

MISSION STATEMENT: “The City of Mound, through teamwork and cooperation, provides, at a reasonable cost, quality services that respond to the needs of all citizens, fostering a safe, attractive and flourishing community.”

**MOUND PLANNING COMMISSION SPECIAL/RESCHEDULED MEETING AGENDA
TUESDAY, MARCH 19, 2024, 7:00 P.M.
COUNCIL CHAMBERS, MOUND CENTENNIAL BUILDING
5341 MAYWOOD ROAD, MOUND, MN**

	Page
1. Call to Order	
2. Roll Call	
3. Approval of Agenda, with any Amendment	
4. Approval of Meeting Minutes	
A. January 2, 2024 regular meeting minutes	1
B. February 20, 2024 special meeting workshop minutes	5
5. Board of Adjustment and Appeals	
A. Planning Case No. 24-03	9
Review/recommendation – proposed amendments to mixed use regulations in City Code Sec. 129-139 consistency with 2023 amendments to the 2040 Comprehensive Plan	
6. Old / New Business	
A. Review/recommendation - annual review of Planning Commission Work Rules <i>(tabled at January 2, 2024 meeting)</i>	16
B. Review/recommendation – 2024 Planning Commission Work Plan and Staff Project List	
C. Review/recommendation – 2024 Work Plan Items (ADUs, Solar, Electric Vehicles)	26
D. Council liaison and staff report/update	
7. Adjourn	

The Planning Commission is an advisory body to the City Council. One of the Commission’s functions is to hold public hearings and make recommendations to the City Council. The City Council makes all final decisions on these matters. Mound City Ordinances require that certain documents and information be included in applications. The Planning Commission may postpone consideration of an application that is incomplete and may for other reasons postpone final action on an application. For each agenda item the Commission will receive reports prepared by the City staff, open the hearing to the public, and discuss the action on the application.”

QUESTIONS: Call Jen at 952-472-0603 or Sarah at 952-472-0604

MEETING MINUTES
REGULAR PLANNING COMMISSION
JANUARY 2, 2024

Chair Goode called the meeting to order at 7:00 pm.

ROLL CALL

Members present: David Goode, Kristin Young, Derek Archambault, Jason Baker, Rick Rosener, Drew Heal, Kathy McEnaney, Jake Savstrom

Members absent: Samantha Wacker

Staff present: Sarah Smith, Rita Trapp, Eric Hoversten and Secretary Jen Holmquist.

Members of the public: Sue Bryce-5955 Idlewood Rd, Lisa Stephenson-5951 Idlewood Rd, Nick Landon-3099 Alexander Ln, Dan O'Mara-4945 Grandview Ave, Madilyn O'Mara-4945 Grandview Ave, Victoria Brickley-2954 Oaklawn Lane

SWEARING IN OF PLANNING COMMISSIONERS BY CITY MANAGER ERIC HOVERSTEN

City Manager Eric Hoversten administered the oath of office to new planning commission member Kristen Young and returning commission member Jason Baker.

MOTION by Baker to nominate David Goode as Planning Commission Chair; seconded by Heal. **MOTION** carried unanimously.

MOTION by Goode to nominate Jason Baker as Planning Commission Vice Chair; seconded by Rosener. **MOTION** carried unanimously.

APPROVAL OF MEETING AGENDA

MOTION by Baker to approve the agenda, as distributed; seconded by Savstrom. **MOTION** carried unanimously.

REVIEW OF NOVEMBER 21, 2023, SPECIAL RESCHEDULED MEETING MINUTES

MOTION by Baker to approve the November 21, 2023 special rescheduled meeting minutes as written; seconded by Savstrom. **MOTION** carried unanimously.

REVIEW OF DECEMBER 5, 2023, REGULAR MEETING MINUTES

MOTION by Baker to approve the December 5, 2023 regular meeting minutes as written; seconded by Savstrom. **MOTION** carried unanimously.

BOARD OF APPEALS

Review / recommendation of Planning Case No. 23-16

Application to vacate public road right of way and drainage/utility easement(s) on and adjacent to property at 2970 Oaklawn Lane

Applicant: Dan O'Mara

Owner: Javier Toquero Moracho

Trapp presented the planning case which is a request to vacate a right-of-way (ROW) and drainage and utility easements. This is the first step, prior to a building permit application, for a new single-family home. The request only includes the vacation of the ROW and easements. The request is for the property at 2970 Oaklawn Lane. The site is zoned R-1A, low density residential. The site has a significant ROW between the curb and the lot line. The request is to vacate the drainage and utility easements and the ROW. Drainage and utility easements exist on almost all properties to protect the City's ability to have room for utilities and drainage. If this request is approved, the easements will need to be reestablished along the new property lines.

Trapp showed a graphic of the current property boundary which curves into the property. The applicant is requesting to square off the property.

This lot was created as part of a three-parcel subdivision. The lot is buildable as it is. It is an odd shape but it does meet the minimum lot size for a single-family home. The applicant is seeking to construct a single-family home. The request is to see if the City will vacate the unneeded land so the owner can use the land. Trapp explained that if you vacate the ROW the land goes back to the plat that dedicated it. In this case it would go back to this lot.

The application was distributed for agency and consultant review and the local utilities have some minor comments. The property owner will need to work with the private utilities to move any utilities that need to be moved due to the vacation.

The City Engineer preliminarily reviewed the driveway and determined it is in an acceptable location relative to the corner.

This is a non-lot of record. It has a maximum hardcover of 30%. The proposed house plans would only require a typical building permit and would not require any other land use applications.

The area that is requested to be vacated is not needed for ROW. The road is already constructed and no future expansion is anticipated. The drainage and utility easements will be reestablished along the new property lines.

There is no Planning Commission public hearing required. However, surrounding residents were notified by mail.

Staff recommends approval. Trapp outlined the possible actions the commission could take. Trapp stood for questions.

Baker asked if we get rid of the right of way, when would new easements be established. Trapp said we would vacate the ROW and easements now and after the boundaries are re-drawn the new easements will be established.

Savstrom asked about the condition that seems ambiguous. Trapp said that the condition is included in the report as it leaves room for the commissioners to add conditions. That item is removed from the final City council resolution.

Heal asked, if the City is giving up the right to add a sidewalk. Trapp said that while the City has an interest in additional trails and sidewalks, those have not typically been added within neighborhoods such as this. Trails and sidewalks in Mound are challenging due to the lack of existing right-of-way.

Young asked if there was any reason this shouldn't be approved. Trapp said not really. This would make the property similar to surrounding properties.

Dan O'Mara-4945 Grandview Ave, Minnetrista-He is the applicant. He said he spoke to Xcel Energy and he would do some underground electrical lines. Goode asked for any questions. There were none.

MOTION by Savstrom to approve vacation of the road right of way and the drainage and utility easements with conditions and findings of fact; seconded by Baker. **MOTION** carried unanimously.

OLD/NEW BUSINESS

MOTION by Baker to table the work rules discussion to the February 6th Planning Commission meeting; seconded by Heal. **MOTION** carried unanimously.

MOTION by Baker to recommend February 20, 2024 for the annual concurrent City Council workshop; seconded by Rosener. **MOTION** carried unanimously.

MOTION by Baker to recommend cancellation of the Tuesday March 5, 2024 meeting and reschedule to March 19, 2024 due to presidential nomination primary; the Tuesday August 6,

2024 meeting and reschedule to August 20, 2024 due to Night to Unite; cancellation of the November 5, 2024 meeting and reschedule to November 19, 2024 due to presidential general election; seconded by Savstrom. **MOTION** carried unanimously.

McEnaney said the Eli Hart park passed City Council at the last meeting. McEnaney shared that City Manager Eric Hoversten is retiring in January and she hoped all of the commissioners could make it to some part of the retirement celebrations.

Smith said that Kristin Young will be attending the Land Use 101 training for new commissioners. Polar Plunge will be January 27. Artesa continues to make progress. Fern Lane townhome applicants are still preparing to bring back the application. They have extended the deadline for the city. They are working on the adjustments based on the Planning Commissions discussion. The Met Council has approved the comp plan amendments. The formal adoption of that amendment will be on the city council agenda next Tuesday, as well as a request to rescind the moratorium.

McEnaney asked about the Dwayne 66 Shell Station. She wondered where that project was in the process. Smith said the conditional use permit has been approved and recorded and she said the project is in the hands of the applicant. Smith suspects they are putting together the building permit application materials.

ADJOURNMENT

MOTION by Baker to adjourn at 7:41 p.m.; seconded by Archambault, **MOTION** carried unanimously.

Submitted by Jen Holmquist

MOUND PLANNING COMMISSION MINUTES

February 20, 2024

Call to Order

The Planning Commission met in a special session on February 20, 2024 at 7:00 p.m. in the Council Chambers in the Centennial Building located at 5341 Maywood Road, Mound, MN. The purpose for the special session was a concurrent special meeting workshop with the City Council to review and discuss 2023 projects and the Planning Commission's work plan and Staff's projects list for 2024

Chair Goode called the meeting to order at 7:00 p.m.

Planning Commission members present: Chair David Goode, Commissioners Jason Baker, Drew Heal, Samantha Wacker, Jake Savstrom, Kathy McEnaney, Nick Rosener, Derek Archambault and Kristin Young.

Staff Present: City Manager Jesse Dickson, Community Development Director Sarah Smith, HKGI Consultant Planner Rita Trapp

City Council members present: Mayor Jason Holt, Paula Larson, Sherri Pugh and Kathy McEnaney.

Staff Present: City Manager Jesse Dickson, Community Development Director Sarah Smith, HKGI Consultant Planner Rita Trapp

Approve Agenda, to include any Amendments

Staff confirmed there were no amendments. **MOTION** by Castellano to approve the agenda; seconded by McEnaney. **MOTION** carried unanimously.

Swearing in of Planning Commission Member Samantha Wacker

City Manager Jesse Dickson swore in Planning Commissioner Samantha Wacker.

Welcome and Introductions

Staff welcomed attendees to the concurrent special meeting workshop. Members of Staff, the City Council and the Planning Commission introduced themselves.

Review/Discussion of 2023 Planning Commission Work Plan and Staff Project List

2023 Planning Commission Work Plan

1. Updates to City Code – signage (Chapter 119), shoreland and miscellaneous updates (Chapter 129), subdivision (Chapter 121), building code (Chapter 113)
 - *Amendments to zoning ordinance for mixed use regulation in shoreland overlay district adopted at March 28, 2023*
2. Evaluation of overnight living quarters in detached accessory structures and/or accessory dwelling units

2023 Staff Project List

1. Comprehensive Plan health evaluation – including consideration of interim ordinance
 - ***Interim ordinance for multi-family housing adopted March 14, 2023***
 - ***The Concurrent Planning Commission and City Council special meeting workshop to discuss the Comprehensive Plan Health Plan Check/Study was held on May 16, 2023***
 - ***The Comprehensive Plan Health/Check Study was discussed at the April 11, 2023 City Council meeting.***
 - ***The Planning Commission public hearing for the proposed comprehensive plan amendments was held on July 18, 2023***
 - ***The City Council authorized agency distribution of the proposed comprehensive plan amendments for distribution to public agencies and the school district for 60-day review on July 25, 2023. The amendments were sent out for agency and school district review on July 27, 2023.***
 - ***The City Council authorized submittal of comprehensive plan amendments to the Metropolitan Council on October 10, 2023***
 - ***The Metropolitan Council approved the comprehensive plan amendments on December 13, 2023***
 - ***The City Council adopted and put the comprehensive plan amendments into effect on January 9, 2024***
 - ***The City Council terminated the interim ordinance for the multi-family moratorium on January 9, 2024***
 - ***Posting of the amended 2040 Comprehensive Plan on the City website is pending.***
2. Property maintenance and nuisance - including review and categorization of 2022 complaints and review of enforcement mechanisms
 - ***Code enforcement procedures discussed at August 22, 2023 City Council meeting with recommendations for updated process to be brought back to future meeting. Revised procedures and process in cooperation with City Attorney***
3. Development of review procedure/process
 - ***City Council adopted City Policy No. 13 on March 28, 2023. New policy requires Council Introduction at a City Council meeting prior to the submittal of an application and requires mailed notice to be provided to property owners within 350 feet at least 10 days prior.***
4. Study of opportunities to support environmental initiatives such as solar energy, rainwater gardens, etc.
5. Study of appropriateness of post frame structures
6. Study of becoming an age friendly community

Smith provided an overview of the 2023 Planning Commission Work Plan and the Staff Project

List and commented that the most significant projects last year was the enactment of the interim ordinance on multifamily project to allow time to study the needs of the community and to undertake amendments to the City's comprehensive plan to allow for medium density projects to include townhome and row houses in the City's mixed use districts with a density range of 8 to 15 dwelling units per acre. Smith confirmed the new amendments have been put into effect and the moratorium was terminated. Smith also mentioned the ordinance amendments to the shoreland regulations related the mixed use districts and the City Council's adoption of new development review procedures which requires a council introduction of project prior to the submittal of an application. This process also requires mailed notice is provided to property owners within 350 ft of a proposed project site.

Discussion of Remaining 2023 Items

Staff facilitated a discussion on the remaining 2023 items to assist in confirming their inclusion in the 2024 task list and to frame up next steps and presented the following items:

1. Evaluation of overnight living quarters in detached accessory structures and/or accessory dwelling units ("ADUs") – Discussion took place that ADUs are a way to provide housing on the property for parent or family member, caregiver or guest. ADUs can take the form of a detached dwelling on the property or can be designed within a residential structure; also in an upper part of detached garage. This project was added to the task list.
2. Study of opportunities to support environmental initiatives such as solar energy, rainwater gardens, etc. – Discussion took place that solar plans on roofs is an acceptable and reasonable method for Mound but did not support separate on ground structures. Other options not pursued at this time is the use of a green residential roof or similar structure. By consensus, Staff was directed to incorporate language into the zoning ordinance to specifically allow roof solar panels and similar-like products as shingles were mentioned and to also incorporate electric power outlets for electric cars as a permitted use. Wind generation options was not supported as a study item for 2024 for the Planning Commission
3. Study of appropriateness of post frame structures - This project was removed from the task list at this time.
4. Study of becoming an age friendly community – This project is to be kept on the list and Mayor Holt requested City Council member Pugh be the lead on this effort. It was discussed that ADUs for parents and grandparents are a demonstration of age friendliness.

Identification of New 2024 Items

Council members and Commissioners were invited to identify new topics for potential inclusion in the 2024 Planning Commission Work Plan or Staff Project List. Planning Commission member Rosener discussed taking another look at allowing chickens in Mound. It was discussed that a study was done a few years ago and over 90 percent of the lots would not be able to have chickens based on some preliminary standards that were considered. Ms. Young also brought up Avian Flu and its effect on small bird flocks. After discussion, was determined by consensus that this project would not be included on the task list.

Adjourn

MOTION by Baker to adjourn the meeting at 8:50 p.m.; seconded by Savstrom. **MOTION** carried unanimously.

Submitted by Sarah Smith



PLANNING REPORT

TO: Planning Commission
FROM: Rita Trapp, Consulting Planner
Sarah Smith, Community Development Director
DATE: March 13, 2024
SUBJECT: Mixed Use District Updates
MEETING DATE: March 19, 2024

As part of the 2024 zoning code updates, Staff has reviewed the Mixed Use District regulations to determine consistency with the recently adopted comprehensive plan amendment. Staff has identified a few changes that should be considered. Attached are the regulations with strikeouts where Staff is suggesting that language be removed and underlines where additions are recommended. Staff would also like to discuss with the Planning Commission about what would be acceptable mixed use development and appropriate building heights.

Sec. 129-139. Mixed use districts.

(a) Purpose

- (1) The **Mixed Use Downtown District (MU-D)** is established to create a vibrant environment with a mixture of retail, services, office, residential, civic, institutional and recreation land uses that complement one another. The district is intended to have high-quality site and building design that creates a walkable and bicycle friendly environment.
- (2) The **Mixed Use Corridor District (MU-C)** is established to allow for the continued mix of retail, services, office, residential, civic, institutional and recreational land uses. This district's physical character is intended to be similar to the Mixed Use Downtown District with pedestrian friendly site and building design but with less intensity due its corridor nature and adjacency to residential neighborhoods.

(b) Applicability

- (1) *New structures or uses.* The provisions of this section shall be fully applicable to all new structures and uses.
- (2) *Existing structures.*
 - a. *Commercial.* A property owner may expand an existing building up to 50% of the existing footprint or parking lot without establishing a new PUD as long as it meets the requirements of the C-1 district.
 - b. *Residential.*
 1. An existing single-family detached dwelling, two-family dwelling or twin home dwelling, may be replaced, expanded, or remodeled as long as it meets the bulk regulations of the R-2 district.
 2. An existing multi-family structure may be remodeled or expanded as long as it meets the bulk regulations of the R-3 district. Any multi-family structure that is replaced must follow the standards in sections (c) through (e) below.
 - c. The remodel, replacement or expansion of an existing structure that does not meet the requirements of districts identified above shall be processed and subject to Section 129-35 Nonconformities.
- (3) *Existing planned unit developments or planned residential areas.* Any planned unit developments or planned residential developments that were granted prior to [insert adoption date] shall remain in effect. Amendments shall be processed via the procedures identified for planned unit developments.

(c) Bulk requirements

- (1) Ordinary High Water Mark (OHWM) setback for all uses is 50 feet.
- (2) Front yard setbacks are established as follows:
 - a. Non-residential, mixed use, and multi-family residential being replaced shall be located no closer than 10 feet and no greater than 20 feet from the front property line.

- b. Single family and townhomes shall be located no closer than 15 feet and no greater than 25 feet from the front property line.
- (3) The minimum percentage of the street frontage for each lot that must be occupied by a building façade, as measured at the front setback, shall be 60% for the Mixed Use Downtown District and 50% for the Mixed Use Corridor District. This standard applies to the front property line frontage and, for a corner lot, one exterior side property line frontage. Recesses in a building façade do not qualify as meeting the minimum building street frontage standard.
- (4) Rear and side yard setbacks are as established in the planned unit development.
- (5) Building height shall be limited to the following:

	Mixed Use – Downtown	Mixed Use – Corridor
Dwelling, two-family, twin home, townhome, and rowhouse	35 feet	35 feet
All other uses	50 feet	50 feet

- (6) All floors above the second story must be stepped back a minimum of 8 feet from the ground floor façade in non-residential, mixed use, or replacement multi-family buildings if the structure abuts or is across the street from residential uses located outside of a mixed use district or if all or part of the structure is located adjacent to a County Road. If the entire building is placed at the upper floor stepback setback, an additional stepback is not required for the upper floors.
- (7) Maximum impervious surface coverage is 75%.

(d) *Site design*

- (1) Developments may include uses mixed horizontally across multiple buildings or vertically where uses are mixed within one building.
- (2) Designated pedestrian routes, including sidewalks and driveway crossings, shall be provided to connect each parking space to the front sidewalk, front entrance, and/or rear entrance. Driveways shall not be utilized as a designated pedestrian route.
- (3) ~~(5)~~ All rooftop or ground mounted mechanical equipment and exterior trash and recycling storage areas shall be enclosed with materials compatible with the principal structure. Low profile, self-contained mechanical units, including solar energy panels and rooftop rainwater collection systems, which blend in with the building architecture are exempt from the screening requirement.
- (4) ~~(6)~~ Outdoor storage of recreational vehicles, trailers, or equipment shall not be allowed unless expressly noted in the planned unit development.
- (5) New mixed-use buildings or replacement multi-family shall provide the following:
 - a. ~~(3)~~ Interior or exterior bicycle racks or storage shall be provided. No bicycles shall be allowed on individual unit decks or patios.
 - b. ~~(4)~~ Private useable open space. Each multi-family residential development shall provide a minimum of 200 square feet per residential unit as private usable open space. Private usable open spaces will not count toward park

dedication requirements. Usable open space means designed outdoor space intended for passive or active recreation that is accessible and suited to the needs of the development's residents, and shall generally have the following characteristics:

1. Functional and aesthetic design that relates to the principal building or buildings, with clear edges, including seating, landscaping, recreational facilities, sidewalk connections, and other amenities;
2. May be designed as courtyards, plazas, picnic areas, swimming pools, playground, rooftop patios/gardens, or trails within natural areas;
3. Compatible with or expands upon existing pedestrian connections and public parks or open space;
4. May include both private common areas for use by all residents of that development, as well as a private unit's open space for exclusive use by that unit's residents;
5. Does not include driveways, parking areas, steep slopes, or stormwater ponds.

(e) *Architectural design*

(1) *Architectural details*

- a. All new building fronts shall include a minimum of two of the following elements:
 1. Architectural detailing, such as cornice, awning, parapet, or columns
 2. A visually pleasing primary front entrance that, in addition to doors, shall be accented with design features as awnings, canopies, pillars, special building materials or architectural details Entrances shall be clearly articulated and obvious from the street
 3. A combination of horizontal and vertical design features
 4. Irregular building shapes
- b. Any exterior building wall adjacent to or visible from a public street, public open space, or private street may not exceed 50 feet in length without significant visual relief consisting of one or more of the following:
 1. A façade shall be divided architecturally by means of significantly different materials or textures
 2. Horizontal offsets of at least four feet in depth
 3. Vertical offsets in the roofline of at least four feet
 4. Fenestration at the first floor level that is recessed horizontally at least one foot into the facade
- c. Multi-story buildings shall have the ground floor distinguished from the upper floors by having one or more of the following:
 1. Awning
 2. Trellis
 3. Arcade
 4. Window lintels
 5. Intermediate cornice line
 6. Brick detailing such as quoins or corbels

- d. All building entrances shall incorporate arcades, roofs, porches, alcoves, porticoes or awnings that protect pedestrians from the rain and sun.
- e. Darkly tinted, frosted windows or any windows that block two-way visibility are prohibited as ground floor windows along street facades.
- (2) *Exterior finish materials*
 - a. Wood lap siding, including fiber cement products with the same look, should be the predominant exterior material for street facing elevations. Other materials that provide a similar high quality exterior may be approved through the planned unit development process.
 - b. Bulkheads may use wood, brick, stone, or precast products.
 - c. Window and siding trim may be combination of wood materials.
- (3) All accessory structures, excluding private exterior trash enclosures, shall be constructed of the same materials and colors of the principal building.
- (f) *Parking and loading*
 - (1) Parking for residential units shall be provided on site and shall be specifically reserved for the use of residents. Visitor parking for residential units can be shared with other uses on site. ~~Designed~~ Designated residential unit spaces shall not be counted as part of any shared parking or joint parking agreement.
 - (2) When two or more parking lots have adjacent rear or side property lines, the parking lots may be connected by a driveway crossing the side and rear yards as long as access easements are established.
 - (3) Any parking lot that will contain six (6) or more parking spaces abutting or across the street from a residential use outside of the mixed use district shall have a screening plan approved as part of the planned unit development. This screening plan should include a combination of landscaping, fencing, or walls.
 - (4) Loading docks shall not be located in the front yard and shall be 100% screened from ground level view of public streets and public open spaces. Screening can be landscaping or a wall of the same materials and colors as the principal building.
- (g) *Allowable uses*
 Within the mixed use districts, no building or land shall be used except for one or more of the following uses
 P = Permitted Use
 C = Conditional Use
 (-) = Not Allowed

Use	MU-D	MU-C
Residential		
Household Living		
Dwelling, single-family detached	C	C
Dwelling, manufactured home	-	-
Dwelling, two-family and Dwelling, twin home	C	P
Dwelling, townhouse or rowhouse	P	P
Dwelling, <u>replacement</u> apartment multiple-family	<u>P-C</u>	<u>P-C</u>
Dwelling, mixed use apartment (1 or more units)	P	P

Use	MU-D	MU-C
Dwelling, existing and replacement	P	P
Manufactured Home Park	-	-
Group Living		
Community Residential Facilities (6 or less)	-	-
Community Residential Facilities (16 or less)	C	C
Senior Living Facility	P C	P C
Lodging		
Lodging, such as hotels and motels	P	P
Short-term Dwelling Unit Rental	-	-
Bed and Breakfast	P	P
Non-Residential Uses		
Adult Establishments	P	P
Automobile Repair, Minor	-	P
Automobile Repair, Major	-	-
Banks, Finance, Insurance, and Real Estate Services	P	P
Bar / Tavern	P	P
Boat and Marine Sales	-	C
Brewery & Microdistillery, including Taproom & Cocktail Room	P	P
Brewpub	P	P
Car Wash	-	-
Cemeteries	-	-
Commercial Recreation	C	C
Electrical Substations	-	-
Essential Service Buildings	C	C
Essential Services	P	P
Funeral Home	P	P
Health Club, Fitness Center and Dance Studio	P	P
Industrial, Light	-	-
Licensed Daycare and Preschool (12 or less)	P	P
Licensed Daycare and Preschool (13+)	P	P
Local Government Buildings & Institutional Buildings	P	P
Medical and Dental Clinics	P	P
Motor Fuel Station	-	-
Motor Fuel Station, Convenience Store	-	-
Offices	P	P
Open Sales Lots	-	C
Parking Lot, Surface (Principal Use)	C	C
Parking Lot, Structured (Principal Use)	C	C
Personal Services	P	P

Use	MU-D	MU-C
Pet and Veterinary Services	P	P
Place of Worship	P	P
Planned Unit Development	C	C
Private Lodges and Clubs	P	P
Public and Private schools	C	C
Public Park and Recreation	P	P
Repair Service Shops	P	P
Restaurant	P	P
Retail, General	P	P
Shopping Center	P	P
Theaters	P	P
Accessory Uses		
Accessory Buildings	P	P
Drive-through for a permitted or conditional business	C	C
Food Trucks	P	P
Gardening and Horticulture uses	P	P
Home Occupations	P	P
Lodging Room	P	P
Outdoor Dining Area for Commercial Use	C	C
Outdoor Sales Display	C	C
Parking Lot, Surface (Accessory)	P	P
Parking Lot, Structured (Accessory)	P	P
Swimming Pools and Hot Tubs	P	P

2415 Wilshire Boulevard
Mound, MN 55364
(952) 472-0604

City of Mound
Planning and Building Department

Memorandum

To: Planning Commission
From: Sarah Smith, Comm. Dev. Director
Date: March 13, 2024
Re: Annual Review of Planning Commission Work Rules – Tabled from January 2, 2024 Meeting

Summary. Annual review of the Planning Commission Work Rules is an annual task of the Planning Commission. A copy of the 2023 Planning Commission Work Rules has been included the March 19th meeting agenda packet for review/discussion at the meeting. This item was tabled at the January 2th meeting.

CITY OF MOUND PLANNING COMMISSION WORK RULES

A. Organization

1. The Planning Commission Officers shall be:
 - a. Chair
 - b. Vice-Chair
2. Special assignment areas shall be:
 - a. Subdivisions
 - b. Zoning and Variances
 - c. Conditional Use Permits
 - d. Other areas of assignment
3. Duties of the Officers:
 - a. Chair:
 - 1) The Chair shall preside at all meetings of the Commission.
 - 2) The Chair shall preserve order and decorum and shall decide questions of order
 - 3) The Chair shall appoint all assignment areas unless otherwise requested by a majority.
 - 4) The Chair may call special meetings stating the purpose of such meetings and be posted in accordance with State Statute.
 - 5) The Chair shall be responsible to have the staff report on the status of previous recommendations made to the Council, stating the Planning Commission's recommendation and Council action.
 - 6) The Chair will be responsible for identifying and resolving performance issues (including attendance) with Planning Commissioners. In the event the Chair determines a Planning Commissioner may need to be removed from his (her) position, the Chair will be responsible to recommend removal actions to the City Council.
 - b. Vice-Chair:

The Vice-Chair shall preside at all meetings in the absence of the Chair.
4. The Mound Planning Commission acts only as an advisory group to the Council to make recommendations in the best interest of the citizens and the City.

B. Work Rules

1. The first Tuesday shall be considered the regularly scheduled official meeting night.
 - a. In the event that there are more board of appeals cases than can reasonably be concluded by 11:00 p.m., the Chair and the Planning Staff shall be empowered to schedule a second meeting for another day during the same month to take care of the overload.
 - b. The Chair shall have prerogative to cancel or postpone any regularly scheduled meetings. So as to confirm that a quorum of the Planning Commission is available to hold a meeting, members are required to contact the Chair and the Community Development Director, both by email and telephone, not later than 9:00 a.m. the day before the scheduled meeting, if they are not able to attend.
2. All meetings and public hearings shall be held at the Centennial Building unless an alternate format (*i.e., electronic or remote meeting, etc.*) or location is determined to be necessary. All meetings shall be called at 7:00 p.m. and shall conclude at 11:00 p.m. unless waived by the majority. All Planning Commission meetings are videotaped. Any business unfinished at the scheduled closing time shall be taken up at a subsequent meeting designated by the Chair.
3. The Commission, at the first regular meeting of the new year, shall elect from its group, a Chair and a Vice-Chair. After nominations, voting on the Chair and Vice Chair positions shall be done by written ballot. The votes for the Chair and Vice Chair positions shall be tallied and read aloud by the Planning Commission Secretary. Ballots will be kept in the journal of the Planning Commission containing meeting minutes.
4. A majority of members shall constitute a quorum. In the absence of a quorum, the minority shall adjourn any item of business requiring official Commission action, to a specified time.
5. A member may be excused from an individual meeting for reason of illness, work, or out-of-town trips.
6. In the absence of the Chair and Vice-Chair, the remaining members shall elect a Temporary Chair. The nomination process and procedures identified above Section B (3) above shall be used.
7. The Chair shall call the meeting to order and the Secretary to the Commission shall call the roll and announce a quorum.

8. The order of business shall be as follows unless amended by the Chair:

- a. Call to order
- b. Roll call
- c. Approval of the agenda with any amendments
- d. Approval of meeting minutes
- e. Board of appeals and public hearings
- f. Old and new business
- g. Information items
- h. Adjournment

9. The following statement shall be printed on all agendas:

MISSION STATEMENT: "The City of Mound, through teamwork and cooperation, provides, at a reasonable cost, quality services that respond to the needs of all citizens, fostering a safe, attractive and flourishing community."

"The Planning Commission is an advisory body to the City Council. One of the Commission's functions is to hold public hearings and make recommendations to the City Council. The City Council makes all final decisions on these matters."

Mound City Ordinances require that certain documents and information be included in applications. The Planning Commission may postpone consideration of an application that is incomplete and may for other reasons postpone final action on an application.

For each agenda item the Commission will receive reports prepared by the City Staff, open the hearing to the public, and discuss and act on the application.

10. All recommendations shall be sent to the Council by means of written minutes, and shall include the record of the division of votes on each recommendation.

11. Minutes of the meetings shall be recorded and kept by the Planning Staff.

12. All meetings shall be public.

13. Any resolution or motion, except motion to adjourn, postpone, reconsider, table, or call the previous questions, shall be reduced to writing if requested by the Chair.

14. Any resolution or motion may be withdrawn at any time before action is taken on it.

15. When a question is under debate, no other motion shall be entertained except to table, or to call for the question, action on the question, postpone, refer to committee, or

amend. Motions shall take precedence in that order and the first two shall be without debate.

16. All motions shall be carried by a majority vote of the members present, except call for the question. Any member of the Commission may call for a roll call vote on any issue.
17. Motions can only be made by members recognized by the Chair.
18. Speaking without recognition of the Chair shall be cause for another member to call "point of order" and the member speaking out of turn must relinquish the floor.
19. "Call for the question" or "previous question" is a motion and must be seconded. It is not debatable and must be voted upon immediately. A two-thirds majority is necessary to call the previous question. If the two-thirds majority is given, the motion or question on the floor must be immediately put to a vote without debate except for a motion to table.
20. "Question" is not a motion but only an indication to the Chair that the person making statement is ready to have the motion or question put to a vote.
21. The Chair may direct that a motion be divided if requested by a member.
22. Members must limit their remarks to the subject matter being discussed and shall not be repetitious. The speaking order shall be at the discretion of the Chair; however, all members shall be allowed to speak in their turn.
23. All members are expected to attend meetings and perform any pre-work required for these meetings. Members who have four or more absences in a calendar year will meet with the Chair, the City Council Liaison to the Planning Commission and Staff to discuss the matter to include the member's schedule and ability to continue as a member of the Commission. On-going absences of a member may be subject to discharge from the Commission by the City Council.
24. Any member having a direct financial and/or direct personal interest in an individual action under consideration by the Commission shall excuse himself/herself from the Commission and not vote on that particular matter. Said member will have the same rights as any citizen who has an interest in any action being considered by the Planning Commission.
25. These rules shall not be repealed or amended except by a majority vote of the Commission.
26. Robert's Rules of Order or standard parliamentary procedure shall govern any rule of order not covered by the work rules.

C. Candidate Selection/Interview Procedures (see Exhibit A: Res. #89-139 and Exhibit B: Res. #92-136).

1. It is the intent of the Commission to interview applicants and vote at the same meeting. The Mayor and City Council are to be included in the interviewing process. The vote will be conducted by the Commission and will not include visiting Council member. (Rev. 1/8/96)
2. In the event there are (6) applicants or more, a preliminary review of applications may be scheduled, at the Chair's discretion, to reduce the number of interviews for formal consideration. The prescreening process will be undertaken in cooperation with the City Manager and/or his/her designee. The prescreening criteria will be based on, but not limited to, previous work experience in either the public or private sector, relevant training and education, past volunteer activities, and the candidate's submitted application materials. At its option, the prescreening team of the Chair and City Manager or designee may opt to hold a prescreening interview(s). The Chair, in cooperation with the City Manager or designee, will recommend the slate of candidates to the Planning Commission for the formal interview process to be undertaken in accordance with the City's established procedures. Nothing shall prevent the Planning Commission from interviewing all or a selection of candidates if deemed appropriate by the Chair and City Manager or designee following completion of the prescreening process.
3. The applicant is to be advised of the interview at least ten (10) days prior to the date of the interview.
4. If the applicant is unable to attend the scheduled interview, the Planning Commission may make the recommendation based on the information provided.
5. Following the interviews and at the same meeting, a written ballot method of voting will be used (see Exhibit C). The secretary will have the candidate's names typed on the form and the form will be sent to Planning Commissioners in their packet. Ballots will be kept in the journal of the Planning Commission containing meeting minutes.
6. The Planning Commission shall forward to the City Council, at their next regular meeting, a list of the candidates and the number of votes they received.
7. Every seated member shall be eligible to vote.

D. Planning Commission Policy Regarding Use of Surveys for Land Use Applications

1. City policy requires the submittal of an updated survey including all necessary information and proposed improvements as part of its land use application requirements. The Planning Commission will allow administrative approval for use of an existing survey for a future land use application by Staff related to the follows:

- a. Use of an existing survey which depicts the current location of a structure related to the affected property lines for applications which are within the building footprint or do not affect the setback. This includes but is not limited to, a request to allow “use” of an existing structure (i.e. CUP) which does not involve building and/or site alteration activities.
 - b. For applications related to placement of structures on the property line(s), an existing survey can be used as long as survey irons are evident in the field and depicted on the survey.
 - c. If the survey shows existing structures and its relationship to affected property lines and an addition is proposed to be constructed and/or added, the existing survey can be used as long as irons are evident and/or are found in the field so as to evaluate proposed/final placement.
2. Staff reserves the right to forward any request to the Planning Commission for review and determination of survey acceptance due to extraordinary or unique circumstances.
 3. In the event an existing survey is used as part of a land use application, the Planning Commission reserves the right to require the submittal of additional information as necessary including but not limited to the submittal of an updated survey.

Adopted December 10, 1984
 Revised December 14, 1987
 Revised January 23, 1989
 Revised June 10, 1991
 Revised March 25, 1992
 Revised January 11, 1993
 Revised January 8, 1996
 Revised January 26, 1998
 Adopted March 4, 2002
 Revised February 24, 2003
 Adopted March 1, 2004
 Adopted January 24, 2005
 Adopted May 14, 2007
 Adopted May 5, 2009
 Adopted April 6, 2010
 Adopted May 3, 2011
 Adopted May 14, 2012
 Adopted June 2, 2015
 Adopted March 15, 2016
 Adopted March 7, 2017
 Adopted April 16, 2018
 Adopted June 4, 2019
 Adopted April 7, 2020
 Adopted February 2, 2021
 Adopted May 3, 2022
Adopted March 7, 2023

Exhibit A

October 24, 1989

RESOLUTION #89-139

RESOLUTION APPROVING A POLICY ON APPOINTMENTS
AND REAPPOINTMENTS TO ADVISORY COMMISSIONS

BE IT RESOLVED, that the City Council of the City of Mound, Minnesota, hereby establishes the following policy:

Definitions of "Vacancy": A vacancy occurs when a term expires and the commissioner holding that term does not desire reappointment. A vacancy also occurs when a commissioner resigns his/her position prior to the term expiring.

1. When a vacancy occurs, the City Manager is directed to advertise in the City's official newspaper that there are positions to be filled on a commission(s). Such advertising shall be done in the form of a "news release".
2. Such news release shall include, but not be limited to, the number of vacancies, the length of the term, or request for letter of interest and/or resume, application deadline date, etc. The news release shall also state that prospective applicants will be required to interview with the city Council and respective commission jointly. Such interviews will be conducted as soon as possible following the application deadline. Each commission will formally recommend appointments following the joint interviews. The City Council will review those recommendations and will be responsible for making the appointments.
3. Current commission members who wish to be reappointed must indicate such and the reasons for being reappointed in writing a minimum of sixty (60) days prior to their term expiring.
4. If a member resigns during his/her term, such resignation must be in writing and submitted to the City Manager.
5. In the case of member resigning with less than ninety (90) days remaining, on his/her term, the City Council, at its discretion, may delay filling the vacancy until the term officially expires."

The foregoing resolution was moved by Councilmember Jessen and seconded by Councilmember Johnson.

The following Councilmembers voted in the affirmative: Jensen, Jessen, and Johnson.

The following Councilmembers voted in the negative: Ahrens And Smith.

Steve Smith

Mayor

Francene C. Clark

Attest: City Clerk

Exhibit B

October 13, 1992

RESOLUTION NO. 92-136

RESOLUTION ESTABLISHING THE
PROCESS OF INTERVIEWING CANDIDATES
FOR ADVISORY COMMISSION APPOINTMENTS

BE IT RESOLVED, that the City Council of the City of Mound, Minnesota, hereby establishes the following policy as it pertains to the interviewing of candidates for advisory commission appointments:

Candidates for appointment to advisory commissions will be interviewed jointly by the applicable commission and the city council at a regularly scheduled commission meeting. Following the interviews and at the same meeting, the commission will establish a ranking of the candidates, listing the candidates and the number of votes they have received. The results will then be submitted to the Council at the next regular Council Meeting. The Council will then make official appointments at that Council Meeting.

BE IT FURTHER RESOLVED, that if candidates who wish to be considered for appointment cannot be present for the interviews that the commission and the city Council will base their decisions on the resumes submitted.

The foregoing resolution was moved by Councilmember Smith seconded by Councilmember Jensen.

The following councilmembers voted in the affirmative: Ahrens, Jensen, Jessen, Johnson and Smith.

The following councilmembers voted in the negative: None.

Skip Johnson
Mayor

Francene C. Clark
Attest: City Clerk

Exhibit C

**PLANNING COMMISSION
BALLOT**

NAME OF CANDIDATE

CHOICE #

CHOICE #: 1 – First Choice; 2 – Second Choice; etc.

The secretary will collect the ballots and total the choice points. The Candidate with the least amount of points is your choice.

Only ballots containing the initials of the voting member will be counted.

Initials



PLANNING REPORT

TO: Planning Commission
FROM: Rita Trapp, Consulting Planner
Sarah Smith, Community Development Director
DATE: March 12, 2024
SUBJECT: 2024 Code Updates
MEETING DATE: March 19, 2024

The Planning Commission will continue its discussions on the prioritized zoning code updates for 2024. The three topics that will be the focus at the upcoming meeting will be accessory dwelling units, solar energy, and electric vehicle charging. As in the past, the focus of the meeting will be to clarify the City's direction. Staff will then prepare specific language for consideration at a following meeting.

To facilitate discussion, an outline of potential regulation components has been provided below. Each number corresponds to a potential component that could be included in the regulations. Note that the City is not required to include all of the components. The lettered statements then provide potential approaches to address the component (if more than one is available based on previous discussions). Note that for some components the City may wish to have more than one approach included in the regulations.

Accessory dwelling units

1. Zoning District
 - a) ADU must be located only on single family properties.
2. ADU Form
 - a) The ADU may be constructed as an internal, attached or detached structure.
 - b) The ADU may only be located in a detached accessory structure.



▲ Accessory dwelling units (or ADUs) come in many shapes and styles.

3. Quantity
 - a) Only one ADU may be created per single-family dwelling.
4. Lot Size
 - a) ADUs shall be allowed on any lot no matter its size.
 - b) ADUs shall be allowed on lots which meet the lot size requirements of the zoning district it is located in.
 - c) ADUs shall be allowed on lots that meet a minimum lot size of _____.
5. Setbacks and height
 - a) Detached ADUs shall meet accessory structure setbacks and height requirements.
 - b) Attached ADUs shall meet the principal structure setbacks.
 - c) ADUs shall meet specific setbacks and height requirements different from accessory structures.
6. ADU Size
 - a) Detached ADUs shall meet the structure area requirements for an accessory structure.
 - b) Detached ADUs shall cover no more than a percentage _____ (15%) of the lot area.
 - c) ADU shall meet a percentage _____ (30%-50%) of the principal structure. This could be of the ground floor area or total square footage. (could be just for attached or for both attached and detached)
 - d) ADU shall meet either or both of a minimum size of _____ (480 square feet) or a maximum size of _____ (1,200 square feet).
 - e) An ADU shall meet minimum building code standards for an efficiency unit.
7. Occupancy
 1. There shall be no more than two (2) occupants per bedroom.
 2. There shall be no more occupants than the number of beds/bedrooms supplied in the ADU.
 3. The ADU shall have at least _____ square feet (200) for the first occupant and _____ square feet (100) for each additional occupant.
8. Parking
 1. One additional parking stall shall be required on the property with an ADU.
 2. There shall be no additional parking required for the ADU other than the minimum for the principal use.
9. Owner Occupancy Requirement
 1. The owner(s) of the property must continue to occupy at least one (1) of the dwelling units on the property as their primary residence, except for a bona fide temporary absence.
 2. The property owner must live within (30) miles of the property with an ADU.
 3. There is no owner occupancy requirement to have an ADU.
10. Design Components
 1. Requirement for a detached ADU to match the principal structure in design or material.

2. Limitations on windows overlooking neighboring properties for detached ADU.
3. A separate exterior entrance must be provided to the ADU.
4. Allowance for two doors on the front of the house for an attached ADU.
5. Requirement for a paved/concrete surface walkway from sidewalk, street, or driveway to the ADU entrance.
6. Prohibition of an exterior stairway leading to an upper story ADU entrance.
7. Minimum percent of windows facing alley or public street for a detached ADU.

11. Administrative

1. The ADU shall not be split from the property with a principal dwelling.
2. An ADU may be split from the property as long as it meets zoning code requirements.

12. Procedure

1. The ADU can be approved administratively through a building permit.
2. An ADU shall require a registration process (annual renewal optional).
3. The ADU shall go through a CUP process to seek approval.

Solar Panels

1. Type

- a. Solar panels shall be allowed only on the roof of principal or accessory buildings. Solar panels are not allowed as part of canopies shading parking lots.

2. Zoning District

- a. Solar panels shall be a permitted accessory use in all zoning districts.
- b. Solar panels may be allowed on single family, multifamily, townhouse and non-residential properties.

3. Maximum Height/Distance Above Roof

- a. Shall comply with maximum height requirements in the applicable zoning district.
- b. Shall not exceed 10 inches from the roof.
- c. Shall be flush mounted on pitched roofs unless the roof pitch is determined to be inadequate in which case the pitch of the solar collector may exceed the pitch of the roof up to 5% but in no case shall be higher than ten inches above the roof.
- d. Solar collectors may be bracket-mounted on flat roofs.

4. Aesthetics

- a. All solar energy systems shall be designed to blend into the architecture of the building to the extent possible without negatively impacting the performance of the system and to minimize glare towards vehicular traffic and adjacent properties.

5. Utility

- a. The electrical collection system shall be placed underground within the interior of each parcel.
- b. The collection system may be placed overhead near substations or points of interconnection to the electric grid.

6. Abandonment

- a. If a solar energy system remains nonfunctional or inoperative for a continuous period of one year, the system shall be deemed to be abandoned and shall constitute as a public nuisance. The owner shall remove the abandoned system at their expense after a demolition permit has been obtained. Removal includes the entire structure including transmission equipment.

7. Procedure

- a. A building permit shall be obtained for any solar energy system prior to installation.

Electric Vehicles

1. Use

- a. Level 1, 2, and 3 electric vehicle charging stations (EVCS) are allowed as a permitted accessory use in all zoning districts.
- b. Allow as a permitted accessory use with no specific charging level noted.

2. Minimum requirements

- a. Battery charging outlets and connector devices shall be mounted to comply with state code and must comply with all applicable Americans with Disabilities (ADA) requirements.
- b. Equipment shall be protected by wheel stops or bollards.
- c. Each charging station shall be posted with signage indicating the space is only for electric vehicle charging purposes.
- d. Site lighting shall be required.