REGULAR MEETING AGENDA

Planning Commission meetings are being conducted in a hybrid format with in-person and remote options for attending, participating, and commenting. The public can make statements in this meeting during the planned public comment sections. Some members of the Commission may attend virtually. Members of the public may attend virtually by following instructions below.

Remote Attendance/Comment Options: Members of the public may attend this meeting by watching on cable channel 16, streaming on CCXmedia.org, streaming via Webex, or by calling 1-415-655-0001 and entering access code 2466 420 1037.

Members of the public wishing to address the Commission remotely have two options:

- Via web stream - Stream via Webex and use the ‘raise hand’ feature during public comment sections.
- Via phone - Call 1-415-655-0001 and enter meeting code 2466 420 1037. Press *3 to raise your hand during public comment sections.

1. Call to Order

2. Approval of Agenda

3. Approval of Minutes – March 14, 2022, Planning Commission Meeting

4. Discussion/Training – PUDs

5. Discussion – PC - 2021 Annual Report and 2022 Work Plan

6. Discussion – BZA - 2021 Annual Report

– End of Televised Portion of Meeting –
To listen to this portion, please call 1-415-655-0001 and enter meeting access code 2466 420 1037.

7. Council Liaison Report

8. Other Business
   a. Reports on Board of Zoning Appeals and Other Meetings

9. Adjournment
This meeting was conducted in a hybrid format with in-person and remote options for attending, participating, and commenting. The City used Webex to conduct this meeting and members of the public were able to monitor the meetings by watching it on Comcast cable channel 16, by streaming it on CCXmedia.org, or by dialing in to the public call-in line.

1. **Call to Order**
   The meeting was called to order at 6:30 pm by **Chair Pockl**.

   **Roll Call**
   Commissioners in person: Adam Brookins, Sophia Ginis, Lauren Pockl, Chuck Segelbaum
   Commissioner remote: Mike Ruby, Andy Johnson
   Staff present: Jason Zimmerman – Planning Manager, Myles Campbell – Planner
   Council Liaison present: Denise La Mere-Anderson

2. **Approval of Agenda**
   **Chair Pockl** asked for a motion to approve the agenda.
   **Commissioner Johnson** commented on meeting length depending on the PUD discussion length.
   **MOTION** made by **Commissioner Brookins**, seconded by **Commissioner Ginis**, to approve the agenda of March 14, 2022.
   Staff took a roll call vote. Motion carried.

3. **Approval of Minutes**
   **Chair Pockl** asked for a motion to approve the minutes from February 28, 2022.
   **MOTION** made by **Commissioner Ginis**, seconded by **Commissioner Johnson** to approve.
   Staff took a roll call vote. Motion carried.

   **Informal Public Hearing** – 428 Sunnyridge Lane – Replat (Lot Combination) with Variance
   **Applicant**: Greenwood Design Build, LLC
   **Address**: 428 Sunnyridge Lane

   **Myles Campbell, Planner**, started the presentation by introducing the request, displaying a map of the home, location in the city, and history of the corner lot. The homeowner is petitioning for a lot consolidation and variance on lot width. The applicant wanted to develop both smaller lots but the community responded that lead the developer to amend and develop the lot as one.

   Staff discussed the lot area, typical sizes in R-1, requirements for corner lots vs standard and as such the corner lot requirement triggered the need for a variance. Engineers note that the site has multiple
utility connections currently (for both underlying lots) so no new infrastructure will be needed to serve
the site, although they will likely require unused stubs to city systems be removed at time of permitting
for the new home.
Tree mitigation and replacement requirements will apply towards the redevelopment, although no
formal comments at this time.
No comments or concerns from the fire department relating to the subdivision.

The site has been a single-family property since 1920, and staff sees the continuation of this use as a
reasonable one. Because of the code requirements for replacing a legally non-conforming use, a
consolidation of the parcels is both a necessary step to take to build a new single-family home, but
also impossible without the variance.
The absence of a variance from the lot width requirement would prevent the consolidation of the
property, depriving the property owner of a substantial property right to replace the existing dated
single-family home.
Granting the variance would not be injurious to other property in the neighborhood, as the proposed
home after consolidation would improve the existing setback situation along Woodstock. In addition,
this consolidation and variance is being sought due to pushback on plans to develop the underlying 40-
foot lots.

Staff Recommendation
Staff recommends approval of a variance of 20 feet off of the required 100 feet to a lot width of 80
feet.
If the variance is approved, then based on the findings, staff recommends approval of the minor
consolidation at 428 Sunnyridge Lane subject to the following conditions:
1. Engineering staff will determine if the dedication of new drainage and utility easements are
necessary prior to approval of the final plat.
2. The City Attorney will determine if a title review is necessary prior to approval of the final
plat.

If the variance is not approved, the lot width requirement cannot be met and therefore staff
recommends denial of the minor consolidation with a finding that the proposal does not meet the
Minimum Dimension Requirements of the Subdivision Code.

Commissioner Johnson commented on the two year “lookback” and discussed the trees and asked
for details on the tree mitigation regulations. Staff responded that the City Forester is the expert but
staff looks at the history of trees on properties and detailed tree mitigation language is in the city
code. This language isn’t triggered often. Commissioner Ginis asked for details on the 100ft
requirement for corner lots. It’s in part to do with the zoning code as Golden Valley doesn’t have a
secondary front yard clause aside from as it relates to a narrow lot.
Staff and commissioners discussed the future home design as well as utility connections.

Chair Pockl invited the applicant to speak.
Greenwood Design Build, Applicant, purchased this lot in 2019. The applicant elaborated on the initial goal to develop the two underlying parcels but after neighbor feedback decided to develop it as a single property. The home will face Sunnyridge and Woodstock will feel like a side yard. No staff questions for the applicant.

Chair Pockl opened the public hearing at 7:03 pm. There were no in person commenters. There were no callers. Chair Pockl closed the public hearing at 7:05 pm.

Chair Pockl opened the discussion guiding the subdivision request to start. Commissioner Ginis commented she supports the request and added that the 100ft rule is silly, Commissioner Johnson seconded this comment. Johnson commended the applicant for listening to community input.

MOTION made by Commissioner Brookins and seconded by Commissioner Ruby recommend approval of a variance of 20 feet off of the required 100 feet to a lot width of 80 feet. Staff took a roll call vote. Motion carried.

MOTION made by Commissioner Brookins and seconded by Commissioner Ginis recommend approval of the minor consolidation at 428 Sunnyridge Lane subject to the conditions listed in the staff memo. Staff took a roll call vote. Motion carried.

4. Informal Public Hearing – Meadowbrook School PUD No. 90 – Future Land Use Map Amendment, Zoning Map Amendment, Major PUD Amendment
   Applicant: ISD #270 – Hopkins Public Schools
   Address: 5300 and 5400 Glenwood Avenue

   Jason Zimmerman, Planning Manager, started by displaying maps of the property and elaborated that this request is broken into three portions:
   1. Future Land Use Map amendment for 5300 Glenwood Avenue
   2. Zoning Map amendment for 5300 Glenwood Avenue
   3. Major PUD Amendment for PUD 90

   Staff reviewed the history of this request, the original PUD was approved in 2000, Amendment 1 was granted in 2012 for a small addition, Amendment 2 was that November for modifications to the parking area, Amendment 3 in October 2013 consolidated the campus with the Nursery site next door, Amendment 4 in May 2018 allowed another addition, parking changes, and groundwork for incorporating of the 5300 building into the PUD. In 2021 Amendment 5 was considered but withdrawn and was almost identical to current Amendment 6. Amendment 6 addresses traffic concerns, excess ROW, and offers future space for special educational programing.
There was a virtual neighborhood meeting on March 14 and staff received no comments.

Staff gave commissioners a history of the lot, school, and traffic accommodation experiments.

A 2021 traffic study raised no major concerns regarding proposed use but it may require some limits on hours of operation. The change in Future Land Use is consistent with the Comp Plan.

**Findings**
- The property is adjacent to significant I-A zoned property so would not be out of character with neighborhood
- Pending PUD amendment can include conditions to mitigate future traffic impacts
- Allows Meadowbrook to expand its campus and meet goals and objectives of the Comp Plan

**Recommendation**
Staff recommends approval of the Future Land Use Map amendment to reguide 5300 Glenwood Avenue from Office to Institutional - Assembly.

Rezoning the property from Office to Institutional – Assembly would be a better fit for the planned use for educational programing. This is consistent with proposed change to the land use in the Comp Plan.

**Findings**
- Adjacent to significant I-A zoned property so would not be out of character with neighborhood
- Pending PUD amendment can include conditions to mitigate future traffic impacts
- Allows Meadowbrook to expand its campus and meet goals and objectives of the Comp Plan

**Recommendation**
Staff recommends approval of the Zoning Map amendment to rezone 5300 Glenwood Avenue from Office to Institutional - Assembly (I-A).

The current proposed amendment will expand the boundary of the existing PUD to incorporate 5300 Glenwood Avenue. It will include excess right-of-ways along Highway 100, Glenwood Avenue, and near the exit ramp as well as improve existing parking lots to provide a more direct circulation pattern. This plan includes construction of new stormwater treatment infrastructure, replacing and adding new lighting, as well as the planting of new trees, shrubs, and perennials.

**Land Use and Zoning Evaluation**
- Very little flexibility needed – primary modification is the expansion of the internal access drive connecting the two properties
- Would allow for an improved circulation pattern for student drop-offs and pick-ups at peak times
• Continuation of some parking setbacks at less than 25 feet, but impact is internal to the campus
• Little change to impervious or open space percentages

Traffic Evaluation
• Utilization of the longer queueing lane a major impetus for the proposal
• Would ensure back-ups do not occur on Glenwood Avenue
• 2021 traffic study raised no major concerns regarding proposed use; may require some limits on hours of operation

Stormwater Evaluation
• New stormwater treatment infrastructure would be added under the parking lot – no treatment in place today

Lighting Evaluation
• New lighting for 5300 Glenwood and along the east Meadowbrook parking lot must comply with the City’s “dark skies” standards
• Some revisions needed prior to approval of the PUD Permit by the City Council

Landscaping Evaluation
• New trees, shrubs, and perennials would meet the City’s replacement requirements for trees removed as part of the site improvements

Platting Evaluation
• Planned incorporation of excess right-of-way would transfer responsibility for some infrastructure from the City to the school district
• New walkway easements along Glenwood Avenue also proposed

Enrollment and Operations
• In reaction to a condition of approval from Amendment #4, an ongoing annual method of communication regarding enrollment and operations will be shared with the City

Engineering and Fire Safety
• A handful of comments regarding City permits and review by the Bassett Creek Watershed Management Commission are included
• Engineering and Fire staff support the proposed amendment

Previously Identified Issues
• Concerns over continued loss of green space

The proposal increases impervious coverage for the site by 4,117 square feet. The applicant indicates that 3,530 square feet of this is to accommodate pedestrian and bicycle access via
sidewalks that will connect the east and west campus, the 5400 Glenwood building, and the 
trail along Glenwood Avenue. To help offset this additional coverage, 19 parking space will 
be removed as well as a remnant portion of the old entrance drive to the site just to the 
east of the 5400 building.

- Lack of bike/pedestrian improvements
  As noted, new bike/ped connections are proposed to be added to the site in response to 
requests that the campus be accommodating of non-vehicle trips.

- Challenging site grade changes
  Three areas of concern regarding steep grades were noted by the City Council – the 
driveway connection between Glenwood Avenue and the east parking lot, the connection 
between the east parking lot and the south-central lot, and the exit drive from the south-
central lot onto Glenwood.
Given the fixed elevations of Glenwood Avenue and the two parking lots, there were limited 
options to modify the grades. A small adjustment was made to the driveway slope allowing that 
change in grade to be reduced and the connecting drive between the two parking lots was 
increased in length in order to reduce the average slope, but the presence of the tunnel connecting the 5400 and the 5430 buildings presents an immovable object, thereby preventing the steep slope of the exit drive from being reduced.

**Findings**

**Quality Site Planning:** The PUD amendment is tailored to the specific characteristics of the site by 
providing a beneficial circulation plan that ensures vehicles are queueing off of the public right-of-
way to avoid creating back-ups and congestion on Glenwood Avenue. Other improvements to the 
parking lot provide a needed update to older infrastructure.

**Preservation:** Minimal tree removal required as part of the project is mitigated through replanting. 
No sensitive site features are impacted.

**Efficient; Effective:** The proposed amendment would utilize land efficiently by consolidating nearby 
excess right-of-way and opening up an existing building for additional school operations.

**Consistency:** The proposal is consistent with the current use of the existing PUD and there are no 
known impacts to the surrounding residential neighborhood. The proposal is consistent with the 
City’s Comprehensive Plan, which calls for the support of non-residential growth opportunities and 
utilizing the PUD process as a way to achieve zoning flexibility.

**General Health:** The PUD amendment would improve general health by providing water quality 
improvements to the Sweeney Lake sub-watershed through new stormwater management 
infrastructure, and would improve safety and welfare by ensuring continued improvements to the 
traffic flow on Glenwood Avenue.
Meets Requirements: The creativity and flexibility provided under the PUD section of the Zoning Code allows for the coordinated use of a long driveway across two properties in order to provide congestion reduction. The PUD amendment meets the Intent and Purpose provision of the City Code in that it creates a public benefit in exchange for this flexibility.

Recommendation
Staff recommends approval of Amendment #6 to Meadowbrook School PUD No. 90, subject to the following conditions:

1. The photometric plans must be updated to conform to City standards for lighting levels.
2. Information on enrollment, staffing, and program activities shall be provided to the City annually by October 1st.
3. Programming at the 5300 Glenwood Avenue building should end by 3:00; City may require additional future adjustments if concerns arise.
4. Walkway easements along Glenwood Avenue shall be recorded as separate documents.
5. The City will vacate any interest in the MnDOT turnback area with the exception of certain easements over City utilities; the school district will own and maintain all other infrastructure.
6. The existing stormwater maintenance agreement shall be updated, including the district’s existing chloride management plan.

Commissioners asked questions regarding school start and end times, parking, and traffic in the parking lot. Commissioner Johnson asked about inherited pervious/impervious surface and bike lanes. Staff reviewed the discussed boundaries and the sidewalk connections between the main sidewalk and the parking lot. The conversation went more in depth on these topics. Johnson asked if the City is losing value in land by allowing the PUD to absorb some of the ROW. Staff pointed out that the City retains ownership of the stormwater infrastructure but by releasing the section of land to the applicant, the City no longer is responsible for mowing and maintaining that portion of land. Commissioner Brookins pointed out a dumpster staging are and asked about screening as well as the original PUD’s reference to a loading zone.

Chair Pockl invited the applicant to speak.
Kevin Neuman: Hopkins Public Schools, and Neil Tessier: Engineer Consultant, introduced themselves. Applicants stated that staff correctly and clearly laid out all the details and added details regarding their online learning community and its growth pattern in admission. The district hopes to address this with the 5300 building and its accredited online learning program. The applicants went on to discuss their parking lot and stormwater plans for 2022.

Commissioners asked questions about building use, the special education bussing needs in conjunction with the Meadowbrook pick up queue, and bussing on the North side of Meadowbrook. This evolved into admission questions, 6th grade moving buildings, admission numbers, and a potential staggered start/end times for buildings. Landscaping, greenspace, and outdoor recreation use spaces were discussed. The applicant mentioned Brookins’ question about the dumpster and screening and added they can install screening if it’s needed. The applicant commented on Johnson’s
inquiry about ROW being taken/given and using a map, explained the spaces being exchanged between Hennepin County, MNDOT, the City, and the applicant.

Chair Pockl opened the hearing at 8:30 pm.
There were no in person commenters.
There were no callers.
Chair Pockl closed the hearing at 8:02 pm.

Chair Pockl opened the discussion and started by checking in with staff on level of specificity allowed in the PUD. Commissioner Johnson stated that if the applicant wants to reduce traffic, they need to build a road and expand the PDD. He added the new building appears to be underutilized and expanded on how he looks at the PUD and addressing issues one at a time. Staff responded that expanding the PUD is not dependent on the use becoming educational. Commissioner Ginis added that education uses have a variety of uses to ensure the needs of students are met. Commissioner Segelbaum added that the amendment in 2021 has concern with including the new building without a use specified and now that’s been remedied. It makes sense for the applicant to integrate this building in their PUD.

MOTION made by Commissioner Brookins and seconded by Commissioner Segelbaum to recommend approval of the Future Land Use Map amendment to reguide 5300 Glenwood Avenue from Office to Institutional - Assembly
Staff took a roll call vote and the motion passed unanimously.

MOTION made by Commissioner Brookins and seconded by Commissioner Segelbaum to recommend approval of the Zoning Map amendment to rezone 5300 Glenwood Avenue from Office to Institutional - Assembly (I-A).
Staff took a roll call vote and the motion passed unanimously.

Commissioners discussed the PUD, student cap, trash and screening, and adding or rolling in conditions. The group went on to discuss other conditions and how the applicant would approach the city if they have other desired changes, wither through a minor or administrative amendment.

MOTION made by Commissioner Segelbaum and seconded by Commissioner Brookins to recommend approval of Amendment #6 to Meadowbrook School PUD No. 90, subject to the conditions listed and add those around enrollment cap, traffic changes to be an administrative review, and ensure trash screening is in compliance with zoning code.
Staff took a roll call vote and the motion passed unanimously.

5. Informal Public Hearing – Central Park West PUD No. 121 – Major PUD Amendment
Applicant: Metropolitan Council
Address: 1653 Utica Avenue South
Jason Zimmerman, Planning Manager, reviewed the proposal to subdivide the current Outlot and create a new outlot for the MCES lift station to sit. The new outlot will be 0.064 acres and there are no physical changes. The request is in conjunction with St Louis Park and they approved the preliminary and final plats on February 7th.

Findings
Quality Site Planning: The original PUD plan is tailored to the specific characteristics of the site, such as the proximity to high retaining walls and highway traffic to the north and east and high-density development to the south and west. With flexibility under a PUD in uses allowed, setbacks, height, parking requirements, number of buildings on a lot, and similar requirements, the quality of site planning and design is of higher quality than if each parcel was designed individually under conventional provisions. The PUD encourages creativity and flexibility in land development. The proposed amendment does not alter this finding.
Preservation: The current PUD development has replaced a vacant and mostly impervious site with new buildings and extensive landscaping, including a privately-owned but publicly-accessible park complete with public art. The proposed amendment does not alter this finding.
Efficient; Effective: The PUD plan includes efficient and effective use of the land, and provides development appropriate for a location constrained by highways and other intense developments. The proposed amendment does not alter this finding.
Consistency: The PUD Plan results in development compatible with adjacent uses and is consistent with the Comprehensive Plan and redevelopment plans and goals. High-density office, commercial, and residential uses surround the site to the south and west. Low-density residential uses are separated from this proposed PUD site by significant highway development. Additional office development in anticipated in the near future. The proposed amendment does not alter this finding.
General Health: The PUD Plan results in development compatible with adjacent uses and is consistent with the Comprehensive Plan and redevelopment plans and goals. High-density office, commercial, and residential uses surround the site to the south and west. Low-density residential uses are separated from this proposed PUD site by significant highway development. Additional office development in anticipated in the near future. The proposed amendment does not alter this finding.
Meets Requirements: The PUD plan meets the PUD Intent and Purpose provision and all other PUD ordinance provisions. The PUD provision permits flexibility from other provisions in Chapter 113 of the City Code. This flexibility is permitted in order to promote the intent and purpose of the PUD section of the City Code. The proposed amendment does not alter this finding.

Recommendation
Staff recommends approval of Amendment #5 to Central Park West PUD No. 121, subject to the following conditions:
1. The address number 1600 shall be installed on the east end of the north façade of the existing lift station building in conformance with Section 103-5 of the City Code prior to release of the final plat.
2. The applicant shall verify that access to the water service is located within the platted easement prior to release of the final plat.
Commissioner Segelbaum if any details in the amendment differ between Golden Valley and St Louis Park. Staff has discussed this with St Louis Park and balancing different requirements but this proposal is solely in Golden Valley.

Chair Pockl invited the applicant to speak; Jason Howard, Met Council representative, stated that staff covered the request well. No questions for the applicant.

Chair Pockl opened the hearing at 9:28 pm. There were no in person commenters. There were no callers. Chair Pockl closed the hearing at 9:30 pm.

MOTION made by Commissioner Brookins and seconded by Commissioner Ruby to recommend approval of Amendment #5 to Central Park West PUD No. 121, subject to the conditions listed. Commissioner Ginis abstained from voting as Met Council is her employer. Staff took a roll call vote and the motion passed.

Chair Pockl ended the televised portion of the meeting at 9:32pm

6. Council Liaison Report
Council Member La Mere-Anderson updated the Commission around a recent conversation with the Three Rivers Park District regarding the Canadian Pacific rail master plan and their Parks to People master plan. The OSCR shared their work plan with the Council at the most recent Work Session. She previewed the upcoming Council meeting, including votes on some zoning text amendments and next approvals for the Artessa project. Finally, she noted that the City Manager had extended an offer of employment for Police Chief to Virgil Green and that he had accepted.

7. Other Business
Planner Campbell informed the Commission that staff was working with the Communications Department to develop a survey around ADUs to help inform the conversation around legalizing them in Golden Valley. The May City Newsletter was being targeted for sharing information around the online survey as well as providing some educational materials.

8. Adjournment
MOTION by Commissioner Brookins to adjourn, seconded by Chair Pockl, and approved unanimously by roll call vote. Meeting adjourned at 9:43 pm.

Andy Johnson, Secretary

Amie Kolesar, Planning Assistant
Summary
On the heels of a recent review of a proposed Planned Unit Development (PUD) by the Planning Commission (and ultimate approval by the City Council) and in advance of an upcoming Council Work Session at which the Commission’s work plan for 2022 will be discussed, staff thought it could be helpful to evaluate how Golden Valley reviews PUDs and to consider if any changes to City requirements might be needed.

Background
Generally, the PUD was invented as a planning tool in reaction to the cookie-cutter subdivisions of the post-WWII era. It originally allowed alternative residential development patterns that kept the same density while reorganizing layouts to cluster smaller lots and preserve natural resources. Over time, it began to include other uses beyond single-family residential, including multifamily buildings and commercial spaces. The option to address/allow mixed use developments in an urban infill setting was a benefit of this zoning tool. A more complete description of the evolution of the PUD is included in the opening chapter of the APA Planning Advisory Service Report Number 545 (pages 2-5 are attached).

In summary, the “PUD has clearly changed from a modest attempt to provide flexibility, better design, and open space in residential development to a major land-use program that can create developments for both small-scale infill spaces and large master-planned communities on the urban fringe. Its content has also changed to place new emphasis on design, natural resource preservation, social objectives, and the implementation of land development policies included in comprehensive plans. It is an exciting change in the way we use our land that requires careful analysis and attention.” (page 18)

Most zoning codes that allow the creation of PUDs include common elements, such as a purpose statement, specific standards for evaluating proposals, and certain site elements
or design criteria that must be observed. There are a variety of ways to apply PUDs, including through a rezoning of the area or via an overlay. Mechanisms for amending existing PUDs are also important to allow for changes over time.

**Golden Valley History**

Golden Valley first adopted a PUD section of code late in 1970 (attached). It has many of the components of today’s code, including a Purpose and Intent statement, Standards and Criteria for PUD permits, a detailed application process, and other administrative aspects of approval and management.

The first PUD was approved in 1972 and allowed the Basset Creek Plaza/Covenant Manor/Colonial Acres area to be developed. Many of the first PUDs that were approved were for large residential developments such as Vallee D’or, Briar Wood, Dover Hills, and King’s Valley. In the 1980s, the City began to approve PUDs for office parks and other campuses (Perpich Center for the Arts, Mortenson, etc.).

The City Hall Campus (Golden Valley Civic Center) was approved in 1989 and other commercial portions of the downtown (Golden Valley Shopping Center and Golden Valley Commons) were approved in 1995 and 1996, respectively.

The PUD section of the zoning chapter was modified only slightly over time, expanding to specifically address City-initiated PUDs, PUDs with multiple parcels, and other elements of PUD administration. In 2015, staff was directed by the City Council to attempt to streamline what was viewed as a lengthy and complicated path to approval for developers. This was done by adding requirements for a meeting with the applicant prior to Final PUD submittal to address issues raised during the Preliminary PUD process, as well as reducing the requirements for PUD amendments in order to allow them to move through the approval process in an expedited fashion.

Other changes included setting a 2-acre minimum for all residential PUDs and creating an amenity point system to ensure that the community receives unique benefits in exchange for the flexibility being offered via the PUD. Minutes from the Planning Commission meeting where this was discussed are also attached, as well as the current amenity point list from the zoning chapter.

**Staff Analysis**

Given recent debate of the amenity points proposed — and eventually approved — for the Greenway Villas PUD, staff is creating the opportunity for discussion around the current process and asking if any changes should be contemplated. Minneapolis was the model for the creation of the amenity point system in 2015, and their process, while slightly different, has been included for reference.

**Staff Request**
Staff is looking for thoughts and feedback on how the PUD process worked in light of the first new PUD approved since the amenity point system was adopted in 2015. If further exploration of potential changes or improvements is desired, a conversation with the City Council at the April Work Session is an appropriate venue as the 2022 Work Plan is discussed.

**Attachments**
Selection from PAS Report 545 – Planned Unit Developments (4 pages)
1988 Zoning Code – Section 11.55 – Planned Unit Development (13 pages)
Selected minutes from 2015 Planning Commission discussion on PUD amenity points (2 pages)
2022 Zoning Code – Section 113-123 – Planned Unit Development – Standards and Guidelines for Public Amenities (3 pages)
2022 Zoning Code (Minneapolis) – Section 527.120 – Planned Unit Development – Alternatives to Zoning Ordinance Standards (5 pages)
SOME HISTORY

PUD as a land-use concept began in the 1950s and 1960s. Simply put, a PUD is a development project a municipality considers comprehensively at one time, usually in the zoning process employed to approve a development plan. A PUD proposal will contain a map and the regulations under which the project will be built. PUDs were at first primarily residential. They were a change in style from the standard residential developments common after the Second World War.

This change occurred because the standard subdivision ordinance and the accompanying zoning regulations have serious design flaws when applied to residential land-use projects. Most conventional zoning ordinances do not allow single-family, multifamily, and nonresidential uses in the same zoning district. They also contain site development standards for setbacks, site coverage, and the like that produce dull projects because they apply uniformly throughout each district. Subdivision control deals principally with infrastructure and lot and block layout in new subdivisions. Neither allows the review of a project on a comprehensive basis as an integrated entity, where a jurisdiction can consider its development and design details.

Allowing for effective open space was another problem inherent in standard subdivision ordinances. Building lots at the time subdivision legislation was adopted were small and located in built-up urban areas where parks were provided by the local government. As development moved to the suburbs, lots became bigger, but most of the open space surrounding single-family homes was unusable. Yet there was no way under existing zoning and subdivision regulations to link the approval of new residential development with common open space that would provide recreational and other amenities for project residents.

Developers who had to comply with these zoning and subdivision regulations typically built residential projects with a sameness that led to the nickname “cookie-cutter” development. Residential lots were all the same size. The ranch house style was common, leading to what some called “cheesebox on a raft” development in which look-alike ranch homes were built on oversized lots with private open space that received little use. Nothing in the regulations required attention to design. The song by Malvina Reynolds popular at the time caught the idea:

Little boxes on the hillside
Little boxes made of ticky-tacky
Little boxes, little boxes
Little boxes all the same

The PUD concept was a response to these failings in residential development. It was implemented by a new set of regulations in the zoning ordinance that applied primarily to residential development and required a discretionary project review followed by the approval of a development plan that displaced zoning regulations in residential zones. In its early stages, PUD was intended to provide a comprehensive development review that could overcome the shortcomings of zoning and subdivision regulation, improve project design, and provide for common open space in return for “clustering” development elsewhere in the project at increased densities. Open space was either privately held and available only to the residents of the PUD or dedicated to the local government. Total project density was not increased. This form of PUD is usually called “cluster” development.

Planned unit cluster development had other attractions for developers. Project costs would be lower because clustering reduces the length of streets and other linear facilities. This hoped-for saving does not always occur, how-
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ever, because developers claim that savings in development costs are more than offset by the increased cost of complying with PUD regulations.

PUD regulation did mark a change from the way in which land-use regulations had been applied. Instead of zoning regulations that decided what development was allowed as a matter of right, and subdivision regulations limited to measurable requirements such as street widths, PUD regulations allowed municipalities the discretion to decide what kind of development they would approve.

Changes in development style can be threatening to neighbors, and discretionary review can be unfair to developers, but several factors make limited PUD more acceptable to many communities. One was homogeneity in the residential development and demographics at the time. This was a time when a majority of the country lived as nuclear families with an average of 3.37 children. The father worked, and the mother stayed at home. Single-family housing dominated, and styles were similar. PUD ordinances allowed communities to use their discretion in deciding what developments they would accept, but that discretion was limited because any developments they approved would serve the typical family and would likely be built in the familiar development pattern. In addition, PUD regulations that followed the cluster development model were limited to single-family development and did not allow an increase in density.

EARLY REPORTS AND MODEL REGULATIONS
The standard zoning act adopted by most states does not contain statutory authority to regulate PUD. This was a concern. By the mid-1960s, attention turned to the need for statutory authority. The Urban Land Institute published a model statute and held a conference introducing it about that time (Babock and McBride 1965). It was not widely adopted and proved too rigid, though a number of states have enabling legislation for PUD today that enacts a different statutory model.

There also was a need for model regulations, so the American Society of Planning Officials, later to become the American Planning Association, asked me to prepare a report on PUD that contained recommendations for a model ordinance (Mandelker 1966). Several years later APA published another report on PUD based on a questionnaire, national interviews, and a review of PUD regulations that updated my earlier report (So, 1973). The Urban Land Institute then published a report some years later that discussed how PUD was carried out in practice and included a discussion of regulatory problems and issues (Moore and Siskin 1984).

These reports and recommendations generally assumed the typical PUD would be a cluster development limited to single-family development with no increase in project density. Multifamily uses might be permitted marginally, and commercial development could be allowed if accessory and related to the residential uses. The PUDs studied in the ULI report were also small in size. Only a few were larger than 100 acres. Development at this scale does not raise problems at the regional level, such as the impact on highway facilities and the jobs/housing balance. Cluster development could also be approved under the subdivision ordinance, though the reports recommended including PUDs regulations in the zoning ordinance as a rezoning or conditional use if a change in use or density was required.

These reports were limited in the changes they suggested. As proposed in these reports, PUD was only a marginal change to existing land-use regulation and did not substantially modify the regulatory framework. It filled a gap in existing regulations by allowing a comprehensive review of new development that promised new design opportunities while preserving open space. This expectation was clear in ordinance purpose clauses providing
that local governments could not approve a PUD unless they found it would provide a better built environment than what could be accomplished under existing regulations. This type of purpose clause is still common.

Though the type of development contemplated under PUD regulation did not differ much from what had been done before, this kind of regulation did change the basis for development because it required PUDs to obtain approval in a discretionary review process. This was a major change. Zoning ordinances allow uses as-of-right, and subdivision ordinances have set standards. This kind of nondiscretionary regulation can be arbitrary, but it is fair if the review standards in the ordinance are fair and fairly applied.

By comparison, a discretionary approval process can provide opportunities for unfair and arbitrary decision making. The PUD review process can become an invitation to essentially standardless negotiation if the ordinance is not written properly. It can also provide opportunities to developers to overreach and obtain excessive concessions or even default on their promises by failing to provide improvements and infrastructure that were promised (Turque 2006). One feature of my early report was a concern that approval standards provide sufficient guidance and that ordinances contain sufficient protections, so that developers could not take unfair advantage. Strict provisions about development phasing, for example, are necessary so that developers do not build a profitable part of a development first and then not provide promised amenities, such as common open space. Controlling the exercise of discretion in planned development regulation is still a major problem.

WHAT PUD IS TODAY

The origins of PUD regulation explain what PUD is today. It has a dual character. As the Urban Land Institute report stated several years ago, PUD is both a physical plan and a legal concept (Moore and Siskin 1984, 5). This definition highlights the difficulty in defining PUD, as it is both a development type and a legal process for approving a development type. This dual character is reflected in a definition of PUD contained in a Eugene, Oregon, General Information sheet:

A planned unit development (PUD) is a comprehensive development plan intended to provide flexibility in design and building placement, promote attractive and efficient environments that incorporate a variety of uses, densities and dwelling types, provide for economy of shared services and facilities, and preserve natural resources. (Eugene, Oregon, Planning and Development Department, n.d.)

This definition includes both the process and physical design elements of PUD. It notes the opportunity for flexibility in design and building placement, which can occur through the approval process, but also emphasizes elements in physical design that must be included, such as mixed uses, densities, and the preservation of natural resources. The definition does not expressly state that the design of PUDs must be better than what might be obtained through traditional zoning, but it is implied.

One omission is a size requirement. PUDs can range in size from infill housing development on a few acres in a downtown area to a large master-planned community of 50 square miles in outer suburbia. This variety suggests that different kinds of regulation are required for different types of development and that no single approach to PUD regulation can fit all alternatives. Downtown sites, for example, may not have natural resources to preserve. A definition may not be able to catch all of these alternatives.

A PUD that has a variety of mixed uses is usually called a master-planned community when it is built on a large scale. The development of increasing
Chapter 1. Planned Unit Development as a Zoning Concept

Changes in market demand, development practices, the scale of development, and community expectations have substantially altered the market and policy environment for PUD regulation. These changes need to be considered.

Housing demand, for instance, has called for major changes in the housing products that PUDs and master-planned communities offer. One observer commented several years ago that a mass market in housing no longer exists; rather, it is breaking into niche markets with different housing needs (Halter 1998, 1). This change has occurred because the homebuyer profile has changed, and the stereotypical nuclear family of the past no longer drives the housing market. The nuclear family is a minority, and the number of children on average in each family has decreased by one-third. Employment has shifted from production to service, and time is a growing amenity as many families need dual incomes, and work demands put pressures on family life. Working at home through telecommuting is increasing and requires a different kind of housing that contains a work environment. Developers may also design and build for different housing preferences, featuring “green,” “conservation,” and other types of development in their projects based on polling efforts before a spade of earth is turned (McCrummen 2006).

Another important influence on PUD and its regulation was the publication in 1998 by APA and the International City/County Management Association of a best-selling influential book, Best Development Practices (Ewing and Holder 1998). The book recommended land-use, transportation, housing, and conservation practices now widely used by developers—practices that have found their way into PUD ordinances. Best Development Practices did not deal with design issues, but design issues have also become increasingly important. Some of this is just greater attention to good design, but some of it shows the influence of the development model preferred by the new urbanism movement (Arendt 2004).

New Urbanist and Design Issues

The current popularity of new urbanist development is evident by the number of books and articles expounding its advantages over develop-
Sec. 11.55. Planned Unit Development.

Subd. 1. Purpose and Intent. The purpose of this Section is to encourage, preserve and improve the health, safety and general welfare of the people of the City by encouraging the use of contemporary land planning principles and coordinated community design. Planned Unit Developments (PUD's) are created hereby in recognition of the economic and cultural advantages of planned community-type developments of sufficient size to provide related areas for various housing types, retail and service activities, industrial operations, recreation, school, public facilities, and other uses of land. The PUD procedure is designed to be used where designation of a single use zoning district or application of standard zoning provisions to a development are too rigid for practical application. It is the intent of this Section to provide an optional method of land use regulations which permit design flexibility by substantial variances from the provisions of this Chapter, including uses, setbacks, height, parking requirements, and similar regulations.

Subd. 2. Definition of Planned Unit Developments.

A. Planned Unit Developments are defined for purposes of this Section to include only the following:

1. Developments having two or more principal uses on a single parcel of land.

2. Developments having two or more principal structures on a single parcel of land.

3. Apartment projects involving a multi-use structure, such as an apartment building with retail at ground floor level.

4. Townhouses which for purposes of this Section are defined as single family, attached dwelling units on separate parcels of land which are constructed contiguous to one another and separated by a bearing wall or walls. Such dwelling units shall be contained within one structure and shall be of the row house type in contrast to multiple dwelling apartment structures. They shall also have separate entrances to front and rear yards.

5. Developments having two or more principal use structures located on two or more lots either in single or multiple ownership, provided the combined area totals one or more acres and the plan submitted includes the entire area to which the planned unit will apply.

6. Parcels within redevelopment areas which have been established pursuant to Minnesota Statutes, Sections 462.411 - 462.716, and all acts amendatory thereof.
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B. A development may qualify as a Planned Unit Development only upon application in accord with the procedures contained herein and an appropriate determination by the Council.

Subd. 3. Applicability of This Chapter. Planned Unit Developments may be excluded from certain other requirements of this Chapter providing that the conditions contained herein are complied with. The granting of a PUD permit does not alter the existing zoning district classification of a parcel in any manner; however, once a PUD use permit has been granted for a parcel, building permits shall not be issued for that parcel which are not in conformance with the Building Code, with all other applicable City Code provisions and with the approved PUD use permit unless the permit has been amended, cancelled or modified.

Subd. 4. Interpretation of Section. Whenever a question arises concerning the interpretation of any portion of this Section, the Planning Commission shall ascertain all facts concerning the question and forward all data and a recommendation to the Council for determination.

Subd. 5. Standards and Criteria for PUD Permits.

A. General Standards. When considering an application for a PUD permit, the Council shall consider the advice and recommendations of the staff of the various City Departments, and of the Planning Commission, and the effect of the proposed use upon the health, safety, morals, and general welfare of the occupants of surrounding lands and existing and anticipated traffic conditions, including parking facilities on adjacent streets and land. If it shall determine that the proposed use will not be detrimental to the health, safety, morals or general welfare of the community, and that said use is in harmony with the general purpose and intent of this Section, the Council may grant such permits. In making such determinations, the various City Departments, the Planning Commission, and the Council shall take cognizance that many areas of the City are located so that they may be utilized as transitional areas between single family residences and incompatibly more intense areas. If a proposed Planned Unit Development meets the definition contained herein, a PUD permit may be used either (1) to permit some variety of uses within transitional areas which will blend well with surrounding uses; (2) to provide a means of flexibility in design and construction in transitional area; (3) to provide maximum public control over the eventual development of transitional areas; or (4) to achieve a combination of the foregoing objectives.

B. Residential and Institutional Area Standards. The purpose of this Subparagraph is to establish standards and guidelines for the granting of a PUD permit to erect a multi-building apartment or institutional use project in relation to an overall design and an integrated physical plan, in accordance with
the provisions and procedures provided for in this Section. The
owner or owners of any tract of land may submit a plan for the
development and use of such tract by making an application for a
PUD permit authorizing completion of the development in accordance
with the following standards:

1. The tract of land for which such a develop-
ment is proposed and a permit requested shall not have less than
one hundred (100) feet of frontage on a public street as measured
at building setback line.

2. The proposed development shall be served by
the public water and sewer system, and fire hydrants shall be
installed according to a plan, approved by the City staff, as to
type and location.

3. No principal building shall be nearer than
its height to the rear or side property line when such line abuts
on a single family use.

4. Private roadways within the project shall
be constructed according to a plan and approved by the City
Engineer as to type and location.

5. No building shall be located less than 15
feet from the back of the curb line along those roadways which are
a part of the internal road system.

6. Provisions for solid waste storage and
disposal shall be provided according to a plan approved by the City
staff, the Planning Commission and the Council.

7. Landscaping shall be provided according to
a plan approved by the Council in accord with the City Landscape
Standards. In addition, it shall include a detailed planting list
with sizes indicated.

8. In the event certain land areas or struc-
tures are provided within the planned unit development for private
recreational use or as service facilities, the owner of such land
and buildings shall enter into an agreement with the City to assure
the continued operation and maintenance to a pre-determined reason-
able standard. These common areas may be placed under the
ownership of one of the following as determined by the Council,
depending on which is more appropriate:

(a) Dedicated to public where a
community-wide use would be anticipated.
(b) Landlord control.
(c) Landowners Association, provided all
of the following conditions are met:
1. The Landowners Association must be established prior to any sale.
2. Membership must be mandatory for each owner, and any successive buyer.
3. The open space restrictions must be permanent, not for a given period of years.
4. The Association must be responsible for liability insurance, local taxes, and the maintenance of residential and other facilities.
5. Landowners must pay their pro rata share of the cost and the assessment levied by the Association that can become a lien on the property.
6. The Association must be able to adjust the assessment to meet changed needs.

C. Business or Industrial Area Standards. The purpose of this Subparagraph is to establish standards and guidelines for the granting of a PUD permit for a business or industrial facility in relation to an overall design and integrated physical plan, in accordance with the provisions and procedures as provided in this Section. The owner or owners of any such tract of land may submit for approval a plan for the development and use of such a tract for commercial or industrial or other uses by making an application for a PUD permit authorizing completion of the development in accordance with an approved plan. The following standards shall apply:

1. The tract shall have not less than one hundred (100) feet of frontage on a public street.
2. The development shall be served by the public water and sewer system and fire hydrants shall be installed according to a plan, approved by the City staff, as to type and location.
3. The surface drainage system shall be constructed according to a plan approved by the City Engineer as to type of materials used and location of facilities.
4. The entire site shall be utilized for the PUD.
5. The off-street parking spaces shall be painted on the surfaced area according to a plan which has received approval of the Council.
6. Provisions shall be designed for off-street loading to service the business and such space shall have easy access and not be designated for any other use.
7. Private roadways within the project shall be constructed according to a plan approved by the City Engineer as to type and location.
8. Landscaping shall be provided according to a plan approved by the Council in accord with the City landscape standards. In addition it shall include a detailed planting list with sizes indicated.

**Subd. 6. Application Procedure – Preliminary Design.**

A. An applicant for a PUD permit shall complete and submit to the Planning Department an application in a form prepared by and containing information needed by the Planning Department. The application shall include, but not be limited to, at least the following information:

1. Twenty copies of a preliminary design of the proposed development illustrating the nature and type of proposed development, the location of buildings and roadways, the location of the parcel's boundaries, the expected density of the development, the total area occupied by the development and the amenities to be provided.

2. An abstractor's certificate showing the names and addresses of all property owners within 500 feet of the property boundaries on which the proposed improvement is to be constructed.

3. All data required for a preliminary plat by the requirements of the Subdivision Regulations Chapter of the City Code.

4. A filing fee as prescribed by this Chapter.

5. An applicant may submit any additional information which may explain the proposed improvement.

B. Each application for a PUD permit must contain all data required by this Subdivision and, until it does, it will not be eligible for consideration by the Planning Department, the Planning Commission or any other commission, committee or body of the City.

C. Upon submission of a completed application, the Planning Department shall:

1. Refer it to the Planning Commission for a public information meeting;

2. Notify property owners by mail within 500 feet of the subject property, however, failure of any property owner to receive notification shall not invalidate the proceedings; and,

3. Refer the application to the Departments of Public Works, Public Safety and Park and Recreation for their written evaluations regarding those aspects of the proposal which affect the particular department's area of interest.
D. The Planning Commission shall consider the application within 40 days, but not earlier than ten days, from date of submission to the Planning Commission, for purposes of a report and recommendation to the Council. The Planning Commission's consideration of the application shall be limited to a determination of whether the application constitutes an appropriate land use under the general principles and standards adhered to in the City and, if necessary, its report shall include recommended changes in the land use planned by the applicant so as to conform the application or recommend approval subject to certain conditions or modifications. While the matter is under consideration by the Planning Commission, the applicant may amend any part of the application. If no action is taken by the Planning Commission within the period of time allowed for action by such body, and there has been no delay caused or requested by the applicant, the application shall be forwarded without comment to the Council. Any applicant may, if such applicant so desires, request a delay in the proceedings, which shall delay the time period provided by this Section; however, it shall not delay the time period more than 90 days.

E. The petitioner, or the petitioner's representative, shall appear at the public information meeting in order to answer questions concerning the proposed PUD.

F. The report of the Planning Commission shall be forwarded to the Council for their next regular meeting following the preparation of said report, but not later than ninety (90) days after the applicant has first submitted such application to the Planning Commission, as required under Subparagraph C, above.

G. The Council shall thereafter hold a public hearing, and take action on the application within sixty (60) days after submission of a report by the Planning Commission. The public hearing shall be called and notice thereof given in the manner required by statute and the Zoning Chapter respecting zoning petitions. The action of the Council may include a request for plan amendments, approval, denial, or referral back to the Planning Commission.

Subd. 7. Application Procedure - General Plan of Redevelopment Stage.

A. Public Hearing. Once the Council has approved an applicant's Preliminary Design, the applicant shall submit within one hundred eighty (180) days thereof the complete plans and specifications for the PUD as required hereunder, together with a filing fee as adopted by resolution of the Council. Thereafter, the Council shall hold a public hearing on the General Plan of Development and take action thereof within one hundred twenty (120) days of submission of the complete plans and specifications, after notice thereof has been given in the manner required by statute and the Zoning Chapter respecting zoning petitions. The action of the
Council may include a request for plan amendments, approval, denial or referral to the Planning Commission or other City commissions or committees for further consideration.

B. General Plan Requirements for All Areas. A General Plan of Development shall be submitted for all proposed PUD's, which shall include, but not be limited to, the following information:

1. Complete details of the proposed site development, including location of buildings, driveways, parking places, dimensions of the parking spaces, dimensions of the lot, lot area and yard dimensions.

2. Complete landscaping plans, including species and size of trees and shrubs proposed.

3. Complete plans for proposed sidewalks to service parking, recreation and service areas within the proposed development.

4. Complete plans for proposed storm water and surface water drainage system.

5. Preliminary architectural plans showing the floor plan and elevations of the proposed buildings.

6. Information indicating exterior wall finishes proposed for all principal and accessory buildings.

7. Complete data as to dwelling unit sizes.

8. Unless waived by the City, all data required on a preliminary plat and on a final plat, including streets, utility easements, existing or proposed subdivision of ownership, and such other information, if any, as required by the Subdivision Regulations Chapter of the City Code (provided, however, that the application for the PUD may request variances therefrom).

9. Unless waived by the City, a development agreement in a form approved by the Department of Public Works to install all public improvements required by the City Code.

C. Requirements for General Development Plan for Large or Complex Areas. In areas of such complexity that more detailed and complete plans may be warranted, the Planning Department may require one or more of the following as a part of the application for the Preliminary Design, in addition to other requirements of this Section:

1. A Land Use Component shall consist of a map or maps, setting forth the distribution, location, and size of each category of land use proposed as part of the General Plan of Development.

GOLDEN VALLEY CC 261 (6-30-88)
2. A Circulation Component shall consist of a map or maps, setting forth the general location and extent of all transportation facilities proposed as part of the General Plan of Development. Such facilities shall include all provisions for the circulation of traffic within the planned area related to the Land Use Component. The Planning Department may require a circulation plan prepared and signed by a registered engineer.

3. A Population Component shall contain a descriptive statement of the estimated population density and building intensity for various proposed land uses, including estimates of future population characteristics and change within the planned community correlated with other Components of the General Plan of Development. The supporting data shall include, but not be limited to, dwelling (housing) units per acre for the various residential uses proposed; and square footage by type for the various non-residential facilities including sufficient data to calculate traffic generation, parking requirements, water consumption, sewage needs and the necessary capacity of related utilities and services traditionally rendered by public or private organizations for a population of such size as is projected for the completed planned development.

4. A Services and Facilities Component shall contain a map or maps setting forth the general location and extent of any and all existing and proposed systems for sewage, domestic water supply and distribution, refuse disposal, drainage, local utilities and rights-of-way, easements, facilities and appurtenances necessary therefor. Said Component shall also contain a detailed statement describing the proposed ownership, method of operation, and maintenance of each such service and facility.

5. A Construction Order Component shall contain a map or maps setting forth the proposed chronological order of construction relating each proposed use and structure to the construction of the various services and facilities as may be required herein. Said Component shall include estimated completion dates and shall specify the proposed order of request for utility release or other authority to occupy completed structures so as to provide a basis for determining the adequacy of the related services and facilities for each separate construction phase.

6. Additional Components may be required such as: A Recreation Component; a Public Building Component, providing for consideration for administrative and public safety quarters; and such other components indicated by the nature of the particular proposed development.

7. Maps and Reports shall be included such as: supporting maps drawn to scale, diagrams, charts, descriptions, reports and explanation of methods utilized in its formulation.
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Subd. 8. Nature of Public Hearing. At the public hearing provided for by this Section, the Council shall consider the staff and Planning Commission reports as have been filed with it concerning the application, shall hear from the proponents of the application, and shall open the discussion to questions or comments from persons notified of the hearing or claiming to have an interest therein. At the conclusion of the hearing, which may be continued from time to time, the Council, within the specified time limits, shall either approve, deny or refer the application to the Planning Commission for further consideration; provided, however, that in the latter event, the application must be placed back on the Council agenda for final approval or denial within 120 days following the taking of the latter action. The affirmative vote of two-thirds of the Council members shall be required for final approval of any Preliminary Design or General Plan of Development.

Subd. 9. Preparation and Approval of PUD Permit. Following Council approval of a General Plan of Development, the City staff shall prepare a PUD permit which establishes permitted uses, allowable densities, development phasing, required improvements, completion dates for improvements, required bonding amount, and additional requirements for each PUD, in accordance with the conditions established in the Council approval of the General Plan of Development. Once the applicant has obtained final plat approval, unless the platting requirement has been waived, or unless the development has zero lot lines, the PUD permit shall be submitted to the Council for issuance.

Subd. 10. Method of Withdrawing a PUD Application. Any application for a PUD permit may be withdrawn by the applicant at any time prior to filing the required final plat thereof in accordance with the Subdivision Regulations Chapter of the City Code, or if no platting is required in connection with the PUD application then at the time prior to physical implementation of the approved permit, such as the commencement of construction on the permit site.

Subd. 11. Method of Amending a PUD Permit. Any desired change involving a structural alteration, enlargement or intensification of use not specifically allowed by a particular PUD permit, or any request for a variance from the specific terms of a previously issued PUD permit, shall require that an application be filed for an amended permit and all procedures shall then apply as if a new permit was being applied for. If there is a question whether an amendment is required, the question shall be submitted to the Council for determination. An application for an amended PUD permit shall be administered in the same manner as that required for an initial PUD permit, except that the fee shall be in the amount adopted by resolution of the Council. The amendment procedure shall also apply to reapplications for permits that have been denied, requests for changes in specific conditions contained in an existing permit, and for other situations described in this Section.
Subd. 12. Method of Cancellation of PUD Permit. Any existing, approved PUD permit shall be deemed to be cancelled if the owner of the land involved in the permit applies for and receives a rezoning respecting said property prior to the time that there is any physical implementation of the matters covered by the previously approved PUD permit. In addition, an existing PUD permit shall be deemed to be automatically cancelled in the event that a final plat, if the same be required in connection with the permit, is not filed as required by and in accordance with the terms of the Subdivision Regulations Chapter of the City Code within six (6) months following final approval of the PUD permit by the Council. In all other situations, an existing PUD permit shall only be cancelled and revoked, short of expiring according to its own terms, upon Council action in accordance with law.


A. Records. The Planning Department shall maintain a record of all PUD permits issued, including information on the use, location, conditions imposed by the Council, time limits, review dates, and such other information as may be appropriate. PUD permits granted shall be clearly noted on the Zoning District Map.

B. Certification of Plans Required. Any plan submitted shall be certified as follows: Mechanical systems, electrical systems, storm and surface drainage systems and all structural systems shall be designed and certified by a registered architect or registered engineer. The site plans may be prepared by a professional site planner, but a registered architect or engineer must certify to the review of the site and design of the proposed buildings in accordance with the site plans, the terrain and the neighboring conditions, and in accordance with the State Building Code.

C. Certification Also Required After Changes. If any plan required to be certified by the preceding Subparagraph B, above, is changed by the applicant either for the applicant's own reasons or at the request of the City, the applicant shall submit a new plan reflecting the change, which new plan shall be certified as required by the preceding Subparagraph B. Failure to submit such new certified plan shall constitute grounds for revocation of approval of General Plan of Development or refusal to issue a PUD permit.

D. Certification Upon Completion. With respect to all plans required to be certified by Subparagraphs B or C, above, once the work has been completed, the registered engineer who certified the plan shall certify in writing that it has been completed in accordance with the certified plan.

E. Time Limits. No application which was subsequently denied shall be re-submitted for a period of six (6) months from the date of said order of denial.
F. Bonding to Assure Conformance to General Plan of Development and Agreements. With respect to the parts of a PUD or items therein which in the judgment of the Department of Public Works, have a common affect, rather than an affect on only one or two parts or units thereof, including but not limited to, private roadways, public or private utilities, landscaping, and all improvements required by the City Code, the applicant shall post a corporate surety bond or cash bond guaranteeing the faithful performance of the work or agreements and the payment of any costs to the City in a sum equal to the total cost of all such parts or items as determined by the Department of Public Works. Part of the corporate surety bond or cash bond may be released when any specific common part or item is completed upon recommendation of the Department of Public Works and approval of the Council.

G. Effect of Minimum Area Requirements on Conveyed Lots or Building Sites. In the event any real property in the approved PUD permit is conveyed in total, or in part, the buyers thereof shall be bound by the provisions of the PUD permit and the General Development Plan constituting a part thereof; provided, however, that nothing herein shall be construed to create non-conforming lots, building sites, buildings or uses by virtue of any such conveyance of a lot, building site, building or part of the development created pursuant to and in conformance with the PUD permit. Subsequent structural additions or alterations may be made provided the provisions of the PUD permit, this Chapter, and other applicable City Code provisions are adhered to.

H. Final Plat. Unless the requirement for a final plat be waived by the Council, all applicants for a PUD permit shall be required to file with the appropriate governmental recording agency a plat of said Planned Unit Development complying with all of the requirements of the Subdivision Regulations Chapter of the City Code, except to the extent that the Council may have given specific permission to the effect that specific portions of the Subdivision Regulations Chapter, (1) need not be complied with, or (2) waiving the requirement that a plat be filed. Such required plats shall contain on their face a cross-reference to the final approved PUD permit (and General Plan of Development made a part thereof) on file with the City and shall be filed within six (6) months after the date of the Council action issuing the PUD permit.

I. PUD Permit. Unless this requirement is waived by the Council, the applicant shall sign a PUD permit within 90 days of the Council approval of the general plan.

J. Private Streets. Whenever it does not contradict the provisions of this Section as it relates to an adopted transportation plan or the protection of opportunities for reasonable development of surrounding land adjacent to a development proposed in a PUD application, streets which are intended to be kept continuously closed to public travel or are at all times
posted as private streets may be retained as private streets and so reflected upon the final plat made a part of the PUD permit; provided an agreement is entered into between the owner of said private streets and the Council assuring that the construction, operation and maintenance of said streets will be accomplished in accordance with standards approved by the Department of Public Works and the Council.

K. Qualifications of Petitioner.

1. Application for a PUD may be made only by the owner of the land involved in the PUD application, or by duly authorized representative, except that an option or contract holder may apply for a PUD provided the application is accompanied by fully executed agreements or documents from the owner stating that such owner has no objections to the proposed application and is in fact joining in the same as such owner's interest may appear. In addition, the applicant shall supply the City mailing labels with names and addresses of all persons who are to be notified of any public hearings or other proceedings required by the terms of this Section, including those persons disclosed on the abstractor's certificates required to be furnished by the applicant in accordance with the above provisions of this Section.

Source: Ordinance No. 565
Effective Date: 5-28-82

2. However, the City may act as a petitioner on its own motion and make application for a PUD if it or an affiliated governmental body such as the Housing and Redevelopment Authority in and for the City intends to purchase or take the land involved by eminent domain; provided, further, however, that General Plan approval may not be given to an application for a PUD by the City until such time as it or an affiliated governmental body has obtained title to the land involved in the PUD application. For purposes of this Subparagraph K, the intention of the City or an affiliated governmental body shall be evidenced by passage of a resolution or motion by the governmental body authorizing acquisition of the land involved.

Source: Ordinance No. 626
Effective Date: 6-15-84

L. Staged Developments. It is recognized that certain PUD permits may involve construction over a long period of time. If it is proposed to develop a project during a period which will exceed two years, the applicant may request preliminary design approval of the entire project and permission to submit detailed information respecting only the first stage or stages of the project. If permission pursuant to such a request is granted by the Council, a separate public hearing shall, nevertheless, be required respecting such successive stage of the project as the
same is reached, and detailed plans shall be submitted in accordance with the approved construction order component forming a part of the PUD permit.

Subd. 14. Building Permits. Following issuance of a PUD permit, the Council, through the Building Board of Review, may grant building permits for proposed structures within the approved PUD permit area, provided: (a) that the same appear to be in substantial conformance with the final approved PUD permit and the integral General Development Plan made a part of said permit; (b) that the landscape plan and exterior materials for the structures submitted shall be the same as that considered by it when considering whether to approve the General Plan of Development; (c) that the necessary bonds have been posted as provided in this Section; (d) that the proposed improvement or building construction is in accordance with the approved order of construction as per the Construction Order Component or other specific terms of the approved PUD permit as may be in any way involved respecting a Staged Development; (e) that any final plat as may be required by the terms of this Section has been filed with the appropriate governmental recording agency; and (f) that the proposed structure meets the requirements of the State Building Code and all other applicable City Code provisions.

Source: Ordinance No. 565
Effective Date: 5-28-82

(Sections 11.56 through 11.59, inclusive, reserved for future expansion.)
Goellner stated the proposed new language also requires that new PUDs would be subject to an amenity point system. She explained the point system and noted that applicants would need five points from a list of designated amenities and may be awarded a portion of points for each amenity. She added that the list of amenities is focused on amenities used in, and seen from the outdoors.

Goellner discussed some other proposed text changes including requiring an applicant to meet with staff prior to final application submission, and to address all conditions of the preliminary PUD approval. She stated that the some of the sections of the PUD ordinance have been restructured/reordered to provide for better readability and usability and noted that the language regarding submittal of a sign plan and the language regarding wetland buffers have been removed.

Baker referred to the language regarding the size of wetland buffers and asked what language is proposed to be removed from the current PUD code requirements. Goellner stated that the current PUD code requires a 25-foot buffer strip. She explained that the Engineering staff would like that standard removed from the PUD section of the City Code because they do their reviews based on other standards and the number in the PUD section was arbitrary. She added that wetland buffer issues are addressed as part of the stormwater and erosion control plan review process. Baker said he hopes to add language requiring a 50-foot buffer to the City standards in the Comprehensive Plan.

Zimmerman added that another reason to remove the standards from the PUD section of the City Code is so that the City can follow the State standards without having to amend the City Code every time standards change. Waldhauser asked if those other standards should be referenced in the City Code. Baker reiterated that he would like to City Code to match the State standard and require a 50-foot buffer even though that standard refers to agricultural land.

Johnson suggested that the proposed new language be reordered so that the amendment process starts with administrative amendments then goes on to minor amendments, then to major amendments in order to help streamline the process.

Segelbaum suggested the Commission discuss the proposed amenity point system.

Baker questioned why the amenity point system isn’t being proposed at this time for PUD amendments, only for new PUDs. Goellner stated that the PUD amendment proposals currently going through the process might not meet the amenity point requirements.

Segelbaum said thinks requiring applicants to have five amenity points seems high. Baker said he would push for the requirement to be ten amenity points. Segelbaum said he is concerned about smaller projects and suggested that past proposals be reviewed to see what would have been approved had amenity points been required. Kluchka agreed that he would like to quantitate what the City has approved recently to know how harsh or lenient it has been. Johnson agreed that five amenity points is too many. The items on the amenities list are expensive things and the City already asks applicants to do many things as part of a PUD. Baker stated that applicants are getting something from the City when they are granted a PUD. Blum said he doesn’t know how useful a study would be
Baker said he doesn’t like the word unique. Kluchka suggested the words architecturally significant instead of unique.

Waldhauser referred to the amenity regarding a public recreation area and suggested that the language stating "...play equipment or natural features suitable for recreational use by children and families" be removed. Segelbaum questioned if that language is removed if it would then be considered open space instead of a public recreation area.

Waldhauser suggested adding language about an increase in the variety of housing and life cycle housing to the affordable housing units amenity. Kluchka questioned if the definition of affordable is beyond current incentives or subsidies, and if the City is getting something more. Zimmerman stated there are certain thresholds but the point is to encourage affordable housing units.

Blum suggested adding an amenity that would give points for offering underground parking, and also adding an amenity regarding covered walkways.

Cera referred to the amenity regarding rooftop solar panels and suggested that the language be changed to require the system to cover a minimum of 50% of energy needs, rather than to cover 50% of the total roof area.

Segelbaum said the suggested additional amenities seem worth studying further and that he would like to see some other amenities that would be worth one point.

Cera referred to the items required to be submitted during the Final PUD process and stated that he would like a recycling plan added to the list.

Baker referred to the proposed language regarding riparian buffer requirements (Subd. 6(A)(3)(a)) and reiterated that he wants the buffer requirement language in the PUD ordinance to be 50 feet which is consistent with the State requirements. Zimmerman stated that staff would like that language removed from the PUD section of City Code in order to reduce the number of conflicts and to be consistent with what the Bassett Creek Watershed Commission and the State require. Waldhauser suggested language be added to the City Code stating that the buffer requirements will be consistent with State requirements. Segelbaum agreed that the requirements should be consistent code-wide.

Blum asked if language regarding snow removal requirements should be added. Zimmerman stated that there already are snow removal requirements listed in the PUD section of the Code. Blum questioned if the height of snow banks should be addressed. Zimmerman said that could be included as part of a snow storage plan.

Kluchka asked if language regarding communications plans should be added. Zimmerman stated that communication plans regarding construction are usually required post PUD plan approval. Goellner stated that communication plan requirements could be part of the development agreement process. Kluchka asked if it could be part of the standard conditions discussed during the PUD process so the Planning Commission doesn’t have to remember to add it every time. Zimmerman stated that a communication
Sec. 113-123. Planned Unit Development.

(c) Standards and Guidelines.

(11) Public Amenities (Affordable Housing Units). Provide affordable housing units beyond the minimum amount required in the City's Mixed-Income Housing Policy (and comply with all other provisions in the Policy). Three options of affordability include:

a. An additional 10 percent of units within the development are rented or sold at 30 percent of area median income or less.

b. An additional 20 percent of units within the development are rented or sold at 50 percent of area median income or less.

c. An additional 30 percent of units within the development are rented or sold at 80 percent of area median income or less.

(12) Public Amenities. All applications for new PUDs submitted after December 1, 2015, shall provide at least one amenity or combination of amenities that total at least five points from the public amenity option table below. An applicant may petition for credit for an amenity not included in the public amenity option table that is not otherwise required in the underlying zoning district; however, if the petition is granted, the amenity may only be allotted up to two points.

<table>
<thead>
<tr>
<th>PUD Amenity Options</th>
<th>Points</th>
<th>Amenity</th>
<th>Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>5</td>
<td>Green roof</td>
<td>Installation of an extensive, intensive, or semi-intensive, modular or integrated green roof system that covers a minimum of 50 percent of the total roof area proposed for the development.</td>
</tr>
<tr>
<td></td>
<td>5</td>
<td>Affordable housing units</td>
<td>Provide affordable housing units beyond the minimum amount required in the City's Mixed-Income Housing Policy (and comply with all other provisions in the Policy). Three options of affordability include:</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>• An additional 10 percent of units within development are rented or sold at 30 percent of Area Median Income or less.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>• An additional 20 percent of units within development are rented or sold at 50 percent of Area Median Income or less.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>• An additional 30 percent of units within development are rented or sold at 80 percent of Area Median Income or less.</td>
</tr>
<tr>
<td></td>
<td>4</td>
<td>Public open space</td>
<td>Contiguous ground level outdoor open space that is provided beyond the amount of open space required in the underlying zoning district requirements. The space shall preserve the natural landscape while providing the opportunity for members of the public to interact with the natural habitat using walkways, benches, or other mechanisms.</td>
</tr>
</tbody>
</table>
|                     | 4      | Utilization of a renewable energy source | Use of a photovoltaic or wind electrical system, solar thermal system and/or a geothermal heating and cooling system for at least 50 percent of the annual energy demand in new and existing buildings. The applicant must demonstrate that the quantity of energy generated by the renewable energy system meets the required percentage through a whole building energy simulation. Renewable energy sources shall be in accordance with the
<table>
<thead>
<tr>
<th></th>
<th>Underlying Zoning District and Any Other Applicable Requirements of the City Code.</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>Leadership in Energy and Environmental Design (LEED) Platinum certification</td>
</tr>
<tr>
<td></td>
<td>The proposed development shall achieve LEED Platinum certification approved by a LEED accredited professional (LEED-AP) by a date determined in the development agreement. During the PUD approval process, the developer must submit a LEED checklist and documentation to the City that shows the project will comply with LEED Platinum requirements.</td>
</tr>
<tr>
<td>3</td>
<td>Leadership in Energy and Environmental Design (LEED) Gold certification</td>
</tr>
<tr>
<td></td>
<td>The proposed development shall achieve LEED Gold certification approved by a LEED accredited professional (LEED-AP) by a date determined in the development agreement. During the PUD approval process, the developer must submit a LEED checklist and documentation to the City that shows the project will comply with LEED Gold requirements.</td>
</tr>
<tr>
<td>3</td>
<td>Community garden</td>
</tr>
<tr>
<td></td>
<td>Permanent and viable growing space and/or facilities such as a greenhouse or a garden, which provides fencing, watering systems, soil, secured storage spaces for tools, solar access, and pedestrian access as applicable. The facility shall be designed to be architecturally compatible with the development to minimize the visibility of mechanical equipment.</td>
</tr>
<tr>
<td>3</td>
<td>Public recreation area</td>
</tr>
<tr>
<td></td>
<td>An active, safe, and secure outdoor recreation area open and visible to the public that includes equipment or natural features suitable for recreational use.</td>
</tr>
<tr>
<td>3</td>
<td>Public plaza</td>
</tr>
<tr>
<td></td>
<td>Plazas shall be open to the public during daylight hours and provide opportunities for the public to interact with the space using outdoor furniture, art, or other mechanisms.</td>
</tr>
<tr>
<td>3</td>
<td>Public art</td>
</tr>
<tr>
<td></td>
<td>The art shall be maintained in good order for the life of the principal structure. The art shall be located where it is highly visible to the public. If located indoors, such space shall be clearly visible and easily accessible from adjacent sidewalks or streets.</td>
</tr>
<tr>
<td>3</td>
<td>Creation or preservation of significant/historic architecture</td>
</tr>
<tr>
<td></td>
<td>Creation, preservation, rehabilitation, or restoration of designed historic landmarks or significant architectural features as a part of the development.</td>
</tr>
<tr>
<td>2</td>
<td>Enhanced bicycle and pedestrian facilities</td>
</tr>
<tr>
<td></td>
<td>Eligible facilities may include a combination of the following: heated transit shelter, bicycle repair tools, rest area, wayfinding signs, sheltered walkway, woonerf, and other amenities that increase the convenience and encourage the use of public walkways and bikeways beyond what is otherwise required in the underlying zoning district.</td>
</tr>
<tr>
<td>2</td>
<td>Innovative stormwater management</td>
</tr>
<tr>
<td></td>
<td>The design must provide capacity for infiltrating stormwater beyond what is required by the City and watershed district and the design must serve as a visual amenity to the property and be reflective of innovative techniques.</td>
</tr>
<tr>
<td>1</td>
<td>Water feature usable to public</td>
</tr>
<tr>
<td></td>
<td>A water feature, including, but not limited to, a reflecting pond, a children's play feature, or a fountain shall be located where it is highly visible and usable by the public.</td>
</tr>
<tr>
<td>1</td>
<td>Shared bicycle and vehicle facilities</td>
</tr>
<tr>
<td></td>
<td>Accommodation for shared vehicles or shared bicycles on site. The shared service provider must be committed in writing to the use of the space in order to be eligible.</td>
</tr>
<tr>
<td>#</td>
<td>Description</td>
</tr>
<tr>
<td>---</td>
<td>---------------------------------</td>
</tr>
<tr>
<td>1</td>
<td>Enhanced landscaping</td>
</tr>
<tr>
<td>1</td>
<td>Electric car charging station</td>
</tr>
</tbody>
</table>
527.120. Alternatives to zoning ordinance standards.

The city planning commission may approve alternatives to the zoning regulations applicable to the zoning district in which the planned unit development is located, as authorized in this chapter and as listed in Table 527-3, Authorized Alternatives, where the planned unit development includes site amenities. Site amenities are listed in Table 527-2, Amenities, and are subject to the following standards:

1. All planned unit developments shall provide at least one (1) amenity or a combination of amenities that total at least ten (10) points, beyond those required for any alternative(s), and even if no alternative(s) is requested.

2. For each alternative requested, an amenity or a combination of amenities totaling at least five (5) points, in addition to the amenity(ies) required in section 527.120(1), shall be provided. For multiple requests of the same alternative only one (1) amenity shall be required for those alternatives, except for revisions made to an already approved planned unit development as an amendment to the planned unit development.

3. Unless otherwise determined by the city planning commission, each phase of the planned unit development shall include the amenities provided for any alternatives in that phase, as a part of the construction of that phase.

4. In no case shall any item be counted as an amenity for an alternative if it is utilized to qualify for a floor area ratio or height incentive in the Built Form Overlay Districts or any other amenity in Table 527-2, Amenities.

5. Where an amenity is provided that meets the standards required in Table 527-2, Amenities, the full point value assigned to said amenity shall be obtained. Where the amenity does not meet all of the standards required in Table 527-2, Amenities, no points shall be awarded. Partial points for alternatives shall not be awarded, except as otherwise allowed in Table 527-2, Amenities.

Nothing in this chapter shall be construed to provide a property owner with any property right or other legal right to compel the city to grant alternatives to this zoning ordinance.

Table 527-2 Amenities

<table>
<thead>
<tr>
<th>Points</th>
<th>Amenity</th>
<th>Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td>Active liner uses as part of a parking garage</td>
<td>Inclusion of housing, office, or other active uses around the perimeter of all floors of a parking garage that face a public street, sidewalk, or pathway. In any district where liner uses are already required on the first floor, points shall only be awarded for liner uses on all other floors above the first where parking is located. False or display windows shall not qualify.</td>
</tr>
</tbody>
</table>
| 10     | Environmental sustainability—Ecological function | a. Installation of an extensive, intensive, semi-intensive, modular or integrated green roof system that covers a minimum of fifty (50) percent of the total roof area proposed for the development.  
    b. Not less than fifty (50) percent of the site not occupied by buildings including all required landscaped yards shall be landscaped per the standards in Chapter 530.  
    c. Native species plantings shall be prioritized on the landscaping plan, including plantings that support pollinators. |
| 10     | Historic preservation                        | a. The structure shall be a locally designated historic structure or shall be determined to be eligible to be locally designated as a historic structure, as provided in Chapter 599 of the Minneapolis Code of Ordinances, Heritage Preservation.  
    b. The historic structure, if undesignated, shall be subject to the same |
<p>| 10 | Environmental sustainability—Climate resiliency | Any performance standard (LEED, PHIUS, EGC, etc.) that achieves the Minnesota Sustainable Building 2030 (SB 2030) 2010-2014 Energy Standard, a sixty (60) percent energy/carbon reduction from the 2003 Average Building Baseline. The evaluation shall be submitted by a certified architect. Building utility energy and water information shall be submitted annually as part of the Minneapolis Energy Benchmarking program. |
| 10 | Public right-of-way dedication | Dedication of land and construction of a public road, alley, pathway, or greenway that is part of an approved City plan or that restores the city’s traditional grid subject to the approval of the applicable agencies or departments. Right-of-way improvements should be designed in accordance with Chapter 598, Land Subdivision Regulations. Points shall not be awarded for the reconstruction or relocation of an alley to facilitate an alley vacation. |
| 10 | Underground parking | All parking shall be located underground. Where the grade of the site slopes significantly, all parking shall be enclosed in a floor level of the building that does not meet the definition of a story. Further, exterior parking garage walls adjacent to the public street shall not extend more than three (3) feet above the adjacent grade measured from the finished floor of the first level. |
| 5 | Conservation of the built environment | Significant renovation, rehabilitation and adaptive reuse of an existing building(s), rather than demolition. |
| 5 | Garden(s) or on-site food production | Permanent and viable growing space and/or facilities such as a greenhouse or a garden conservatory at a minimum of sixty (60) square feet per dwelling unit to a maximum required area of five thousand (5,000) square feet, which provide fencing, watering systems, soil, secured storage space for tools, solar access, and pedestrian access as applicable. The facility shall be designed to be architecturally compatible with the development and to minimize the visibility of mechanical equipment. |
| 5 | Renewable energy | Not less than forty (40) percent of electricity usage shall be derived from renewable energy sources through on-site generation and/or renewable energy credits (RECs). |
| 5 | Outdoor open space | Contiguous ground level outdoor open space that is related to and proportional with the bulk of the building and landscaped with trees and shrubs. Rain gardens, where appropriate, are encouraged. Walkways and pathways shall be surfaced with pervious pavers, pervious concrete, decorative pavers, stamped concrete, colored concrete, brick or other decorative and durable materials. A minimum of thirty (30) percent of the site not occupied by buildings shall be landscaped outdoor open space. A minimum of fifty (50) percent of the provided open space shall be contiguous. The open space must be immediately accessible from the principal structure. Areas should be designed for winter use and relate to the built form with consideration given to elements such as providing shelter from wind, utilizing seasonally appropriate materials, maximizing access to sunlight and providing for snow and ice removal. |
| 5 | Outdoor children's play area | An active, outdoor children’s play area with a minimum of fifty (50) square feet for each unit containing three (3) or more bedrooms but not less than five hundred (500) square feet of play area to a maximum required area of five thousand (5,000) square feet. The play area shall be secure, shall be separated from parking and maneuvering areas, and shall be designed to facilitate adult supervision. The play area shall include play equipment, installed to the manufacturer’s specifications, or natural features suitable for children in both preschool and elementary school. Play equipment shall not be located in a required yard and not more than twenty-five (25) percent of the required square footage of the play area may be located in a required yard. Play areas should be designed for winter use and relate to the built form with consideration given to elements such as providing shelter from wind, utilizing seasonally appropriate materials, maximizing access to sunlight and providing for snow and ice removal. |
| 5 | Plaza | Plazas shall have a minimum area equivalent to ten (10) percent of the site not occupied by buildings, but not less than two thousand (2,000) square feet and shall comply with all provisions in Chapter 535, Regulations of General Applicability. Plazas for commercial or mixed-use development shall be open to the public during daylight hours. |
| 3 | Art feature | Provision of art that shall strive to promote quality design, enhance a sense of place, contribute to a sense of vitality, show value for artist and artistic processes, and use resources wisely. The art shall be maintained in good order for the life of the principal structure. The art shall be located where it is highly visible to the public. If located indoors, such space shall be clearly visible and easily accessible from adjacent sidewalks or streets. The art shall be valued at not less than one-fourth (.25) of one (1) percent of the capital cost of the principal structure. |
| 3 | Decorative or pervious surface for on-site parking and loading areas, drives, driveways and walkways. | Provide decorative pavers, pervious pavers, stamped concrete, colored concrete, pervious concrete, brick or other decorative or durable materials for a minimum of seventy-five (75) percent of surface parking and/or loading areas, drives aisles, driveways and walkways that comply with the Americans with Disabilities Act accessibility requirements. |
| 3 | Energy efficiency | Utilization of energy design assistance programs or commissioning to ensure that building systems are designed to operate efficiently and exceed the Minnesota State Energy Code by at least thirty (30) percent of the annual energy costs. The developer must submit documentation to the City including a letter signed by the owner or a licensed design professional, that shows the project will comply with this standard. |
| 3 | Living wall system | Provide a living wall system on at least one (1) building elevation. The living wall shall be composed of panels that total a minimum of sixty (60) percent of the wall area on the building elevation, or five hundred (500) square feet, whichever is greater. Window area is included in the calculation of the wall area, but in no case shall the living wall cover windows. Not less than twenty (20) percent of the plantings shall provide greenery year round. |
| 3 | Natural features | Site planning that preserves significant natural features or restores ecological functions of a previously damaged natural environment. |
| 3 | Pedestrian improvements | A site and building design that allows for exceptional and accessible pedestrian and/or bicycle access through and/or around a site that exceeds the requirements of Chapter 530, Site Plan Review. The improvements shall |</p>
<table>
<thead>
<tr>
<th>Requirement</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use a combination of landscaping, decorative materials, access control and lighting to create a safe, clear and aesthetically pleasing access through and/or around the site that complies with the Americans with Disabilities Act accessibility requirements.</td>
<td></td>
</tr>
<tr>
<td>Reflective Roof</td>
<td>Utilize roofing materials for seventy-five (75) percent or more of the total roof surface having a Solar Reflectance Index (SRI) equal to or greater than the values as required by the US Green Building Council (USGBC) for low-sloped and steep-sloped roofs.</td>
</tr>
<tr>
<td>Shared bicycles and e-vehicle chargers</td>
<td>Public access to shared bicycles available for short-term use. Applies to mixed-use and non-residential uses only. A minimum of ten (10) shared bicycles and four (4) e-vehicle chargers per one (1) commercial use must be provided to qualify as an amenity. Bicycle parking spaces and racks shall be located in an area that is convenient and visible from the principal entrance of the building.</td>
</tr>
<tr>
<td>Shared vehicles</td>
<td>Access to a shared passenger automobile available for short-term use. For residential uses, a minimum of one (1) car per one hundred (100) dwelling units is required.</td>
</tr>
<tr>
<td>Decorative fencing</td>
<td>Install high-quality decorative metal fencing where visible from the public street, public sidewalk or public pathway. The point for decorative fencing may be obtained when it is included as part of another amenity if it is also provided in other areas on the site. In no case shall chain-link fencing be considered decorative fencing.</td>
</tr>
<tr>
<td>Enhanced exterior lighting</td>
<td>Lighting plan that highlights significant areas of the site or architectural features of the building(s), subject to the standards of Chapter 535, Regulations of General Applicability.</td>
</tr>
<tr>
<td>Enhanced landscaping</td>
<td>A landscaping plan of exceptional design that has a variety of native tree, shrub, and plant types that provide seasonal interest and that exceed the requirements of Chapter 530, Site Plan Review. The landscaped areas shall have a resource efficient irrigation system. The landscaping plan shall be prepared by a licensed landscape architect.</td>
</tr>
<tr>
<td>Enhanced stormwater management</td>
<td>Provide capacity for infiltrating stormwater generated onsite with artful rain garden design, or subterranean stormwater collection and filtration system, that serves as a visible and/or visually appealing amenity. Rain garden designs shall be visually compatible with the form and function of the space and shall include for long-term maintenance of the design. The design shall conform to requirements of the stormwater management plan approved by public works.</td>
</tr>
<tr>
<td>Heated drives or sidewalks</td>
<td>Heated drives or sidewalks that are designed to provide snow and ice free surfaces.</td>
</tr>
<tr>
<td>Pet Exercise Area</td>
<td>A pet exercise area shall have a minimum dimension of twelve (12) feet by sixty (60) feet. It shall be enclosed with decorative fencing, include lighting in compliance with Chapter 535, Regulations of General Applicability and provide accommodations for proper disposal of animal waste. The pet exercise area shall not be located in a required yard.</td>
</tr>
<tr>
<td>Recycling storage area</td>
<td>Provide an easily accessible area that serves the entire building and is dedicated to the collection and storage of non-hazardous materials for recycling, including but not limited to paper, corrugated cardboard, glass, plastics and metals. The recycling storage area shall be located entirely below grade or entirely enclosed within the building.</td>
</tr>
<tr>
<td>1</td>
<td>Tree islands</td>
</tr>
<tr>
<td>1</td>
<td>Water feature</td>
</tr>
<tr>
<td>As determined by CUP.</td>
<td>Amenities proposed by the applicant or others</td>
</tr>
<tr>
<td>As determined by CUP.</td>
<td>Amenities that significantly exceed standards</td>
</tr>
</tbody>
</table>

Date: March 28, 2022
To: Golden Valley Planning Commission
From: Jason Zimmerman, Planning Manager
Subject: Presentation of 2021 Planning Commission Annual Report/2022 Work Plan

Summary
Staff has prepared a summary of the 2021 activity of the Planning Commission in advance of the Commission’s report to the City Council by the Planning Commission Chair. The presentation of the Annual Report will provide an opportunity for discussion around any priorities or requests the Commissioners might have for the City Council in 2022.

Attachments
2022 Planning Commission Annual Report (11 pages)
PLANNING COMMISSION
2021 ANNUAL REPORT AND
2022 WORK PLAN
2021 Planning Commission

Commissioners
Lauren Pockl, Chair (2024)
Adam Brookins, Vice-Chair (2022)
Andy Johnson, Secretary (2024)
Rich Baker (2022)
Ron Blum
Sophia Ginis (2022)
Mike Ruby (2023)
Ryan Sadeghi
Chuck Segelbaum (2023)
Noah Orloff, Youth Member

Council Liaison
Gillian Rosenquist

City Staff
Marc Nevinski, Physical Development Director
Jason Zimmerman, Planning Manager
Myles Campbell, Planner
Amie Kolesar, Planning Assistant

Purpose, Mission, and Prescribed Duties
The Planning Commission shall:

- Review and make recommendations on specific development proposals made by private developers and public agencies.
- Review and make recommendations on proposed rezonings, subdivision plans, amendments to the zoning text, platting regulations and variances, and similar items having to do with administration and regulatory measures.
- Conduct special studies dealing with items such as renewal, civic design, maintenance of a suitable living and working environment, economic conditions, etc. These studies may be conducted at the initiative of the Planning Commission and/or specific direction from the City Council.
- Review major public capital improvement plans against the policy and goals stated in the Comprehensive Plan for the area.
- Advise and make recommendations relative to housing, new development, and redevelopment projects proposed by the HRA prior to the final commitment of such projects by the HRA.
- Advise and make recommendations in matters relating to and affecting the environment.
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<th>Section</th>
<th>Page</th>
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<tbody>
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<td>4</td>
</tr>
<tr>
<td>2022 Proposed Work Plan</td>
<td>11</td>
</tr>
</tbody>
</table>
2021 Overview

In a year that saw an increase in activity following a lull driven by the uncertainties of COVID-19, the Golden Valley Planning Commission spent 2021 both reviewing proposals for private development as well as working closely with staff to develop new language for the Zoning Chapter in an effort to continue to modernize the City Code and improve accessibility for the public.

The Commission provided review for major amendments to three existing Planned Unit Developments (PUDs) as well as one new PUD in the northwest corner of the Golden Valley Country Club. It recommended approval of a new plat for the construction of a credit union and offered feedback on a site plan for new apartments on Douglas Drive in place of the former Tenant office building. Other proposals required revisions to the future land use and zoning maps, as well as subdivision actions. These included the Golden Valley Business Center and Artessa Senior Cooperative projects.

A handful of rezonings were also initiated to try to bring to a close the process of aligning the zoning map with the future land use map in the City’s 2040 Comprehensive Plan. Zoning text amendments were researched and advanced to the City Council for consideration, including work on allowing rowhouses, new regulations around pawn shops, and an extensive rewrite of the zoning use tables. The Commission also began investigation of outdoor service areas and accessory dwelling units.

In 2022, the Commission will work to complete its research on accessory dwelling units and recommend new zoning language for the City Council to consider. Other agenda items include augmenting the current regulations around mobile uses and updating the City’s off-street parking requirements. Staff will work to conduct education around the Planned Unit Development process and arrange for equity training for Commissioners.

2021 Activity
The information below attempts to capture in figures and graphs the activities of the Planning Commission over the past year.

<table>
<thead>
<tr>
<th>Planning Commission Meetings</th>
<th>Planning Applications Considered</th>
</tr>
</thead>
<tbody>
<tr>
<td>Held: 21</td>
<td>25</td>
</tr>
<tr>
<td>Cancelled: 3</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Staff-Led Discussions/Presentations</th>
<th>Zoning Text Amendments Considered</th>
</tr>
</thead>
<tbody>
<tr>
<td>22</td>
<td>3</td>
</tr>
</tbody>
</table>
Planning Applications Considered

- Recommended Approval: 17
- Recommended Denial: 8

Total Planning Applications by Year

- 2021: 25
- 2020: 17
- 2019: 8
- 2018: 24
- 2017: 14
Planning Application

Types, 2017 - 2021

Location

Type

- PUD/Major Amend: 6
- CUP: 22
- Platting (Subdivision/Lot Consolidation): 17
- Platting Variance: 1
- Rezoning: 14
- Land Use Change: 12
- Site Plan Review: 2
Zoning Text Amendments Considered

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rowhouses</td>
<td>Allows the construction of rowhouses as a permitted use in the Moderate Density Residential (R-2) zoning district</td>
</tr>
<tr>
<td>Pawn Shops</td>
<td>New regulations around the establishment of pawn shops, precious metal dealers, consumer small loan lenders, and currency exchanges</td>
</tr>
<tr>
<td>Use Tables</td>
<td>Updates to the lists of uses in each zoning district to create summary tables, refine language, reorganize the Institutional Subdistricts, and other modernizations</td>
</tr>
</tbody>
</table>

Staff Led Discussions/Presentations

- Annual Commissioner Orientation
- Zoning Code: 17
  - Rowhouses: 1
  - Use Tables/RLUIPA: 7
  - Interim Uses/Outdoor Service Areas: 3
  - Pawn shops: 2
  - Accessory Dwelling Units: 4
- Exclusionary Zoning
- Class I Material Request Consideration
- Downtown Study Final Report
- 2022-2031 Capital Improvement Program

Other PUD Amendments Considered (not reviewed by Planning Commission)

- Minor Amendments: 2
  - Carousel Automobiles PUD 95 – revision to the amount of allowed signage to accommodate advertising for three dealerships on the site (APPROVED)
  - General Mills PUD 83 – updated language to clarify allowed uses on both the south and north lots of the James Ford Bell campus (APPROVED)
- Administrative Amendments: 1
  - Carousel Automobiles PUD 95 – modifications to landscaping and utility plans to accommodate new electric vehicle charging stations (APPROVED)
### Major Projects Reviewed

<table>
<thead>
<tr>
<th>Item/Location</th>
<th>Type</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Regency Hospital</strong></td>
<td>Major PUD Amendment</td>
<td>Amend the existing PUD to allow for an expansion of the existing hospital building</td>
</tr>
<tr>
<td>1300 Hidden Lakes Parkway</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Carousel Auto</strong></td>
<td>Major PUD Amendment</td>
<td>Amend the existing PUD to add a third dealership and reconfigure aspects of the site to manage auto inventory storage</td>
</tr>
<tr>
<td>9191 and 9393 Wayzata Blvd</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Greenway Villas</strong></td>
<td>Land Use and Zoning Map Amendment, Preliminary and Final PUD</td>
<td>Modify land use and zoning to allow for residential development; create a new PUD to allow for seven villa home to be constructed</td>
</tr>
<tr>
<td>NW corner of GV Country Club</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Meadowbrook Elementary</strong></td>
<td>Land Use and Zoning Map Amendment, Major PUD Amendment</td>
<td>Modify land use and zoning and amend the existing PUD to incorporate a new parcel into the campus and improve circulation</td>
</tr>
<tr>
<td>5300 and 5430 Glenwood Ave</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>General Mills - JFB</strong></td>
<td>Zoning Map Amendments</td>
<td>Modify zoning to clarify allowed uses on north half of site</td>
</tr>
<tr>
<td>9000 Plymouth Ave</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Academy of Whole Learning</strong></td>
<td>Replat/Lot Combination</td>
<td>Combine three platted parcels to allow for construction of new gymnasium</td>
</tr>
<tr>
<td>8810 10th Ave N</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Spire Credit Union</strong></td>
<td>Subdivision, CUP</td>
<td>Divide one lot and allow the construction of a credit union with a drive thru</td>
</tr>
<tr>
<td>6440 Wayzata Blvd</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Golden Valley Business Center</strong></td>
<td>Land Use and Zoning Map Amendment, Subdivision</td>
<td>Modify land use and zoning and subdivide one lot to allow for the construction of two new light industrial buildings</td>
</tr>
<tr>
<td>6000 Olson Memorial Hwy</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Artesa Senior Coop</strong></td>
<td>Land Use and Zoning Map Amendment, Subdivision, CUP</td>
<td>Modify land use and zoning and subdivide to create a new lot for a senior</td>
</tr>
<tr>
<td>SE corner of GV Country Club</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>The Simmons Group Apts</strong></td>
<td>Site Plan Review</td>
<td>Review the site plans for two new multifamily buildings</td>
</tr>
<tr>
<td>1111 Douglas Drive</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Previously Approved Projects that Completed Construction in 2021

None
2022 Proposed Work Plan

Implementation of 2040 Comprehensive Plan
- Revisit proposed rezoning of the southeast corner of the Winnetka and Olson Memorial Highway intersection in order to achieve consistency with the adopted Future Land Use Map (awaiting additional information from pending Downtown traffic study and MnDOT Hwy 55 BRT study)

Zoning Code Amendments/Updates
- Research and make recommendations on adding Accessory Dwelling Units as a permitted or conditional use in one or more of the residential zoning districts
- Expand the types of Mobile Uses that can operate in the city beyond food trucks and draft any necessary accompanying regulations
- Examine the Off-street Parking section of code to align existing categories with new use tables, to revisit minimum parking requirements, and to consider new regulations around electric charging stations
- Update the Telecommunications section of the zoning chapter to address small cell telecom

Planning Application Review and Evaluation
- Continue to review and make recommendations on land use applications as they are submitted to the City, including subdivision requests, Conditional Use Permits, and Planned Unit Developments

Commissioner Training and Education
- Discuss the effectiveness of the city’s current Planned Unit Development regulations and look for ways to improve or modify PUD requirements to better address City priorities
- Conduct equity training coordinated with the City’s Equity and Inclusion Manager and the Diversity and Equity Committee of the state chapter of the American Planning Association

Commissioner Initiatives
- Work with staff to explore new and innovative planning concepts and to respond to the interests of individual Commissioners
Date: March 28, 2022
To: Golden Valley Planning Commission
From: Myles Campbell, Planner
Subject: Presentation of 2021 Board of Zoning Appeals Annual Report

Summary
Staff has prepared a summary of the 2021 activity of the Board of Zoning Appeals in advance of the Board’s report to the City Council by the BZA Chair.

Attachments
2021 Board of Zoning Appeals Annual Report (14 pages)
BOARD OF ZONING APPEALS
2021 ANNUAL REPORT
2021 Board of Zoning Appeals

Commissioners
Richard Orenstein, Chair (2022)
Sophia Ginis, Vice Chair (2022)  Rotating Planning Commission Representative
Chris Carlson, Vice Chair (2022)  Kade Arms-Regenold (Youth Representative, 2021)
Nancy Nelson (2022)
Kade Arms-Regenold (2022)

Note: Terms run May 1-April 30

Council Liaison
Larry Fonnest

City Staff
Marc Nevinski, Physical Development Director  Myles Campbell, Planner
Jason Zimmerman, Planning Manager  Amie Kolesar, Planning Assistant

Purpose, Mission, And Prescribed Duties
The Board of Zoning Appeals (BZA) hears requests for variances from the requirements of the Zoning Code, which is Chapter 113 of the Golden Valley City Code. The BZA consists of five members that meet once a month if there are any petitions pending for action. A Planning Commissioner serves as the fifth member of the BZA.

Criteria for Analysis
A variance may be granted when the petitioner for the variance establishes that there are practical difficulties in complying with this Chapter. “Practical difficulties,” as used in connection with the granting of a variance, means:

- the property owner proposes to use the property in a reasonable manner not permitted by this Chapter
- the plight of the property owner is due to circumstances unique to the property not created by the property owner
- the variance, if granted, will not alter the essential character of the locality

Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems. The BZA may not grant a variance that would allow any use not allowed for property in the Zoning District where the affected person’s land is located. The BZA may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.
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2021 Overview

Variance Considered
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In R-1 Residential Zoning District
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2021 Variance Requests by Type

2021 BZA Decisions

Approved: 17
Denied: 2
Tabled: 3
Withdrawn: 2
2021 Variances by Project

- Garage: 7
- Deck: 2
- New Home or Building: 1
- Shed: 2
- Parking: 1
- Mechanical Equipment: 2

Golden Valley Board of Zoning Appeals
2021 Annual Report
# Five-Year Summary: 2017-2021

## Variances Considered

<table>
<thead>
<tr>
<th>District Category</th>
<th>Variances Considered</th>
</tr>
</thead>
<tbody>
<tr>
<td>In R-1 Residential Zoning District</td>
<td>79</td>
</tr>
<tr>
<td>In R-2 Residential Zoning District</td>
<td>6</td>
</tr>
<tr>
<td>In Commercial Zoning District</td>
<td>6</td>
</tr>
<tr>
<td>In Mixed-Use Zoning District</td>
<td>2</td>
</tr>
<tr>
<td>In Institutional Zoning District</td>
<td>0</td>
</tr>
<tr>
<td>In Industrial Zoning District</td>
<td>1</td>
</tr>
<tr>
<td>In Light Industrial Zoning District</td>
<td>4</td>
</tr>
<tr>
<td>In Office Zoning District</td>
<td>4</td>
</tr>
</tbody>
</table>

## 2017-2021 Variance Requests By Type

<table>
<thead>
<tr>
<th>Type</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front Setback</td>
<td>20</td>
</tr>
<tr>
<td>Side Setback</td>
<td>25</td>
</tr>
<tr>
<td>Rear Setback</td>
<td>30</td>
</tr>
<tr>
<td>Height</td>
<td>15</td>
</tr>
<tr>
<td>Building Envelope</td>
<td>10</td>
</tr>
<tr>
<td>Articulation</td>
<td>5</td>
</tr>
<tr>
<td>Shoreland Setback</td>
<td>2</td>
</tr>
<tr>
<td>Average Grade</td>
<td>2</td>
</tr>
<tr>
<td>Accessory Structure Location</td>
<td>1</td>
</tr>
<tr>
<td>Accessory Structure Size</td>
<td>2</td>
</tr>
<tr>
<td>Paved Area</td>
<td>2</td>
</tr>
<tr>
<td>Accessory Structure Height</td>
<td>1</td>
</tr>
<tr>
<td>Fence Height</td>
<td>20</td>
</tr>
<tr>
<td>Impervious Surface</td>
<td>5</td>
</tr>
<tr>
<td>Garage Width</td>
<td>2</td>
</tr>
<tr>
<td>Minimum Parking</td>
<td>2</td>
</tr>
<tr>
<td>Outdoor Lighting</td>
<td>2</td>
</tr>
<tr>
<td>Roadway Width</td>
<td>2</td>
</tr>
<tr>
<td>Additional Curb Cut</td>
<td>2</td>
</tr>
</tbody>
</table>
# Types of Variances Considered

<table>
<thead>
<tr>
<th>Variance Type</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front Yard Setback</td>
<td>Requests to build structures within 35 feet of the front yard property line in R-1, R-2, and Institutional Districts. Institutional Districts also require that at least 25 feet be landscaped and maintained as a buffer zone.</td>
</tr>
<tr>
<td>Side Yard Setback</td>
<td>Requests to build structures within the side yard setback area, which ranges from 5 feet to 50 feet depending on the type of structure and the Zoning District.</td>
</tr>
<tr>
<td>Rear Yard Setback</td>
<td>Requests to build structures within the rear yard setback area, which ranges from 5 feet to 50 feet depending on the type of structure and the Zoning District.</td>
</tr>
<tr>
<td>Articulation</td>
<td>Requests to waive articulation requirement, which requires inward or outward articulation of 2 feet in depth and 8 feet in length for every 32 feet of side wall on homes in the R-1 and R-2 Zoning Districts.</td>
</tr>
<tr>
<td>Height</td>
<td>Requests to build principal structures over the maximum height requirement, which ranges from 25 to 28 feet depending on the type of roof and the Zoning District.</td>
</tr>
<tr>
<td>Fence Height</td>
<td>Requests to build fences over the maximum height requirements, which ranges from 4 to 12 feet depending on the location on the property (front yard or side/rear yard) and the Zoning District.</td>
</tr>
<tr>
<td>Building Envelope</td>
<td>Requests to build a structure beyond the maximum building envelope, which is defined for properties within the R-1 and R-2 Zoning Districts. This includes the 2:1 or 4:1 slope requirement when the structure is taller than 15 feet at the side yard setback line.</td>
</tr>
<tr>
<td>Accessory Structure Location</td>
<td>Requests to build a garage, shed, or other accessory structure in a location that is not completely to the rear of the principal structure or in a location that is not at least 10 feet from the principal structure.</td>
</tr>
<tr>
<td>Accessory Structure Size</td>
<td>Requests to build a garage, shed, or other accessory structures above the allowable limit of 1,000 square feet in R-1, R-2, and Institutional Zoning Districts.</td>
</tr>
<tr>
<td>Accessory Structure Height</td>
<td>Requests to build a garage, shed, or other accessory structures above the maximum height requirements, which is 10 feet in the R-1, R-2, and Institutional Zoning Districts.</td>
</tr>
<tr>
<td>Garage Width</td>
<td>Request to build a garage in the R-2 District that is wider than 65 percent of the width of the front façade.</td>
</tr>
<tr>
<td>Average Grade</td>
<td>Requests to change the average grade of a property by more than 1 foot.</td>
</tr>
<tr>
<td>Shoreland Setback</td>
<td>Requests to build a structure within the minimum shoreland setbacks, which are larger than standard front, side, and rear setbacks.</td>
</tr>
<tr>
<td>Impervious Surface</td>
<td>Requests to construct additional impervious surface beyond the maximum allowable, which is 50 percent of the lot in R-1 and R-2 and 60 percent in R-3 and R-4 Zoning Districts.</td>
</tr>
<tr>
<td>Request Type</td>
<td>Description</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Minimum Parking</td>
<td>Request to build or use an existing parking lot or garage with a number of parking spaces that is less than the minimum required based on the use of the property.</td>
</tr>
<tr>
<td>Outdoor Lighting</td>
<td>Request regarding the total amount of foot candles of light produced by lighting systems, the amount of allowed light trespass, or other issues relating to lighting systems.</td>
</tr>
<tr>
<td>Roadway Width</td>
<td>Requests to build a private roadway or drive aisles above or below the maximum and minimum required widths respectively.</td>
</tr>
<tr>
<td>Added Curb Cut</td>
<td>Requests to allow additional access from public rights of way then what is typically allowed by code.</td>
</tr>
</tbody>
</table>
Variance Requests

Requests by Type, 2017-2021

- Accessory Structure Height
- Accessory Structure Location
- Accessory Structure Size
- Articulation
- Grading/Average Grade
- Building Envelope
- Curb Cut
- Drive Aisle Width
- Fence Height
- Front Setback
- Garage Width
- Height
- Impervious Surface
- Outdoor Lighting
- Parking
- Parking Setbacks
- Rear Setback
- Roadway Width
- Side Setback