



**PLANNING COMMISSION MEETING
RICHFIELD MUNICIPAL CENTER, COUNCIL CHAMBERS
FEBRUARY 26, 2024
7:00 PM**

Call to Order

Approval of the Minutes

- Approval of the minutes of the Regular Planning Commission meeting of November 27, 2023.

Open Forum

Comments are to be an opportunity to address the Planning Commission. Please refer to the Planning Commission agendas and minutes web page for additional ways to submit comments prior to the meeting. Call into the open forum by dialing 1-415-655-0001 Use webinar access code: 2633 365 8419 and password: 1234.

Agenda Approval

1. Approval of the Agenda

Public Hearings

2. Public Hearing to consider a request for two variances from sign code requirements at 636 - 66th Street East (Veterans Memorial Park).

Staff Report No. 1

Other Business

3. Election of Planning Commission Chairperson, Vice-Chairperson and Secretary

Staff Report No. 2

4. Review and amend the Planning Commission Bylaws.

Staff Report No. 3

5. Appointment of liaisons to the City Council, Community Services Advisory Commission, Housing and Redevelopment Authority, School Board, Transportation Commission, Chamber of Commerce, and Sustainability Commission.

Staff Report No. 4

Liaison Reports

Community Services Advisory Commission
City Council
Housing and Redevelopment Authority (HRA)
Richfield School Board
Transportation Commission

Chamber of Commerce
Sustainability Commission

City Planner's Reports

6. City Planner's Report
 - Chair training is at 6:00 pm on Wednesday, March 20th

7. Next Meeting Time and Location
 - Joint City Council and Planning Commission work session on March 12, 2024 at 5:45 p.m. in the Bartholomew Room at City Hall.

 - Regular meeting on March 25, 2024 at 7:00 p.m. in Council Chambers at City Hall

8. Adjournment

Auxiliary aids for individuals with disabilities are available upon request. Requests must be made at least 96 hours in advance to the City Clerk at 612-861-9739.

***Complete information on how to share comments or questions with the Planning Commission, see our Agendas and Minutes page
https://www.richfieldmn.gov/city_government/planning_commission/agendas_and_minutes.php**



PLANNING COMMISSION MEETING MINUTES Richfield, Minnesota

Regular Planning Commission Meeting

November 27, 2023

CALL TO ORDER

The meeting was called to order by Chair Holmwig-Johnson at 7:00 p.m. in the Council Chambers.

Planning Commissioners Present: Cole Hooey, Eddie Holmwig-Johnson, Benjamin Surma, James Rudolph, Matt Taraldsen, and Brett Stursa

Commissioners Excused: Brendan Kennealy

Staff Present: Sam Crosby, Planner II and Ruby Villa, Assistant Planner

Others Present:

APPROVAL OF MINUTES

M/Hooey, S/Stursa, to approve the minutes of the Regular Planning Commission meeting of October 23, 2023.

Motion carried: 6-0.

OPEN FORUM

Chair Holmwig-Johnson reviewed the options to participate in the open forum. There were no callers or speakers.

ITEM #1	APPROVAL OF THE AGENDA
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M/Stursa, S/Surma, to approve the agenda.

Motion carried: 6-0.

ITEM #2	PUBLIC HEARING TO CONSIDER AN ORDINANCE AMENDMENT TO ALLOW MICRO UNITS AS AN ACCESSORY USE TO RELIGIOUS INSTITUTIONS. (STAFF REPORT NO. 16)
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Planner Crosby presented Staff Report No. 16.

Planner Crosby addressed multiple questions from the commission regarding interpretation of the Sacred Communities bill, as well as general questions concerning religious institutions in Richfield.

Chair Holmvgig-Johnson opened the public hearing. There were no callers or speakers.

M/Hooey, S/Surma, to close the public hearing.

Motion carried: 6-0.

M/Rudolph, S/Hooey, to (1) recommend approval of an ordinance amendment to allow micro units as an accessory use to religious institutions.

Motion carried: 6-0.

ITEM #3	LIAISON REPORTS
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- Community Services Commission: Commissioner Rudolph had no report.
- City Council: Commissioner Kennealy was absent.
- Housing and Redevelopment Authority (HRA): Commissioner Stursa reported that the HRA is accepting applications for a seat on the HRA and EDA until December 15th of this year. At its last meeting, the HRA approved an MOU with the owners of La Vaquita Mexican Market to continue discussions of the development at 1430 66th St. The HRA also approved an MOU with Lyndale Gardens, with the HRA agreeing to contribute up to \$500,000 for capital costs and a financial match for sewer charges to help facilitate development at the last remaining parcel that is yet to be developed on the site.
- Richfield School Board: Chair Holmvgig-Johnson had no report.
- Transportation Commission: Commissioner Surma had no report.
- Chamber of Commerce: Commissioner Hooey had no report.
- Sustainability Commission: Commissioner Taraldsen had no report.

ITEM #4	CITY PLANNER'S REPORT
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The first reading for the Aster Commons project was held on November 14th. A few members of the public spoke in favor of the request. The second reading and the rest of the

requests will be decided by the City Council on November 28th. Also, the December Planning Commission Meeting is cancelled.

ITEM #5	NEXT MEETING TIME AND LOCATION
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The next regular meeting is on Monday, January 22, 2024, at 7:00 pm in the Council Chambers.

ITEM #6	ADJOURNMENT
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M/Rudolph, S/Taraldsen to adjourn the meeting.

Motion carried: 6-0 and the meeting was adjourned at 7:25 p.m.

Submitted by:

Ruby Villa
Assistant Planner

Brett Stursa
Planning Commission Secretary

AGENDA SECTION:	Public Hearings
AGENDA ITEM #	2
CASE NO.:	Staff Report No. 1



PLANNING COMMISSION MEETING
2/26/2024

REPORT PREPARED BY: Ruby Villa, Assistant Planner

COMMUNITY DEVELOPMENT DIRECTOR REVIEW: Melissa Poehlman, Community Development Director
2/13/2024

ITEM FOR COMMISSION CONSIDERATION:

Public Hearing to consider a request for two variances from sign code requirements at 636 - 66th Street East (Veterans Memorial Park).

EXECUTIVE SUMMARY:

Veterans Memorial Park is zoned R – Low Density Residential. It is located between Portland and 11th Avenues, 66th Street and Crosstown Hwy 62. The property itself is one of the largest parcels in the City and has four freestanding signs; two off of Portland Avenue and two off of 66th Street. Indigo Signs (Applicant), on behalf of the Richfield Parks and Recreation Department, is proposing to replace an existing freestanding sign at Veterans Park that is located in front of the outdoor pool building, near the intersection of 66th Street and Park Avenue. The replacement sign would contain a dynamic display. The sign section of the Zoning Code only allows one dynamic display per property and there is already one existing sign with a dynamic display on the other side of Veterans Park, located at the intersection of Portland Avenue and 64th Street. The addition of a second dynamic display on the property would require a variance from the City’s sign regulations.

The second variance that the Applicant is requesting is to allow the property to formally exceed the maximum allowable total area of all freestanding signage on site. Freestanding signs are limited to 50 square feet in size and 20 feet in height each, and the total area of all freestanding signage on site is limited to 100 square feet. While each freestanding sign at Veterans Park meets individual size and height requirements, they cumulatively exceed the 100 square foot maximum by 39 square feet. The proposed replacement sign is smaller and would bring down total signage on site to 130 square feet, but a variance would still be required in order to continue to exceed the maximum.

There are unique circumstances, as described in the policy section below, that warrant flexibility in the application of sign regulations. Finding that the request meets all required findings, staff recommends approval of both variances.

RECOMMENDED ACTION:

Conduct and close a public hearing and by motion: Approve two sign variances for 636 - 66th Street East.

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT

- Per aerial photos, the existing sign to be replaced has been there since 2002. It is unclear how the property originally exceeded the sign area maximum without a variance; there are almost no

records of sign applications on file.

B. POLICIES (resolutions, ordinances, regulations, statutes, etc):

- Zoning Code Section 549.25, Subd. 2, establishes strict requirements for signs with dynamic displays due to their correlation with driver distraction and traffic accidents. Dynamic displays are allowed only for nonresidential uses in residential districts. Only one dynamic display is allowed per property and may occupy no more than 35 percent of the actual copy and graphic area. The dynamic display must be contiguous to the static copy and graphic area and must include an enclosing framework of not less than three (3) inches. The proposed sign and dynamic display are within the 35% maximum (30%) and, barring the requirement that only one dynamic display be allowed per property, the proposed sign would meet all other regulations regarding dynamic displays.
- Zoning Code Section 547.11 states that variances may be granted for properties with “unusual or unique circumstances.” While staff agree that dynamic displays may lead to greater driver distraction, Veterans Park is in fact a unique property. It is zoned R – Low Density Residential but is a nonresidential use and, at 105 acres, is the second largest park and property in the City. It fronts on two arterial streets – Portland Avenue and 66th Street – both of which have direct access points to the property. The only other parcel of comparable size in the City is Wood Lake Nature Center at 152 acres. Wood Lake Nature Center, however, does not have as many buildings/amenities as Veterans Park, and does not front, or have direct access, on two major roadways.
- The 2018 Parks Master Plan describes Veterans Park as a “destination park drawing in people from the surrounding metro area” (pg. 156). It is home to multiple buildings and amenities including the Richfield Ice Arena, Richfield Outdoor Pool, Richfield’s largest playground facility, Richfield’s largest picnic pavilion, the Honoring All Veterans Memorial, and the Richfield Bandshell.
- Zoning Code Section 549.21 Subd. 7 – “There shall be a minimum distance of 100 feet between any internally illuminated or dynamic display freestanding sign and any residential property.” The proposed sign complies with this regulation; the closest residential property is approximately 130 feet away.
- Zoning Code Section 549.01, Subd. 2, establishes the purpose and intent of the sign ordinance. A listed purpose is to “improve the visual appearance of the City while providing for effective means of communication.” The design of the proposed sign is based on the existing sign with a dynamic display at Veterans Park. There seems to be a general motif that characterizes signs erected by the City, such as the one outside of City Hall and the “Richfield” signs at entrances to the City. Distinguishing features include a stone base, inset dynamic display, and an asymmetrical topmost portion. The proposed design of the new sign embodies these characteristics and will help create a more holistic and aesthetically pleasing sign design at Veterans Park.
- Zoning Code Section 549.23, Subd. 1, establishes requirements for freestanding signs within residential zoning districts. Permitted nonresidential uses are allowed a maximum size of 50 square feet and 20 feet in height per single sign. The current sign is 48 square feet in size and 8.5 feet in height. The proposed replacement freestanding sign would be smaller in size at 39 square feet, 8 feet in height, and in approximately the same location (just a few feet south for better visibility).
- Zoning Code Section 549.23, Subd. 1, also establishes the maximum total area of all freestanding signs for permitted nonresidential uses at 100 square feet. The total area of all freestanding signs at Veterans Park is currently 139 square feet and the replacement sign would bring it down to 130 square feet. Seeing that the proposed sign is a replacement, and a reduced amount of signage is being proposed, as well as the points mentioned earlier regarding the size of Veterans Park and its unique location in regard to street frontage and access, staff finds the second variance reasonable.

C. CRITICAL TIMING ISSUES:

- The statutory 60-day clock started when a complete application was received on January 17, 2024. Therefore, the 60-day clock ends on March 18, 2024. A decision is required by this date, or the Commission must notify the Applicant that it is extending the deadline (up to a maximum of 60 additional days or 120 days total) for issuing a decision.

D. FINANCIAL IMPACT:

- None - The required application fees have been paid.

E. LEGAL CONSIDERATION:

- Notice of the public hearing was published in the Sun Current newspaper on Thursday, February 15th and was mailed to properties within 350 feet of the subject site.

ALTERNATIVE RECOMMENDATION(S):

- Approve the request with additional and/or modified stipulations.
- Deny the request with a finding that the proposal does not meet City requirements.

PRINCIPAL PARTIES EXPECTED AT MEETING:

Kris Weiby, Recreation Services Facilities Manager

ATTACHMENTS:

Description	Type
☐ Resolution	Resolution Letter
☐ Required Findings Statement	Backup Material
☐ Indigo's Sign Mockup	Backup Material
☐ Location and Zoning Map	Exhibit
☐ Existing Signs Map	Exhibit

RESOLUTION NO. _____

**RESOLUTION OF THE RICHFIELD PLANNING COMMISSION GRANTING
APPROVAL OF TWO SIGN VARIANCES
AT 636 - 66TH STREET EAST**

WHEREAS, an application has been filed by Indigo Signs, on behalf of Richfield Parks and Recreation, with the City of Richfield which requests approval of two variances; one for a second dynamic display and one for total signage of the site to exceed 100 square feet at 636 66th Street East, property legally described in Attachment A.

WHEREAS, Zoning Code Section 549.25, Subdivision 2.b, states that only one (1) dynamic display sign is permitted on any individual site; and

WHEREAS, Zoning Code Section 549.23, Subdivision 1, establishes the maximum total area of all freestanding signs at 100 square feet; and

WHEREAS, the variances are for the purposes of replacing an existing freestanding sign with a new freestanding sign of smaller size, that contains a dynamic display, and is in the same rough location; and

WHEREAS, Minnesota Statutes Section 462.357, Subdivision 6, provides for the granting of variances to the literal provisions of the zoning regulations in instances where enforcement would cause “practical difficulty” to the owners of the property under consideration; and

WHEREAS, the property is unique in that it fronts on two streets classified as “A Minor Reliever”, both of which have primary entrances; and

WHEREAS, the Planning Commission of the City of Richfield held a public hearing for the requested variances at its February 26, 2024 meeting; and

WHEREAS, the variances meet the requirements of Zoning Code Section 547.11, Subdivision 1, as detailed in the “required findings” statement; and

WHEREAS, notice of the public hearing was published in the Sun Current newspaper and mailed to properties within 350 feet of the subject property;

NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the City of Richfield, Minnesota, as follows:

Based upon the above findings, variances are hereby approved subject to the following stipulations:

- a. The applicant shall record this Resolution with the County, pursuant to Minnesota Statutes Section 462.36, Subd. 1 and the City's Zoning Ordinance Section 547.11, Subd. 7, prior to the issuance of a sign permit.
- b. This approval shall expire one year from the date of approval unless the use has commenced.
- c. Prior to the issuance of a sign permit, the applicant shall provide a specifications sheet for the make and model of EMC proposed, showing that the proposed EMC type is equipped with auto-freeze and auto-brightness adjustment functions as required by Section 549.25 of the City's Zoning Ordinance.

Adopted by the Planning Commission of the City of Richfield, Minnesota this 26th day of February 2024.

Planning Commission Chair

ATTEST:

Planning Commission Secretary

(Attachment A)

THAT PART OF THE NW 1/4 OF SEC 26 T 028 R 24 DESC AS BEG AT THE NW COR OF SAID NW 1/4 TH S ALONG THE W LINE THOF DIS 657.625 FT TH E 178 FT TH S 105 FT TH E 111.34 FT TH S 270.62 FT TH W 289.34 FT TO THE W LINE OF SAID NW 1/4 TH S ALONG W LINE TO A PT THEREON DIS 280 FT N FROM THE SW COR OF THE NW 1/4 OF NW 1/4 SAID SEC 26 TH E 289.40 FT TH S 100 FT TH W .06 FT TH S 90 FT TH W TO SAID W LINE TH S 120 FT TH E 289.34 FT TH S 126.12 FT TH W TO W LINE OF SAID NW 1/4 TH S ALONG SAID W LINE DIS 150 FT TH E 289.34 FT TH S 150 FT TH E 250.66 FT TH S 350 FT TH W 259.7 FT TH S TO S LINE OF NW 1/4 SAID SEC 26 TH E ALONG THE S LINE THOF TO THE CTR LINE OF 11TH AVE S TH N ALONG SAID CTR LINE 615.643 FT TO THE MOST SLY PT OF CHRISTIANS 2ND ADDN TH NWLY NLY AND NELY ALONG THE SWLY WLY AND NWLY LINES OF BLK 2 SAID ADDN AND THEIR EXTENSIONS TO THE CTR LINE OF SAID 11TH AVE TH N ALONG SAID CTR LINE 359.112 FT TO THE SELY EXTENSION OF THE SWLY LINE OF BLK 1 SAID ADDN TH NWLY ALONG SAID SWLY LINE AND ITS EXTENSION TO THE E LINE OF OL 1 SAID ADDN TH N ALONG THE E LINE OF SAID OL 1 TO THE NE COR THOF TH W TO THE MOST WLY COR THOF TH NWLY ALONG THE SWLY LINE OF SAID BLK 1 TO THE MOST WLY COR THOF BEING A PT ON THE N LINE OF SAID SEC 26 TH W ALONG SAID N LINE TO THE PT OF BEG ALSO ALL OF TRACTS C D E F & G RLS NO 639 AND ALL OF TRACTS A B C D & E RLS NO 256 EX RDS

Required Findings

Veterans Memorial Park / 636 – 66th Street East

Variance: (Subsection 547.11) In evaluating a variance, the Planning Commission shall consider the following:

- a) *There are “practical difficulties” that prevent the property owner from using the property in a reasonable manner.*
 - Strict enforcement of the Zoning Code sections above would cause a practical difficulty. It is reasonable to allow some flexibility in the intensification of the proposed sign, as well as the maximum total signage area, given the unique circumstances of the property and use.

- b) *There are unusual or unique circumstances that apply to the property which were not created by the applicant and do not apply generally to other properties in the same zone or vicinity.*
 - The property is the second largest parcel in the City and contains frontage on two major roadways with direct access to the park. There is no other property in the vicinity, or the City in general, that has similar characteristics.

- c) *The variance would not alter the character of the neighborhood or the locality.*
 - Being that the proposed sign meets all other regulations regarding dynamic displays, including exceeding the regulation that dynamic displays be at least 100 feet from a residential property, the dynamic display variance is unlikely to alter the character of the neighborhood.
 - The second variance to allow the property to exceed 100 square feet in total signage would also not alter the character of the neighborhood. The property is already exceeding the maximum and the closest freestanding sign in the area is two blocks away.

- d) *The variance is the minimum necessary to alleviate the practical difficulty.*
 - The applicant is requesting a variance for a second dynamic display on 66th Street because of the size and location of the property. The existing dynamic display is on Portland Avenue. This variance is the minimum necessary to alleviate the sign regulation that only allows one dynamic display per property.
 - The proposed sign is smaller and in almost exactly the same location as the existing sign. No increases in existing square footage are proposed. The variance to exceed 100 square feet in total signage is the minimum necessary to allow the property to update their signage.

- e) *The variance is in harmony with the general purpose and intent of the ordinance and consistent with the Comprehensive Plan.*
 - In relation to the zoning ordinance, the purpose and intent of the sign ordinance is to “improve the visual appearance of the City while providing for effective means of communication.” Replacing the existing sign off of 66th Street with one that contains an improved design and dynamic display would help to refine the aesthetics of the corridor and provide meaningful updates to the community regarding activities/events at Veterans Park. In relation to the Comprehensive Plan, sign regulations are not

specifically mentioned. The Plan does make it a goal to “maintain and enhance Richfield’s Park system for today and tomorrow’s residents.”

- The requested variances will not adversely impact the aesthetics of the community or its health, safety and welfare.

Quote # 106741

Client: City of Richfield
(Veterans Park)

City, State: Richfield, MN

Project Manager:
Russ Anderson: 952-908-9130

Drawn by: AMY

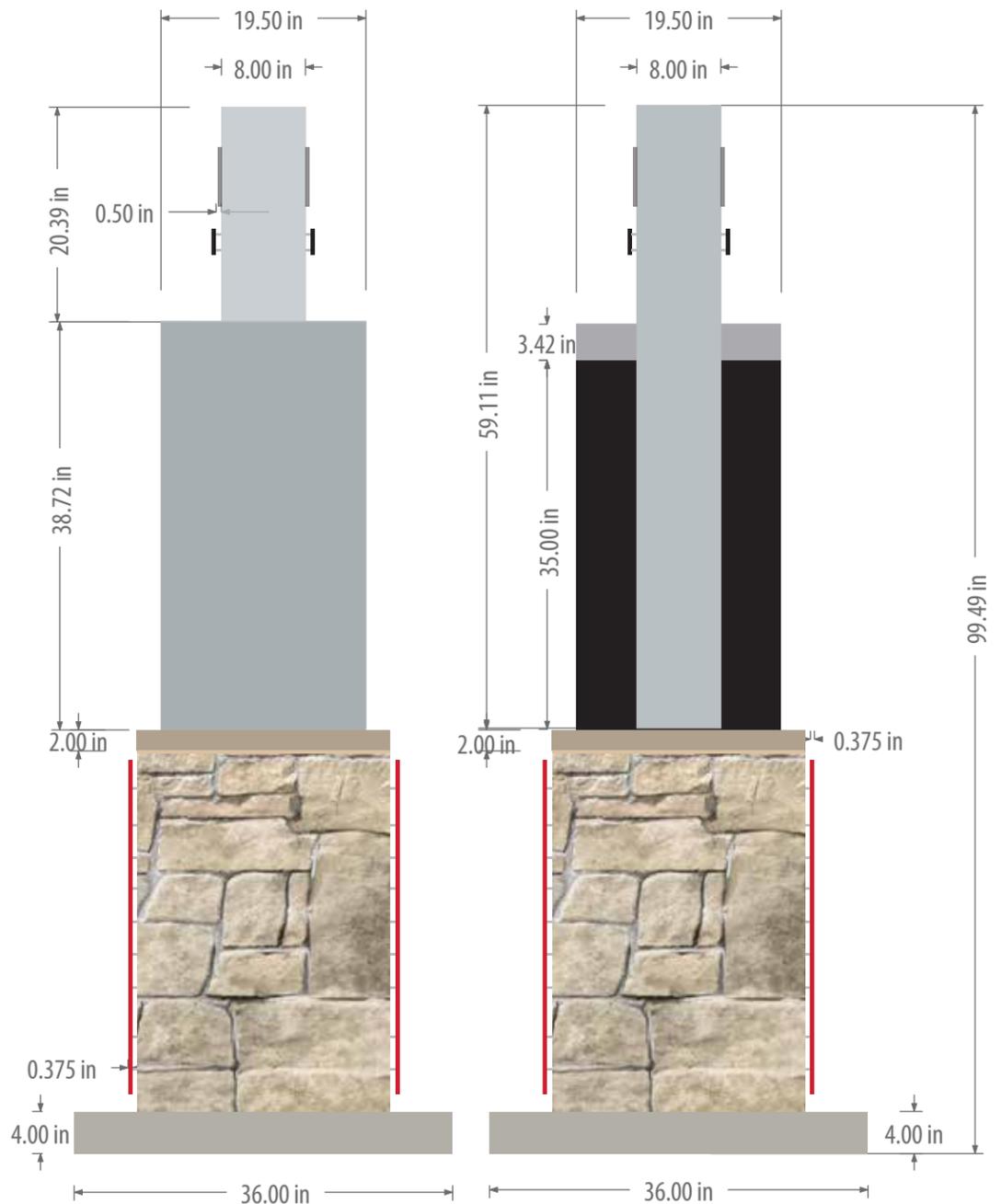


Drawing Date: 12/07/2023
REV1 Date: 12/13/2023
REV2 Date: 1/2/2024
REV3 Date: 1/3/2024
REV4 Date: 1/10/2024
FINAL Date: 1/17/2024

File location: Sharepoint:\C\City of Richfield\ Veterans Park
Working Sketch Files\Richfield_IllumMonument_wEMC_106741-FINAL.ai

The ideas and designs contained in this original and unpublished drawing are the property of Indigo Signs and may not be used or reproduced in whole or part without written permission from Indigo Signs.

Due to the limitation of the printing process, the colors shown may not reflect actual colors.



Illuminated Monument Sign with EMC

Quantity: (1)
Overall Sign Dimensions: 99.26" H x 94" W
"Richfield" 3/8" FCO Aluminum Painted PMS 186 C
Richfield Banner portion FCO Aluminum Painted
White with Black Vinyl
Single or Double Sided: Double
Cabinet Color: Brushed Aluminum
Face Material: Aluminum

Background Color: Brushed Aluminum
Copy: VETERANS PARK
Copy Color: Day/Night Push Through Acrylic
Illumination Type: LED Voltage 120V or 277V: 120V
SWIMMING POOL | ICE ARENA | BAND SHELL
3/8" Aluminum FCO Painted Black with .5" standoffs
Monument Base Description:
Benchmark Base to match the Original Sign
Far bottom base: 4" x 94"x 36" Depth cement slab

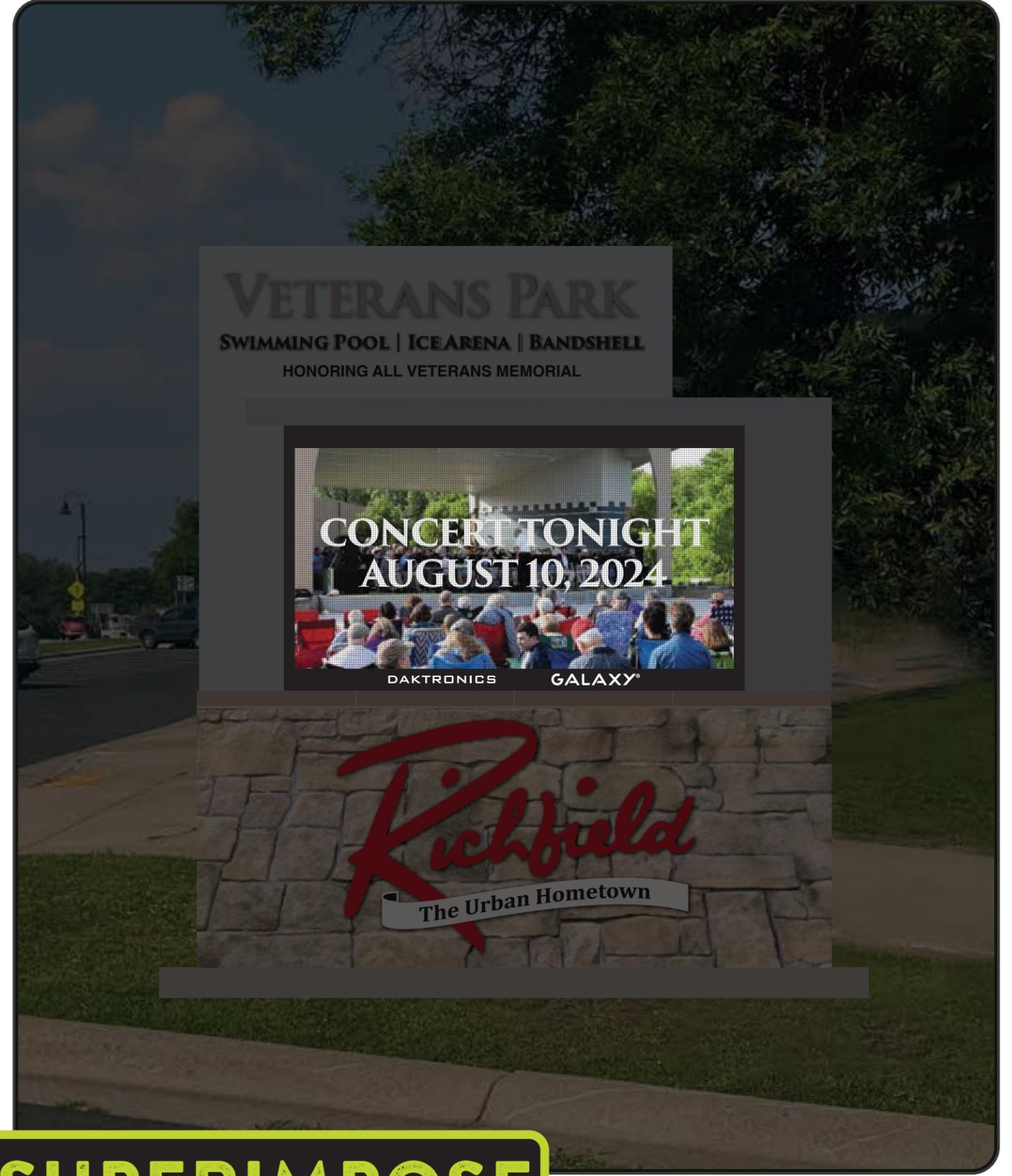
EMC – Electronic Message Center

Supplier: Daktronics
Quantity: (1)
Double or Single Sided: Double
Model #:GT6x
Cabinet Size: 35" x 61"
Matrix Size: 29" x 59"

Pixel Pitch: 10mm
Color: RGB
Software: Venus Suite
Communication Type: 4G Verizon



DAY



NIGHT

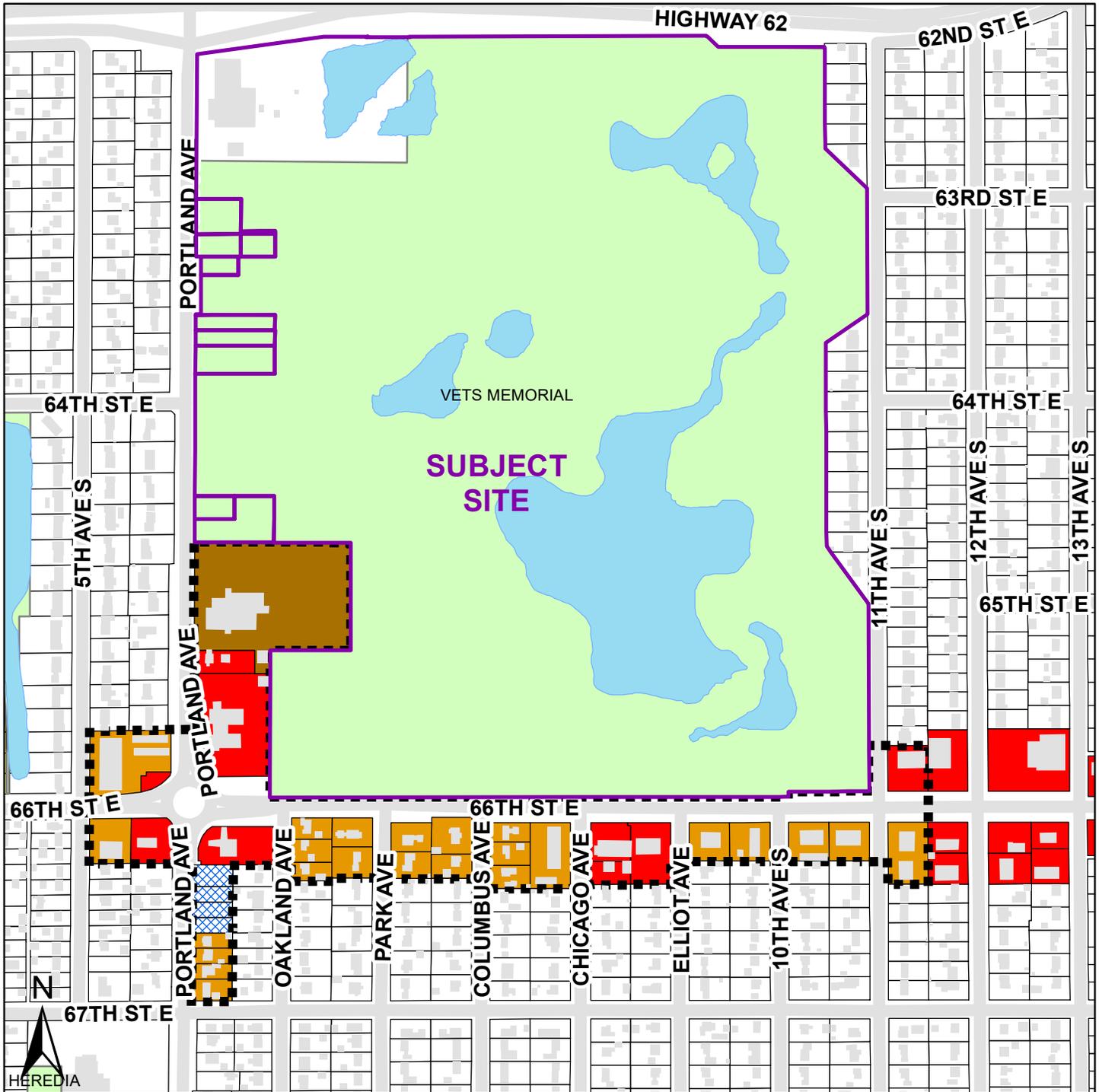
CONCEPTUAL SUPERIMPOSE
NOT INTENDED FOR INSTALLATION PURPOSES



636 - 66th Street East

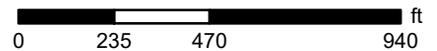
Location and Zoning Map

Veterans Memorial Park



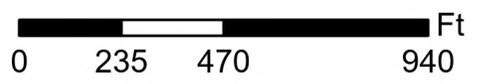
Legend

- R Low Density Residential
- MR-2 Multi-Family
- MR-3 High-Density Multi-Family
- C-2 General Commercial
- Veteran's Park Area Overlay
- Parks
- MU-N Mixed Use-Neighborhood



Veterans Park Existing Signs

February 2024



AGENDA SECTION:	Other Business
AGENDA ITEM #	3
CASE NO.:	Staff Report No. 2



PLANNING COMMISSION MEETING 2/26/2024

REPORT PREPARED BY: Ruby Villa, Assistant Planner

COMMUNITY DEVELOPMENT DIRECTOR REVIEW: Melissa Poehlman, Community Development Director
2/13/2024

ITEM FOR COMMISSION CONSIDERATION:

Election of Planning Commission Chairperson, Vice-Chairperson and Secretary.

EXECUTIVE SUMMARY:

The Bylaws of the Planning Commission require that the Planning Commission hold an annual organizational meeting at the first regular meeting in February and elect from its membership a Chairperson, Vice-Chairperson and Secretary. Any member of the Planning Commission may nominate another member or they may nominate themselves. A nomination of an officer requires a motion, a second, and a majority vote.

According to the Bylaws (Part II, Organization), a majority vote is necessary to first elect a Chairperson and then to elect the remaining officers. The Chairperson, Vice-Chairperson, and Secretary are to take office immediately upon election and hold office until their successors are elected next year. As such, there is no limit on tenure, except for the officer's willingness to serve in such capacity.

The Chairperson is responsible for conducting all Planning Commission meetings and public hearings. The Chairperson is also responsible for representing the Commission in dealing with the City Council and staff. The Vice-Chairperson fulfills the responsibilities of the Chairperson in the event the Chairperson is absent. The Secretary assumes these responsibilities when both the Chairperson and Vice-chairperson are absent and signs all minutes and official Commission documents.

RECOMMENDED ACTION:

By motion: Elect a Planning Commission Chairperson, Vice-Chairperson, and Secretary.

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT

- Commissioner Holmwig-Johnson is the current Chair and has been acting in that role since last year. Commissioner Kennealy is the current Vice-Chair and has been so since September 2022. Commissioner Stursa is the current Secretary since October 2022.

B. POLICIES (resolutions, ordinances, regulations, statutes, etc):

- Part II, Section I of the Planning Commission Bylaws requires that the Commission elect a Chairperson, Vice-Chairperson and Secretary.

C. CRITICAL TIMING ISSUES:

None.

D. FINANCIAL IMPACT:

None.

E. LEGAL CONSIDERATION:

None.

ALTERNATIVE RECOMMENDATION(S):

None.

PRINCIPAL PARTIES EXPECTED AT MEETING:

N/A

AGENDA SECTION:	Other Business
AGENDA ITEM #	4
CASE NO.:	Staff Report No. 3



PLANNING COMMISSION MEETING 2/26/2024

REPORT PREPARED BY: Ruby Villa, Assistant Planner

COMMUNITY DEVELOPMENT DIRECTOR REVIEW: Melissa Poehlman, Community Development Director
2/12/2024

ITEM FOR COMMISSION CONSIDERATION: **Review and amend the Planning Commission Bylaws.**

EXECUTIVE SUMMARY:

Part 3, Section 3 of our Bylaws requires that the Planning Commission review the bylaws each year at the February organizational meeting. Staff is recommending a change to Part 1, Section 1 this year, regarding regular meetings. Currently, there does not exist a provision for automatic rescheduling of Planning Commission meetings that fall on City observed holidays. Rescheduling meetings in these instances requires formal action by the Planning Commission.

The Housing and Redevelopment Authority has a provision in their Bylaws that states that regular meetings will be held "unless the same shall be a legal holiday, in which event said meeting shall be held on the next succeeding secular day." To create greater predictability in scheduling, and to reduce the number of formal actions the Planning Commission needs to consider, staff recommends adding similar language to the Planning Commission Bylaws, with additional language providing instruction for dates in which the Council Chambers are unavailable.

RECOMMENDED ACTION:

By motion: Amend Part 1, Section 1 of the Planning Commission Bylaws to allow automatic rescheduling of meetings that fall on City observed holidays.

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT

None.

B. POLICIES (resolutions, ordinances, regulations, statutes, etc):

- Annual review of Planning Commission Bylaws is required, and Bylaws must align with City Code. Amending the Bylaws requires a 2/3 majority of the members of the Commission (5 Commissioners).

C. CRITICAL TIMING ISSUES:

- The fourth Monday of May (the 27th) falls on Memorial Day this year. The next business day (Tuesday the 28th) the Council meets so the Chambers are unavailable. With this revision, the May meeting would be scheduled for Wednesday, May 29th, with no further action from the Planning Commission. If the Bylaws are not so amended prior to the April meeting, separate action will be needed to reschedule the May meeting.

D. FINANCIAL IMPACT:

None.

E. LEGAL CONSIDERATION:

None.

ALTERNATIVE RECOMMENDATION(S):

- Recommend approval of amendment with additional and/or modified stipulations.
- Recommend denial of amendment.

PRINCIPAL PARTIES EXPECTED AT MEETING:

N/A

ATTACHMENTS:

Description	Type
▣ 022624 Proposed Bylaw Revisions	Cover Memo
▣ City Code Section 305	Cover Memo

**BYLAWS AND RULES OF PROCEDURE
OF THE CITY PLANNING COMMISSION
RICHFIELD, MINNESOTA**

The following Bylaws and Rules of Procedure are adopted by the Richfield Planning Commission to facilitate the performance of its duties and functions as empowered under Chapter III, Subsection 305.07, Subdivisions 1-6 of the City Code. General requirements related to residency, terms, attendance, removal, vacancies, etc. shall be dictated by Subsection 305.01.

PART I. MEETINGS

Section 1. Regular Meetings

Regular meetings of the Planning Commission shall be on the fourth Monday of each month commencing at 7:00 P.M. in the Council Chambers of the Municipal Center, ~~unless otherwise noticed~~ **unless the same shall be a City observed holiday, in which event said meeting shall be held on the next business day. If the Council Chambers are unavailable on the next business day, the meeting shall move to the next day after that.**

Section 2. Work Session Meetings

Approximately six times per year, the Commission will meet to discuss and deliberate on general planning matters related to property development and future well being of the Community. These meetings shall be held on the fourth Monday of the month commencing at 6:00 P.M. whenever possible. In the event of a conflict or need for additional discussion time, meetings shall be held on the second Monday of the month commencing at 7:00 P.M. Unless otherwise noticed, meetings shall be held in the Bartholomew Conference Room of the Municipal Center.

Section 3. Special Meetings

Special meetings of the Planning Commission can be called by the Chairperson and one member or by three members of the Commission or at the request of the City Council. Notice, designating the time and place of the meetings, shall be given to all members in accordance with the open meeting law.

Section 4. Quorum

Four members of the Planning Commission shall constitute a quorum for the transaction of business. No action shall be taken in the absence of a quorum with the exception that the Planning Commission members present may take testimony for use at a later meeting at which a quorum is present, and may adjourn a meeting to a later time without further notice.

Section 6 5. Voting

At all meetings of the Planning Commission, each member attending shall be entitled to cast one vote. Voting shall be by voice. An affirmative vote of a majority of members present shall be necessary for the passage of any matter before the Planning Commission, except as otherwise provided in these Bylaws.

Section 7 6. Proceedings

a) Format of Meeting

At a regular meeting of the Planning Commission, the following format shall be followed in conducting the business of the meeting:

- 1) Call to order / noting of attendance
- 2) Approval of Minutes
- 3) Open Forum
- 4) Approval of Agenda
- 5) Public Hearing Items
- 6) Other Business
- 7) Liaison Reports
- 8) Adjournment

b) Public Hearing

The purpose of a hearing is to collect information and facts in order for the Commission to either render a decision or develop a planning recommendation for the City Council. At a public hearing the following procedure shall be followed for each case for which a public hearing is held:

- 1) Chair shall state the case to be heard.
- 2) Chair shall call upon the Community Development Director or designee to present the staff report and stand for questions from the Commission.
- 3) Chair shall ask the applicant to present his/her case.
- 4) Members of the Planning Commission shall be allowed to question the applicant about his/her proposal.
- 5) The Chair shall open the public hearing and all interested persons may address the Commission, giving relevant information regarding the proposal before the Commission.
 - a) All questions or statements by Richfield staff personnel, Planning Commissioners, applicants or interested citizens will be directed through the Chair.

- b) All who wish to speak will be heard, but only in accordance with the above procedure and after recognition by the Chair.
 - c) No individual may speak longer than five (5) minutes, except through previous arrangement with the Chair, or by vote of the Commission.
 - d) The spokesperson for a group will be allowed ten (10) minutes.
 - e) At the determination of the Chair, if questions or responses from the Commission, the applicant, the public, or City staff introduce materially new information or issues relevant to the matter under consideration, interested citizens may make additional comments in accordance with the above procedure. In order to promote meeting efficiency, the Chair may discourage duplicative comments.
- 6) The hearing shall be closed. Interested persons shall not be heard again unless the hearing is reopened by a majority vote of the Commission.
 - 7) Members of the Planning Commission may ask additional questions of City staff or the applicant, and the applicant shall be allowed to respond.
 - 8) The Commission shall discuss and clarify the item before it, and take action in the form of a motion, resolution, or report.

PART II. ORGANIZATION

Section 1. Election of Officers

At the first regular meeting in February of each year, the Commission shall hold an organizational meeting and elect from its membership a Chairperson, Vice-chairperson, and Secretary. Officers shall be elected by a majority vote of all the members of the Commission. Voting shall take place in a manner agreed to by the Commission. If no one receives a majority of all the members of the Commission, voting shall continue until one member receives majority support. Vice-chairperson and Secretary shall be elected from the remaining members by the same procedure.

If the Chairperson resigns from office before the next regular organizational meeting, the Vice-chairperson shall automatically become acting Chairperson until a new officer is elected at the next regular meeting. If both Chairperson and Vice-chairperson resign, the Secretary shall become acting Chairperson. In any instance, where an officer of the Commission resigns or retires from office a new officer shall be elected to the vacated position at the next regular meeting of the Commission.

If the Chairperson, Vice-chairperson, and Secretary are absent from a meeting, the Commission shall elect a temporary Chairperson by voice vote.

In the event that the Secretary is absent from a meeting, the Chairperson shall appoint a member of the Commission to approve the minutes of that meeting.

Section 2. Tenure

The Chairperson, Vice-chairperson, and Secretary shall take office immediately following their election and hold office until their successors are elected and assume office.

Section 3. Duties of Officers

The duties and powers of the officers of the Planning Commission shall be as follows:

a) Chairperson

- 1) Presides over all meetings of the Commission.
- 2) Appoints committees and performs such other duties as may be ordered by the Commission.
- 3) Signs documents of the Commission.
- 4) Sees that all actions of the Commission are properly taken.
- 5) Calls special meetings of the Commission in accordance with these Bylaws.
- 6) Works with appropriate city staff in organizing agendas of all general Planning Commission meetings.

b) Vice-chairperson

Performs all of the duties and responsibilities of the Chairperson in his/her absence.

c) Secretary

- 1) Assumes duties and responsibilities of the Chairperson when both Chairperson and Vice-chairperson are absent.
- 2) Signs all minutes of the Commission as well as other official documents of the Commission.

Section 1. Suspension of Rules

The Commission may suspend any of these Rules by a 2/3 vote of those members present.

Section 2. Amendments

These Rules may be amended at any regular meeting by a 2/3 majority of the members of the Commission.

Section 3. Review

The contents of these Bylaws and Rules of procedure should be comprehensively reviewed, evaluated, and modified where necessary, at the organizational meeting held in February of each year.

Adopted this 26th day of February, 2024

Chairperson, Richfield Planning Commission

Secretary, Richfield Planning Commission

SECTION 305. - ADMINISTRATION; COMMISSIONS; BOARDS

305.00. - Definitions.

Subdivision 1. The following terms, when used in this Section, shall have the following meanings unless the context clearly indicates otherwise:

Subd. 2. "Commission" means a body established by the City Council to advise the Council on matters of municipal concern. The terms "commission" and "board" may be used interchangeably in this Section.

Subd. 3. "Youth" means an individual who is at least 15 years of age.

305.01. - Creation; general requirements.

Unless otherwise provided by law or herein, the provisions in this subsection apply to all City commissions.

Subdivision 1. Creation. A Commission may be established by a majority of the City Council. The Council shall adopt a resolution or ordinance that will describe the purpose and function of the Commission. City Commissions are advisory bodies to the City Council. The Council shall periodically review the role, responsibilities and procedures of each Commission. The Council may eliminate a Commission by adopting a resolution or ordinance rescinding the resolution or ordinance establishing the Commission.

Subd. 2. Residency. Members of city commissions shall be residents of the City, unless an ordinance or resolution expressly provides otherwise.

Subd. 3. Terms. The City Council shall appoint members to the commissions for terms not to exceed three years. No member shall serve more than three consecutive terms on the same Commission. Appointment to serve on a Commission for a period of time greater than one-half of a complete term shall be counted as a full term. If the Council appoints an individual who had a break in continuous service of at least one full term, it shall be treated as a first-term appointment. Commissioners may only serve on one Commission at a time.

Subd. 4. Youth appointments. The City Council may appoint a maximum of two youth members to certain commissions. Terms for youth appointments shall be one year, commencing on September 1 and ending on August 31. No youth member shall serve more than three consecutive terms on the same Commission. Except as otherwise provided for by resolution of the Council, youth members must be residents of the City and enrolled in a high school or equivalent. A youth member may only serve on one Commission at a time.

Subd. 5. Attendance. Members are required to attend regular commission meetings. Commission members shall notify the Commission Chair or staff liaison if he or she is unable to attend a meeting. The Council shall conduct an annual review of the attendance of members of City commissions.

Subd. 6. Removal/vacancy. Commission members serve at the pleasure of the City Council and, unless prohibited by law, may be removed at any time for any reason, including but not limited to, excessive absences from commission meetings. When a vacancy occurs, the Council shall appoint a person to fill the unexpired term of the vacated seat. Unless provided otherwise by law or city resolution, a seat on a Commission is vacated upon any of the following:

- (a) Death;
- (b) Removal of legal residence in the City;
- (c) Resignation in writing presented to the City Manager, or designee;
- (d) Removal by the Council; or,
- (e) Election or appointment to a public office.

Subd. 7. Committees. Commissions may establish committees from time to time as the need arises.

Subd. 8. Staff/council liaisons. Each January, the City Council shall designate a Council member as liaison and one alternative liaison to each Commission. The City Manager shall appoint one City employee to serve as a staff liaison to each Commission. Council and staff liaisons are not voting members of a Commission.

Subd. 9. Bylaws/rules of procedure.

- (a) Commissions may adopt bylaws to govern meeting procedures and other matters not addressed in this Section. If the bylaws of a Commission and this Section conflict, this Section shall prevail. Commissions may amend bylaws with approval of a 2/3 majority vote of the Commission.
- (b) At all meetings of a Commission where formal action is required on a matter, the meeting shall be governed by Sturgis' Standard Code of Parliamentary Procedure. At meetings where no action is required, no formal parliamentary procedure shall govern the conduct of the proceedings unless necessary such as when a formal motion is before the Commission.

305.03. - Establishment of human rights commission.

Subdivision 1. Scope of section. It is declared that it is the public policy of the City to fulfill its responsibilities as a partner of the state department of human rights in securing for all citizens equal opportunity in housing, employment, public accommodations, public services and education, and to fully implement those goals set forth in Minnesota Statutes, Chapter 363A, the Minnesota Human Rights Act.

Subd. 2. Establishment of commission. There is established and continued a human rights commission.

Subd. 3. Purpose of commission. The purpose of the Commission is to secure for all citizens equal opportunity in employment, housing, public accommodations, public services and education and full participation in the affairs of this community and to take appropriate action consistent with the Minnesota Human Rights Act. The Commission shall also advise the City Council on long range programs to improve human relations in the City.

Subd. 4. Composition of the commission. The Commission consists of 13 members appointed by the Council. Eleven members shall be appointed for terms of three (3) years, except that (i) a person appointed to fill a vacancy occurring prior to the expiration of the term for which the predecessor in that term was appointed shall be appointed only for the remainder of such, and (ii) two (2) persons shall be appointed as "youth" members for one (1) year terms. The two (2) youth members shall be given all rights, privileges and responsibilities granted to the other appointed members. Members serve without compensation and may be removed from office at any time by the Council.

Subd. 5. Commission's responsibilities. The Commission shall:

- (a) Adopt bylaws and rules for the conduct of its affairs including the election, assumption of duties and definition of responsibilities of officers and committees;
- (b) Engage in discussions with the state department of human rights for the purpose of delineating cooperative regulatory and enforcement procedures;
- (c) Enlist the cooperation of agencies, organizations and individuals in the community in an active program directed to create equal opportunity and eliminate discrimination and inequalities;
- (d) Formulate a human relations program for the City to provide increased effectiveness and direction to the work of all individuals and agencies addressing themselves to planning, policy making and educational programming in the area of civil and human rights;
- (e) Advise the City Council and other agencies of the government on human relations and civil rights problems and act in an advisory capacity with respect to planning or operation of any City

department on issues of civil and human rights and recommend the adoption of such specific policies or actions as are needed to provide for full equal opportunity in the community;

- (f) Study, investigate and assist in eliminating alleged violation of Minnesota Statutes, Chapter 363A by conference, conciliation and persuasion, and when necessary, cooperate with the state department of human rights in enforcing the provisions of the state act;
- (g) Develop such programs of education as will assist in the implementation of the Minnesota Human Rights Act and foster the Commission's assumption of leadership in recognizing and resolving potential human rights problems in the community; and
- (h) Develop and implement programs that enhance the advancement of human rights in the community and that promote an awareness of and appreciation for cultural diversity.

Subd. 6. Investigations, enforcement, penalties. The Commission may receive and investigate complaints of alleged violations of this subsection. Investigations shall conform to the Complaint Process formulated by the State Department of Human Rights.

305.05. - Fire Civil Service Commission.

Subdivision 1. Abolish police civil service. The Police Civil Service Commission is abolished.

Subd. 2. Fire Commission continued. The former joint police and fire civil service commission is now known as the Fire Civil Service Commission and shall continue.

Subd. 3. Membership. The Fire Civil Service Commission shall consist of three (3) members appointed for terms in the same manner, for the same terms, and with the same qualifications pursuant to Minnesota Statutes, Chapter 420. Terms of commissioners are for three (3) years commencing on February 1 of the year of appointment.

305.07. - Planning commission.

Subdivision 1. Establishment. Pursuant to Minnesota Statutes, section 462.354, subdivision 1, there is created and continued a City Planning Commission.

Subd. 2. Commission form. Except in cases in which the Planning Commission is authorized by this Code or other applicable law to render a final decision, the Planning Commission serves in an advisory capacity to the City Council. Staff services for the Commission shall be furnished by the Community Development Department of the City.

Subd. 3. Composition of the commission. The Commission consists of seven (7) members appointed by the Council to serve for terms of three (3) years, with terms of members to be staggered so that as nearly equal number of terms as possible shall expire each year. Terms begin on the first day of February.

Subd. 4. Powers and duties of the commission. The Planning Commission shall undertake the duties given by Minnesota Statutes, sections 462.351 to 462.354. The Planning Commission shall deliberate and make recommendations, or final decisions as applicable, on:

- (a) Proposed amendments to the zoning code or map;
- (b) Land development applications requiring site plan approval, interim use permits, conditional use permits or variances from the land development regulations of the City; and
- (c) Such other matters relating to planning and development within the City, as may be referred to it by the Council.

Subd. 5. General objectives of the commission. The Planning Commission shall, as necessary, perform the following functions on behalf of the City:

- (a) Subject planning decisions to citizens' examination and influence through technical advisory subcommittees which may study and recommend courses of action on special planning matters;
- (b) Act as an advocate of various beneficial planning projects, as directed by the Council, to stimulate interest and acceptance of planning within the City; and
- (c) Act as a coordinator of planning activities within the City by working with public, quasi-public and private planning groups to coordinate the total planning efforts of the City and other governmental units.

Subd. 6. Additional powers and duties. The Council may assign additional duties and responsibilities to the Planning Commission to assist the Commission in effectively carrying out the Commission's objectives, powers and duties.

305.09. - Board of health.

Subdivision 1. Creation of board. Pursuant to Minnesota Statutes, Chapter 145A, there is created and continued a board of health.

Subd. 2. Council to constitute board. The Board consists of the City Council and a physician who is the health officer of the City.

Subd. 3. Powers and duties of board. The Board shall:

- (a) Investigate and make such reports and obey such directions concerning communicable diseases as the State Board of Health may require or give; and
- (b) Cause all laws and regulations relating to the public health, including any and all health regulations contained in this code to be obeyed and enforced.

Subd. 4. Inspection and enforcement. The Board and authorized officers or employees of the Board shall have the right to enter into any building, conveyance or place where contagion, infection, filth or other source or cause of preventable disease exists or is reasonably suspect.

Subd. 5. Uniform enforcement and appeals. Orders or rules and regulations adopted or issued by the Board shall be enforced in the manner provided in Section 320. Persons aggrieved by an order or rule or regulation of the Board may appeal in accordance with the provisions of Section 320.

AGENDA SECTION:	Other Business
AGENDA ITEM #	5
CASE NO.:	Staff Report No. 4



PLANNING COMMISSION MEETING 2/26/2024

REPORT PREPARED BY: Ruby Villa, Assistant Planner

COMMUNITY DEVELOPMENT DIRECTOR REVIEW: Melissa Poehlman, Community Development Director
2/13/2024

ITEM FOR COMMISSION CONSIDERATION:

Appointment of liaisons to the City Council, Community Services Advisory Commission, Housing and Redevelopment Authority, School Board, Transportation Commission, Chamber of Commerce, and Sustainability Commission.

EXECUTIVE SUMMARY:

The role of a liaison is to keep the Planning Commission informed of other work or decisions happening in the City by attending or watching meetings (or reading recent meeting minutes) and sharing updates with members of the Planning Commission. A description of each liaison position is below:

City Council:

The City Council is the legislative branch of the City government. The City Council is responsible for the efficient operation of the City through the enactment of policies and ordinances that are administered by staff. The City Council meets every second and fourth Tuesday at 7:00 p.m. The current liaison is Commissioner Kennealy.

Community Services Commission:

The Community Services Commission is an advisory group appointed by the City Council to discuss and provide feedback on City issues relating to recreation, parks, public works, and any other issues as directed. The Community Services Commission meets on the third Tuesday of the month at 7:00 p.m., currently open.

Housing and Redevelopment Authority:

The Housing and Redevelopment Authority (HRA) is responsible for certain types of housing, economic, and commercial/industrial development and redevelopment in the City. The HRA meets every third Monday at 7:00 p.m. The current liaison is Commissioner Stursa.

Richfield School Board:

The School Board is comprised of locally elected public officials who provide strategic guidance for the Richfield Public Schools and oversee and review the Schools' management. Although the Richfield Public Schools are a completely separate entity from Richfield City Government, the Planning Commission also appoints a liaison to the Richfield School Board. The School Board generally meets the first and third Monday of each month at 7:00 p.m. The current liaison is Commissioner Holmwig-Johnson.

Transportation Commission:

The Transportation Commission was appointed by the City Council to review transportation-related topics and to make recommendations to the City Council. The Committee meets the first Wednesday of each month at 7:00 p.m. The current liaison is Commissioner Surma.

Chamber of Commerce:

Though a separate entity from Richfield City Government, the Chamber of Commerce provides a connection between the City of Richfield and our local business community. The Chamber's goal is to connect businesses for a prosperous community. The current liaison is Commissioner Hooey.

Sustainability Commission:

The Sustainability Commission works to support the education, promotion and implementation of environmentally sustainable measures and practices in the City of Richfield. The board also makes recommendations to the City Council regarding sustainability related initiatives and policies. The current liaison is Commissioner Taraldsen.

RECOMMENDED ACTION:

Discuss and agree upon which Commissioner will serve as liaison to which other board or commission.

BASIS OF RECOMMENDATION:**A. HISTORICAL CONTEXT**

- Although not expressly required by the Bylaws, liaisons have traditionally been appointed on a yearly basis.

B. POLICIES (resolutions, ordinances, regulations, statutes, etc):

None.

C. CRITICAL TIMING ISSUES:

None.

D. FINANCIAL IMPACT:

None.

E. LEGAL CONSIDERATION:

None.

ALTERNATIVE RECOMMENDATION(S):

None.

PRINCIPAL PARTIES EXPECTED AT MEETING:

N/A