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 2450 697 9846.

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 2450 697 9846. Press *3 to raise your hand during public comment sections.

1. Call to Order

2. Approval of Agenda

3. Approval of Minutes – April 11, 2022, Planning Commission Meeting

   Applicant: City of Golden Valley

5. Discussion – Accessory Dwelling Units

   – End of Televised Portion of Meeting –
   To listen to this portion, please call 1-415-655-0001 and enter meeting access code 2450 697 9846.

6. Council Liaison Report

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

8. 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, Andy Johnson, Lauren Pockl, Chuck Segelbaum
   Commissioner remote: Mike Ruby
   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.

   **MOTION** made by **Commissioner Ginis**, seconded by **Commissioner Segelbaum**, to approve the agenda of April 11, 2022.

   Staff took a roll call vote. Motion carried.

3. **Approval of Minutes**
Chair Pockl asked for a motion to approve the minutes from March 28, 2022.

   **MOTION** made by **Commissioner Segelbaum**, seconded by **Commissioner Ginis** to approve.

   Staff took a roll call vote. Motion carried.

4. **Discussion – Mobile Uses**

   **Myles Campbell, Planner**, started the discussion by reminding commissioners that this discussion came to be at the request of the Parks Department and due to the evolution of mobile uses in Golden Valley.

   Staff wanted to review the fee schedule, duration of operation time allowed by a permit, clarity of mobile use categories, and potential regulations now irrelevant.

   Staff reviewed general language, covering all liability insurance needs, and discussed greater needs for a range of mobile use services.

   Reviewing some changes, **Commissioner Segelbaum** asked about the distance requirement for a food truck from other food service buildings and if there have been issues. The conversation revealed
that staff has not heard of a conflict with the 200 ft space requirement and Segelbaum suggested an exemption from that rule in R-1 for single use event, such as a wedding or party. Specifically referencing the homes around Schullers.

Commissioner Ruby asked about parking rules for a private or public space. Staff clarified stating permits for parks or public areas are pulled through the Parks and Rec department while permits for private areas are pulled through Planning Administration. Regardless, the parking regulations stated in code apply to both. The conversation continued on the nuances of particulars around this topic.

Commissioner Johnson asked how staff defines medical for a mobile assistive service and how the City minimizes risk. Staff spoke to regulations requiring licensing and insurance and mentioned the difference between blood mobiles and other potential uses that may qualify as a commercial use and require other regulation.

The group discussed time limits for mobile uses, the number of food trucks at an event in single family areas vs commercial, and if multiple trucks for one vendor needed multiple permits.

Chair Pockl asked where mobile libraries would fit and staff discussed adding education to a line item under assistive services.

Staff broke down fees and how they align with staff hours to process applications. Increasing the fee could result in a reduction of mobile uses and thus impacting the residents by no longer offering that service.

Chair Pockl ended the televised portion of the meeting at 7:22pm

5. Council Liaison Report

Council Member La Mere-Anderson reviewed the agenda for the upcoming Council Work Session, including review of the Planning Commission, Board of Zoning Appeals annual reports and work plans. She noted the scheduled interviews for filling Commission vacancies and this spurred a conversation about how Commissioners and staff could provide feedback to the Council in advance of their interviews to highlight needs or other considerations.

6. Other Business

Planning Manager Zimmerman reminded Commissioners to RSVP for the Board and Commission Appreciation Dinner. Planner Campbell notified the Commission that the next meeting would take place across the hall in the Council Conference Room due to pending renovations in the Council Chambers.

7. Adjournment

MOTION by Commissioner Segelbaum to adjourn, seconded by Commissioner Johnson and approved unanimously by roll call vote. Meeting adjourned at 7:47 pm.
Summary
Currently Golden Valley zoning code allows for mobile food vendors on a temporary basis and with varying restrictions by zoning district. This was added to code in 2015 in response to growing interest in allowing food trucks to operate on both a short-term and seasonal basis. The code has been amended in minor fashion since adoption but has still been limited to food vendors.

Partly at the request of the parks department, and in part due to seeing new and emerging mobile uses, staff is introducing for discussion with Planning Commission the topic of further amending the City’s Mobile Uses ordinance to allow for a broader range of vendors and services.

Ordinance Revisions
Attached with this memo are two copies of revised ordinance language regulating mobile uses, one clean copy and one with red lines shown to denote changes. As discussed at the last meeting on this topic, the most significant revisions were in regard to the new uses: adding a definitions section, and fleshing out the duration limits for each type of permit. Commissioners had some further revisions following that discussion regarding: educational uses, limits on residential permits, and the use of a table to lay out allowed durations for permits. These changes have been incorporated into the draft language.

Staff is seeking any final thoughts or revisions on this code language before forwarding to the City Council for review, along with discussion on the current applicability of fees associated with these permits.

Action Request
Recommend approval of the revised zoning ordinance language regarding mobile use permits to allow for additional types of mobile uses in Golden Valley.

Attachments
Sec. 113-31. Temporary Uses.

(1) Mobile Food Vending Vendors and Services. The City Manager or his/her designee may issue a permit for a mobile vendor or service provider, as defined below, to operate for a temporary period within the City. The permit will be valid for a time to be determined based on the type of mobile use as well as the underlying zoning for the location specified by the permit, not to exceed three days in City parks, one day in Residential Zoning Districts, or 120 days in all other zoning districts. Properties in residential zoning districts are limited to two permits in a 12-month period. The permit application shall be on a form promulgated by the City Manager or his/her designee and shall include any information needed to establish compliance with this section. Any application shall include the application fee amount established by the City Council in the Master Fee Schedule, and such fee shall be non-refundable if the permit is denied or the applicant withdraws or otherwise ceases operation or use of the permit. All mobile food vending permit applications and permits shall be subject to the following conditions:

a. Definitions

1. Mobile Food Vendor - A self-contained vehicle or trailer that is readily movable without disassembling, used to prepare and serve food to customers.

2. Mobile Assistive Services - A self-contained vehicle or trailer that is readily movable without disassembling, used to provide medical, legal, educational, and other assistive services to residents or customers. Public Services provided by the City are exempt from this definition.

3. Mobile Retail/Service Vendors - A self-contained vehicle or trailer that is readily movable without disassembling, used for the sale of products or services such as: pet grooming, florists, and other uses consistent with those permitted in the Commercial Zoning District.

b. Permit Duration. A temporary permit for any mobile vendor or service provider shall be subject to a restriction on the amount of time it can operate and occupy a given location. This duration shall be determined by the type of use and the its location, as shown in the table below:

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(Supp. No. 4, Update 3)
c. Permit Regulations. Mobile Vendors are subject to the following rules and regulations:

1. a. With the permit application, the applicant shall provide written proof that the applicant is the current holder of all licenses required by the County and the State, as applicable, with respect to a mobile food vending operation in which food is prepared and served on a vehicle or trailer, and the vendor shall maintain such license in good standing for the duration of the permit.

2. b. The vendor shall comply with all other applicable provisions of the City Code, including, but not limited to, those regulations regarding parking, signage, lighting, and sound.

3. c. A permit is valid for only one mobile food vending vehicle or trailer.

4. d. The permitted days of operation shall be set forth in the permit. A vendor that has obtained a permit under this section, upon the expiration thereof, may apply for another permit under this section.

5. e. The permit application shall contain a signed statement that the applicant shall hold harmless the City, and their officers and employees, and shall indemnify the City, and their officers and employees for any claims for damage to property or injury to persons which may be occasioned by any activity carried on under the terms of the permit.

6. f. If the application seeks to operate a vending operation on a City-owned property and/or on the public right-of-way, the application shall include documentation satisfactory to the City Manager or his/her designee evidencing the applicant’s public liability, food products liability, automobile liability, and property damage insurance and that the City is or will be named as an additional insured on such insurance for all the permitted days of operation. Such insurance shall be maintained without change for the duration of the permitted days of operation.

7. g. The permit shall set forth the location where the vending operation may operate and it shall be a violation of this section for any vendor to engage in vending operations in any location in the City other than the location set forth in the permit.

8. Mobile food vendors must be located at least 10 feet from all principal and accessory structures as well as five feet from side and rear yard property lines.

9. h. Overnight parking and storage by the vendor is prohibited at the permitted location. The vendor must vacate the permitted location when not engaging in vending operations. Hours of vending operation are limited to 8:00 a.m. to 10:00 p.m., or 8:00 p.m. in Residential Zoning Districts, unless otherwise limited or extended by the City Manager or his/her designee, as set forth in the permit. Permits approved for vending operations on properties located in Residential Zoning Districts are limited to an eight-hour time period maximum.

10. i. With the permit application, the applicant shall provide written proof permission from the owner of the property at the permitted location to engage in vending operations at those location. If the permitted location is located on City-owned property, the issuance of the permit by the City shall constitute such permission.

11. j. The vendor must keep a copy of the permit with the vending unit and demonstrate compliance with the permit and the permit conditions set forth in this section upon inspection.
12. **k.** The vending operation may be located on public right-of-way unless right-of-way adjacent to the property for which the permit is issued, with the service window facing the curbside of the street. The vending operation may not block sidewalks or drive aisles, impede pedestrian or vehicular traffic, or interfere with public safety.

13. **l.** The vending operation shall be located on an impervious surface unless unique circumstances cause the City Manager or his/her designee to permit the operation to be located on a pervious surface.

14. **m.** No vending operation may occupy accessible parking spaces or parking spaces used to fulfill any property’s minimum parking requirements under this Code, unless the applicable property owner can demonstrate that parking would be adequately supplied during the vending operations.

15. **n.** The vendor must provide and remove trash and recycling receptacles for customer use and keep the site in a neat and orderly fashion. The permitted location must be kept free from litter, refuse, debris, junk or other waste which results in offensive odors or unsightly conditions. The vendor shall be responsible for all litter and garbage left by customers.

16. **o.** No vending operation may be located within 200 feet at its closest point to the main entrance of a permanent business offering similar products or service, public eating establishment or any outdoor dining area with the exception of other mobile food vendors and except with the written consent of the proprietor of the permanent establishment or dining area. This restriction does not apply to proximity from other mobile vendors. No person shall either pay or accept payment for such written consent. With the permit application, the applicant shall provide written permission from the proprietor when applicable.

17. **p.** No vending operation may be located within 1,000 feet at its closest point to a school while the school is in session unless written permission from the school principal is provided in the permit application. With the permit application, the applicant shall provide written permission from the principal when applicable.

18. **q.** Permits issued for vending operations on properties located in Residential Zoning Districts must limit sales to the property owner and other private parties associated with the private event. The vending operation shall not serve the general public unless a special event permit is approved by the City.

19. **r.** For properties zoned Single-Family Residential (R-1) or Moderate Density Residential (R-2) no more than 2 events per calendar year involving mobile vendors are permitted at the address provided in the application.

20. **s.** The placement, duration, or any other applicable requirements for operation under this section may be superseded by the provisions of an approved special event permit.

21. **t.** If, while holding a permit granted under this section, a vendor violates any provision of this section, in addition to any other remedy provided under this Code, the City Manager or his/her designee may revoke the permit and/or prohibit such vendor from obtaining a new permit under this section for a period not exceeding 13 months from the date of such violation for properties in Residential Zoning Districts and not exceeding 30 days from the date of such violation for properties in all other zoning districts.
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20. The placement, duration, or any other applicable requirements for operation under this section may be superseded by the provisions of an approved special event permit.

21. If, while holding a permit granted under this section, a vendor violates any provision of this section, in addition to any other remedy provided under this Code, the City Manager or his/her designee may revoke the permit and/or prohibit such vendor from obtaining a new permit under this section for a period not exceeding 13 months from the date of such violation for properties in Residential Zoning Districts and not exceeding 30 days from the date of such violation for properties in all other zoning districts.
Date: April 25, 2022

To: Golden Valley Planning Commission

From: Myles Campbell, Planner

Subject: Accessory Dwelling Units – Survey/Engagement Discussion

Summary
The City Council has directed the Planning Commission to examine new zoning regulations to allow for Accessory Dwelling Units within the R-1 and R-2 residential zoning districts.

In previous discussions we’ve focused mostly on the substance of ADU regulations, considering what setbacks, floor area limits, and other controls would make for a reasonable approach to these new housing unit types. Also, in past discussions the Planning Commission has asked what types of engagement could be done around the topic of ADUs to solicit feedback from community members.

Tonight’s discussion is a chance for Commissioners to provide feedback on the community engagement plan, the planned survey on ADUs, and to give direction to staff on any other elements they would like to see included in these efforts.

Engagement Plan
Planning and Communications staff have met on the topic of ADUs and feel they have a fairly solid idea of how to proceed. With this work we have two broad goals: education and data collection. Under education, the goal is to provide residents with information about ADUs: what they are, why the City is looking to allow them, and information on previous discussions by the Planning Commission. The main method we plan to use is a temporary page on the City website relating to the ADU zoning code update. This page might eventually go away after adoption of ordinance language, or it might transition into something more similar to one of our other home project pages that gives details on the code requirements for the use.

This page will be advertised on both the City’s newsfeed as well as its social media channels. We are also planning to launch the page in conjunction with an article on ADUs in the May/June edition of the CityNews, the City’s bi-monthly newsletter. The newsletter article will include a link to the page on our site, as well as a direct link to an online survey.
Besides education, we also want to get feedback from residents on ADUs themselves. Staff is planning on two main methods of providing feedback. First, and similar to our work around narrow lots, staff plans to have an option to send public comment in advance of the public hearings at Planning Commission or City Council. Residents could send in public comment (with their name and current address) to a specified email and staff would collate these responses prior to a public hearing for Commissioners or City Council Members to review. We had a lot of participation with this method during the Narrow Lots Study, and some people felt more comfortable taking their time to write out thoughts rather than appear in person before the Commission.

The second piece of planned engagement is the online survey mentioned above. A copy of the draft survey language is attached and is discussed in more detail below. The idea is to get at what personal opinions people have about ADUs, whether there is interest in them, and elements of their design/use that provoke the strongest reaction.

We are trying to be very deliberate in all of our communications that it is less a question of if ADUs are being adopted in the City, but rather in what form they will be allowed. Between our discussions at Planning Commission, the direction from Council, and their inclusion as an implementation item of the Comprehensive Plan, it seems more likely than not that ADUs will be allowed in Golden Valley. The exact details of how they will be implemented though would benefit from community feedback. To not make this distinction clear up front in our engagement is disingenuous and would lead to less useful data points for the City as it enters into decision-making.

Below is a summary of the items planned for ADU engagement:

- Webpage
- Online survey
- Advance public comment
- CityNews Article
- Social media posts

If commissioners have any thoughts on alternative engagement, or if you would like to see anything in particular included on the webpage, staff is happy to take any feedback you may have.

Survey Details
The survey layout as drafted is mostly linear, with one set of questions that set up a different path depending on how the respondent answers. A brief introduction section will give a limited amount of information on ADUs and the City’s interest in adopting an ordinance, but will also nudge people to the webpage for more information if they either came directly from the newsletter or if they felt they wanted more background. We did try to keep survey language in
layman’s terms, but a baseline understanding of the concept is still necessary for some survey questions.

The first two questions are the only “demographics” questions in the survey. We expect that most of the people interested in ADUs will be homeowners of single-family properties in Golden Valley that may be considering either building one themselves, or curious if a neighbor plans to build one. That said, it would be interesting to be able to isolate any renter or apartment-dwellers responses from the larger group to see if there is any difference in priorities here.

A question on familiarity with ADUs should give both a broad idea of how much existing education residents might have on the topic, as well as provide another data parsing opportunity. We would likely expect someone who has followed ADUs a long time to be interested in constructing one, or have a clear use in mind, versus someone with less exposure maybe being more uncertain or having more form-based questions if a neighbor was building one.

Questions 4-6 is where the survey will present different question paths. Question 4 is a simple one to gauge interest in a potential ADU, and is phrased to accommodate both existing homeowners and a hypothetical case for someone who might be renting. If the person answers that they absolutely would not build an ADU, we don’t need to ask them question 5 about what their motivation would be, so instead they would receive question 6 asking them to pick what they think is the most likely reason to build an ADU. Using the same options as question 5 here allows us to make cross comparisons.

Question 7 brings both tracks back together, and seeks to get an idea of what elements of an ADU’s design/use will attract the most attention. Staff tried to use open language here rather than a word like “concern” to try to eliminate any biasing factors. A lot of the options presented are concerns such as setbacks from property lines, but could also be more neutral or positive (advanced notice, build quality).

Question 8 is a slight deviation from the rest of the survey. At the Council work session for 2022, City Council asked for Planning Commission to tackle the question of tiny houses, either in conjunction with or after settling ADU ordinance language. Given the engagement opportunity, staff thought we would include a question in the survey to gauge interest/support for standalone tiny houses.

The final question is an open-ended comment box. There will still be the option for advance public comment on the website, but including a comment box here gives a chance for people not participating in the public hearing process to provide their own feedback.

For Planning Commission staff has the following questions on the survey:
1. What questions are not included here that you would be interested in asking residents?
2. Are there other answers you’d like provided for multiple-choice options?
3. Do we need to include more background or information in the introduction to the survey?
4. Do you think any of the questions present a bias that will skew answers?
5. Is the terminology used in the questions easily understandable?

Attachments
ADU Survey Draft (2 pages)
Thank you for participating in the City of Golden Valley’s Accessory Dwelling Unit (ADU) Zoning Study. At the request of the City Council, and following the recommendation of the City’s 2040 Comprehensive Plan, the City is looking to adopt regulations that would allow ADUs in its single-family zoning districts.

Accessory Dwelling Units can also be called mother-in-law apartments, granny flats, or carriage houses. The concept being that it is a secondary housing unit that shares a platted lot with a larger principal structure. Examples of historic accessory units are not uncommon in pre-war homes, and in the past 5 years they have become commonly allowed once again through many Twin Cities Metro Communities. Often ADUs are described as being “attached” to the main home or “detached” as a separate accessory structure in the side or rear yard of the lot.

The following survey is meant to solicit residents’ and community members’ opinions on ADUs in advance of any revision to code, in order to better plan for these new housing types. We recommend you visit the City’s webpage on this topic at [WEBLINK] before proceeding with the survey in order to best educate yourself on the basics of ADUs.

The survey is intended to take 5-10 minutes.

1. What type of housing do you currently live in?
   a. Single-Family House
   b. Duplex, Triplex, Quadplex
   c. Apartment
   d. Condominium
   e. Assisted Living Facility
   f. Other (comment box)

2. Which of the following best describes your current housing situation?
   a. Homeowner
   b. Renter
   c. Living with others but not paying rent/mortgage
   d. Other (comment box)

3. When and how did you first learn about Accessory Dwelling Units?
   a. Just recently, from the City newsletter, website, or a different source
   b. In the past few years, from another City’s ordinance or a news story
   c. 5-10 years ago, before they became common in the Twin Cities

4. If you are/were a homeowner, would you ever consider building an ADU on your property if allowed by City Code?
   a. Definitely Yes
   b. Leaning Yes
   c. Leaning No
   d. Definitely No

5. For what reasons would you consider building an ADU? (select all that apply)
a. Supplemental income from renting  
b. House resale opportunity  
c. Housing an aging parent/relative  
d. Secondary unit for adult child  
e. Guest house or unit with kitchen  
f. Other (comment box)

6. (If definitely no to question 4) What do you think is the most common reason why other people build ADUs?  
   a. Supplemental income from renting  
   b. House resale opportunity  
   c. Housing an aging parent/relative  
   d. Secondary unit for adult child  
   e. Guest house or unit with kitchen  
   f. Other (comment box)

7. If a neighbor was planning to build an ADU what would your principal questions for them be about? (select up to three or four)  
   a. Square footage of unit  
   b. Height of the unit  
   c. Setbacks from property lines  
   d. Quality of build or exterior finish  
   e. Parking provided  
   f. Advanced notice of the project  
   g. Construction impacts  
   h. Planned user of the unit  
   i. Planning for storm water runoff

8. If the city allowed ADUs that were detached from the home, would you be interested in allowing tiny homes by-right in residential areas without needing a larger principal home on the lot?  
   a. Yes  
   b. No  
   c. Maybe, but I would need more information

9. Are there any other thoughts or comments you would like to share on the topic of ADUs that will be included in the engagement report? (give character limit)

Thank you for taking our survey on Accessory Dwelling Units in Golden Valley. Please visit [WEBLINK] for more information on this topic, links to past meeting minutes, and information on when this topic will be appearing as a public hearing at the Planning Commission and City Council. We strongly encourage you to attend these public hearings and add to the discussion, and we are also accepting written public comments in advance of these meetings via email if that is more conducive to your schedule.