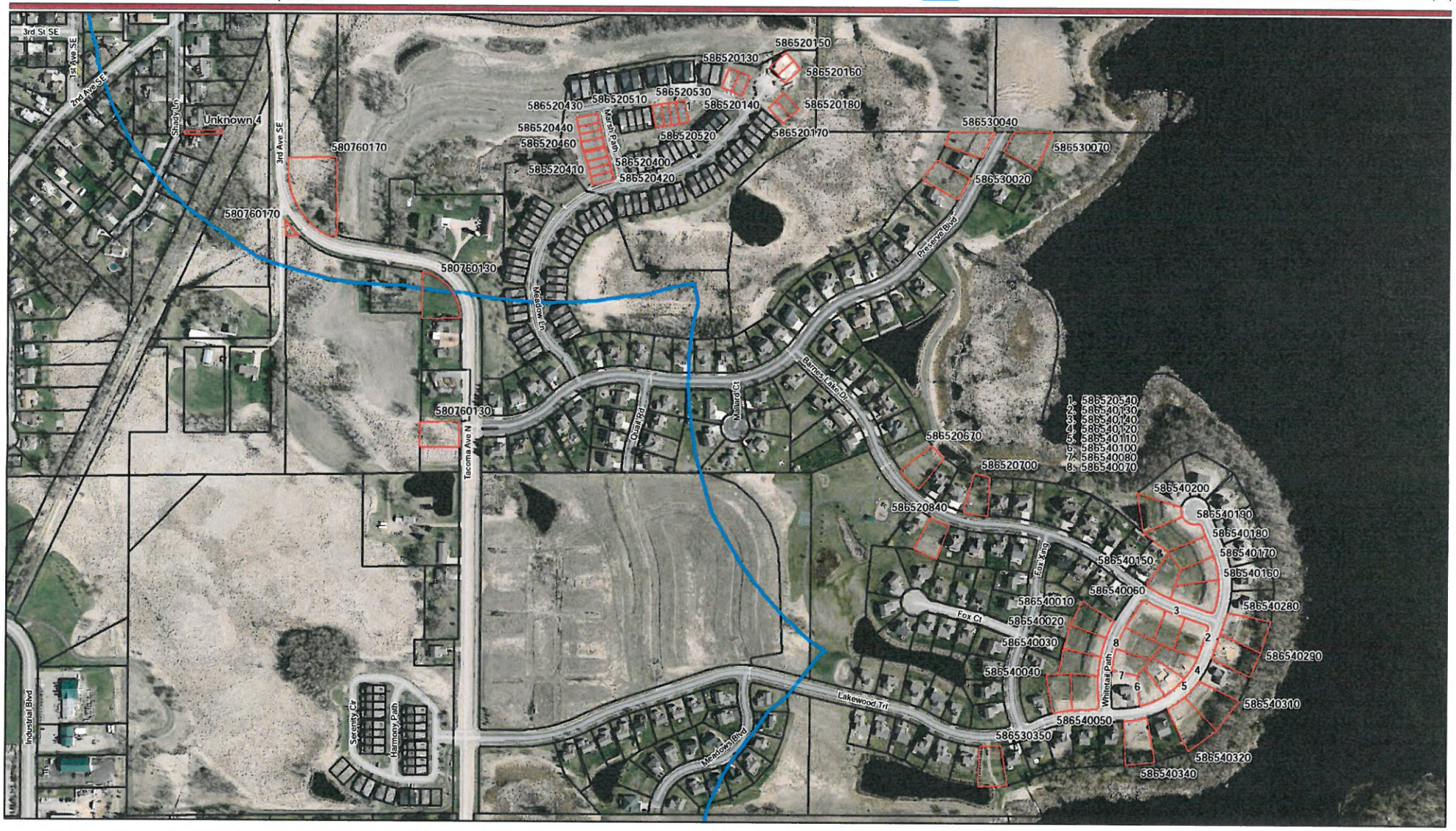
CITY OF NORWOOD YOUNG AMERICA
Shoreland Vacant Land Parcels - Page 2 of 3

Map Date: 3/9/2020

Shoreland Vacent Land Parcels
All City Parcels
Shoreland Overlay District

0 85 170 340 510 680 Feet

N



CITY OF NORWOOD YOUNG AMERICA
Shoreland Vacant Land Parcels - Page 3 of 3

Map Date: 3/9/2020

Shoreland Vacent Land Parcels
All City Parcels
Shoreland Overlay District

0 70 140 280 420 560 Feet

N

To: Chairperson Heher
Members of the Planning Commission
Administrator Helget

From: Cynthia Smith Strack, Planning Consultant

Date: April 7, 2020

Re: Rezoning Railroad Street West

At the March meeting Commissioners asked for input from the City Council regarding preferences for rezoning of a portion of Railroad Street West.

The Council work session for March 23 was postponed.