



**PLANNING COMMISSION MEETING
RICHFIELD MUNICIPAL CENTER, COUNCIL CHAMBERS
JULY 25, 2022
7:00 PM**

Call to Order

Approval of the Minutes

- Regular Planning Commission Meeting Minutes of June 27, 2022.

Open Forum: Opportunity for the public to address the Commission on items not on the Agenda.

Comments are to be an opportunity to address the Planning Commission. Please refer to the Planning Commission agenda 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: 2457 073 4027 and password: 1234.

Agenda Approval

1. Approval of the Agenda

Other Business

2. Consider the 2024-2027 Capital Improvement Program and a finding of consistency with the Comprehensive Plan of the Capital Improvement Program and the 2023 Capital Improvement Budget.
Staff Report No. 18
3. Consideration of a resolution finding that the conveyance of real property located at 1710 - 78th Street East from the City to the Housing and Redevelopment Authority is in conformance with the Comprehensive Plan.
Staff Report No. 19

Public Hearings

4. Conduct a public hearing to consider updates to the City's Zoning Code subsection that regulates fences, walls, and hedges.

Staff Report No. 20

5.

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
7. Next Meeting Time and Location
 - Regular meeting on August 22, 2022, at 7pm 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

June 27, 2022

CALL TO ORDER

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

Planning Commission Members Present: James Rudolph, Chair; Kathryn Quam, Brendan Kennealy, Brett Stursa, Eddie Holmvig-Johnson, Benjamin Surma, and Cole Hooey

Planning Commission Members Absent: None

Staff Present: Nellie Jerome, Assistant Planner; Kari Sinning, City Clerk

Others Present: Ben Lentz, Director of Advancement of MICC

APPROVAL OF MINUTES

M/Quam, S/Stursa to approve the minutes of the Regular Planning Commission Meeting of April 25, 2022.

Motion carried 7-0.

OPEN FORUM

Chair Rudolph reviewed the options to participate in the open forum. There were no public comments.

ITEM #1

APPROVAL OF THE AGENDA

M/Quam, S/Surma to approve the agenda.

Motion carried 7-0.

ITEM #2	CONSIDERATION OF A REQUEST FOR INTERIM USE PERMIT ALLOWING MINNESOTA INDEPENDENCE COLLEGE AND COMMUNITY TO CONTINUE TO USE THE PROPERTY AT 2000 - 76TH STREET WEST FOR SOCIAL, MEETING, AND OFFICE SPACE FOR THEIR COMMUNITY PROGRAM. (STAFF REPORT NO. 17)
----------------	--

Assistant Planner Jerome presented Staff Report 17.

Commissioner Stursa asked if the five year permit length would be sufficient. Assistant Planner Jerome stated that this is standard length and this would be the second Interim Use Permit (IUP) for MICC.

Chair Rudolph asked about zoning. Assistant Planner Jerome stated that it is zoned residential so the office use is not permitted so an IUP is required.

Commissioner Surma asked if IUPs can be renewed indefinitely subject to review. Assistant Planner Jerome stated that the applicant would have to reapply once it is close to expiration.

Chair Rudolph opened the public hearing and invited Ben Lentz, MICC to the podium.

Commissioner Holmwig-Johnson asked the applicant to describe the programming done at the space. Ben Lentz explained that it is used for graduates of MICC for ongoing independent living support.

Commissioner Quam asked about the previous visits that MICC has had with the City. Ben Lentz explained that they have met with City Council and HRA to support the development of an affordable housing complex for MICC.

Commissioner Stursa asked MICC if they would need the full five year timeframe for the IUP. Ben Lentz explained that they are trying to move forward with a project for expansion of MICC and, depending upon financing, it would be less than the five year timeframe.

M/Holmwig-Johnson, S/Surma to close the public hearing.

Motion carried: 7-0

Chair Rudolph asked what would happen to the IUP if MICC is able to develop during the five years. Assistant Planner Jerome stated that the IUP is tied to the address and further discussion would be needed.

Commissioner Surma asked for a general outline of what would happen for the future development of the property. Assistant Planner Jerome stated that the development usually comes to the Planning Commission for evaluation and then the Planning Commission gives the recommendation to City Council for evaluation and final approval; the IUP would be a part of the evaluation and discussion.

Commissioner Kennealy expressed support and continued partnership with MICC and the rest of the Commission agreed.

M/Stursa, S/Quam to recommend approval of an Interim Use Permit allowing Minnesota Life College to use the property at 2000 - 76th Street West for social, meeting, and office space for their Community Program.

Commissioner Holmwig-Johnson stated that the motion and recommended action in the staff report listed the incorrect name for MICC. Assistant Planner Jerome apologized and stated the correction.

M/Stursa, S/Quam to recommend approval of an Interim Use Permit allowing Minnesota Independence College and Community to use the property at 2000 - 76th Street West for social, meeting, and office space for their Community Program.

Motion carried: 7-0

ITEM #3	LIAISON REPORTS
----------------	------------------------

- Community Services Commission: No report.
- City Council: Commissioner Quam mentioned that the 65th Street bonding passed.
- Housing and Development Authority (HRA): Commissioner Stursa shared that the HRA discussed the continuation or modification of the Richfield Rediscovered Program.
- Richfield School Board: (vacant)
- Transportation Commission: No report.
- Chamber of Commerce: (vacant)
- Sustainability Commission: Commissioner Kennealy mentioned discussion regarding organics collection education. Commissioner Quam asked if there were rumors of Waste Management not offering organics collection. Commissioner Kennealy stated that there was staffing and driving issues in Robbinsdale

ITEM #4	PLANNER'S REPORT
----------------	-------------------------

The new Planner would be starting in mid-July and that the second August City Council is cancelled.

ITEM #5	NEXT MEETING TIME AND LOCATION
----------------	---------------------------------------

The next regular meeting is scheduled for Monday, July 25, 2022 at 7 p.m. in the Council Chambers at the Richfield Municipal Center.

Commissioner Quam asked if the new member of the Commission would introduce themselves. Commissioner Hooey gave a brief introduction.

ITEM #6	ADJOURNMENT
----------------	--------------------

M/Holmwig-Johnson, S/Stursa to adjourn the meeting.

The meeting was adjourned by unanimous consent at 7:21 p.m.

Motion carried: 7-0

Brendan Kennealy
Planning Commission Secretary

Submitted by:

Kari Sinning
City Clerk

AGENDA SECTION:	Other Business
AGENDA ITEM #	2.
CASE NO.:	Staff Report No. 18



PLANNING COMMISSION MEETING 7/25/2022

REPORT PREPARED BY: Melissa Poehlman, Community Development Director

COMMUNITY DEVELOPMENT DIRECTOR REVIEW: Melissa Poehlman, Community Development Director
7/18/2022

ITEM FOR COMMISSION CONSIDERATION:

Consider the 2024-2027 Capital Improvement Program and a finding of consistency with the Comprehensive Plan of the Capital Improvement Program and the 2023 Capital Improvement Budget.

EXECUTIVE SUMMARY:

Each year, the City Manager makes a recommendation to the City Council regarding the Capital Improvement Budget (CIB) for the upcoming year. The Planning Commission is responsible for reviewing the Capital Improvement Plan (CIP) and making a recommendation to the City Council. The Commission is also responsible for ensuring that the CIB and the CIP are consistent with the Comprehensive Plan.

City Manager Katie Rodriguez will present a summary and answer questions.

RECOMMENDED ACTION:

By motion:

1. **Recommend approval of the 2024-2027 Capital Improvement Program; and**
2. **Adopt a resolution finding that the 2023 Capital Improvement Budget and 2024-2027 Capital Improvement Program are consistent with the Comprehensive Plan.**

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT

None

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

- The Planning Commission is required by City Charter to prepare and recommend a CIP for inclusion in the annual budget message of the City Council.
- The Planning Commission is required by State Statute to review all proposed capital improvements within the City and make written findings to the City Council for consistency with the Comprehensive Plan.

C. CRITICAL TIMING ISSUES:

- The Council is scheduled to consider a preliminary budget and levy in September.

D. FINANCIAL IMPACT:

- The CIB/CIP are the City's immediate budget and five-year plan for making investments in publicly owned facilities and infrastructure.

E. LEGAL CONSIDERATION:

Discussed above

ALTERNATIVE RECOMMENDATION(S):

- Recommend rejection of the Capital Improvement Program.
- Reject the attached resolution finding that the Capital Improvement Program and Capital Improvement Budget are not consistent with the Comprehensive Plan.

PRINCIPAL PARTIES EXPECTED AT MEETING:

Katie Rodriguez, City Manager Kumud Verma, Finance Director

ATTACHMENTS:

Description		Type
▣	Resolution	Resolution Letter
▣	Final 2023 CIB & 2024-2027 CIP	Cover Memo
▣	State and Local Laws	Exhibit

RESOLUTION NO.

**RESOLUTION OF THE RICHFIELD PLANNING COMMISSION
FINDING THAT THE 2023 CAPITAL IMPROVEMENT BUDGET AND
2024-2027 CAPITAL IMPROVEMENT PROGRAM
ARE IN CONFORMANCE WITH THE COMPREHENSIVE PLAN**

WHEREAS, the Planning Commission has reviewed the Comprehensive Plan regarding the proposed capital improvements in the 2023 Capital Improvement Budget and 2024-2027 Capital Improvement Program; and

WHEREAS, the Planning Commission has found that the proposed capital improvements are consistent with the City's Comprehensive Plan,

NOW, THEREFORE BE IT RESOLVED, that the Planning Commission finds that the proposed capital improvements found in the 2023 Capital Improvement Budget and the 2024-2027 Capital Improvement Program are in conformance with the City's Comprehensive Plan.

Adopted this 25th day of July, 2022 by the Planning Commission of the City of Richfield, Minnesota.

Chairperson, Richfield Planning Commission

ATTEST:

Secretary, Richfield Planning Commission

2023
CAPITAL IMPROVEMENT BUDGET
&
2024-2027
CAPITAL IMPROVEMENT PROGRAM

2023 Capital Improvement Budget

PROJECT EXPENDITURE

RECREATION & OPEN SPACE

Donaldson Park Play Equipment	\$	110,000	R
Ice Arena Sign		40,000	R
Multi-Year Community Center/Wood Lake Building Repair		20,000	R
Multi-Year Ice Arena Repair		20,000	R
Multi-Year Park Maintenance		50,000	R
Multi-Year Park Maintenance/Wood Lake Fence Repair		15,000	R
Outdoor Pool Improvements		80,000	R
Skate Park Expansion		90,000	R
Skate Park Expansion		90,000	C
Wood Lake Nature Center Building		125,000	R

TOTAL REC. & OPEN SPACE	\$	640,000
------------------------------------	-----------	----------------

RIGHT OF WAY IMPROVEMENT

494 Project 1	\$	950,000	M
494 Project 1		350,000	FF
65th Street Reconstruction		2,000,000	UB
65th Street Reconstruction		3,100,000	B
65th Street Reconstruction		1,800,000	M
65th Street Reconstruction		1,100,000	F
71st St Safe Routes to School Sidewalk		173,000	S
71st St Safe Routes to School Sidewalk		44,000	FF
71st St Safe Routes to School Sidewalk		5,000	O
77th St Railroad Crossing Replacement		400,000	FF
77th Street Underpass		2,000,000	S
77th Street Underpass		1,000,000	M
77th Street Underpass		2,000,000	F
77th/Lyndale Traffic Signal Replacement		508,151	M
77th/Lyndale Traffic Signal Replacement		121,485	F
ADA Improvements		100,000	FF
HUB Redevelopment Participation		500,000	U
HUB Redevelopment Participation		70,000	FF
HUB Redevelopment Participation		500,000	O
Multi-Year Bicycle Improvements		40,000	FF
Multi-Year Pavement Management Program		541,600	FF
Multi-Year Pedestrian Improvements		40,000	FF
Nicollet Avenue Reconstruction		150,000	U
Rehabilitation of Stormwater Collection Mains		200,000	U
Rehabilitation of Stormwater Collection Manhole Structures		200,000	U
Sanitary Sewer Main Lining		800,000	U
Speed Limits Implementation		50,000	FF
Traffic Signal Controller Upgrades		50,000	M
Watermain Rehabilitation		200,000	U

TOTAL RIGHT-OF-WAY IMPROVEMENT	\$	18,993,236
---------------------------------------	-----------	-------------------

PUBLIC FACILITIES

Central Garage Equipment	\$	700,000	TL
City Wide Water Meter Upgrade		525,000	U
Lift Station #7 Ice Arena Cement Wall Extension & Cover		45,000	U
Lime Filter Press Rehabilitaion		90,000	U
Technology Equipment		160,100	TL
Water Treatment Plant-Education Center		50,000	U
Water Treatment Plant-Effluent Meter Upgrade		100,000	U
Water Treatment Plant-Network		50,000	U

Water Treatment Plant-Roof Replacement	1,000,000	U
--	-----------	---

TOTAL PUBLIC FACILITIES	\$ 2,720,100	
--------------------------------	---------------------	--

TOTAL USES OF FUNDS	\$ 22,353,336	
----------------------------	----------------------	--

ESTIMATED REVENUE BY SOURCE	
------------------------------------	--

(B) G.O. Improvement Bonds	3,100,000
----------------------------	-----------

(C) Hennepin County	90,000
---------------------	--------

(F) Federal Grant	3,221,485
-------------------	-----------

(FF) Franchise Fees	1,635,600
---------------------	-----------

(M) Municipal State Aid	4,308,151
-------------------------	-----------

(O) Other Funding	505,000
-------------------	---------

(R) Special Revenue	550,000
---------------------	---------

(RB) Referendum Bonds	-
-----------------------	---

(S) State	2,173,000
-----------	-----------

(TL) Tax Levy	860,100
---------------	---------

(U) User Fees	3,910,000
---------------	-----------

(UB) G.O. Utility Bonds	2,000,000
-------------------------	-----------

(X) Xcel Energy	-
-----------------	---

TOTAL FUNDING BY SOURCE	\$ 22,353,336
--------------------------------	----------------------

2024 Capital Improvement Plan

PROJECT EXPENDITURE		
RECREATION & OPEN SPACE		
Adams Hill Park Play Equipment	110,000	R
Fairwood Park Play Equipment	110,000	R
Multi-Year Community Center/Wood Lake Building Repair	20,000	R
Multi-Year Ice Arena Repair	20,000	R
Multi-Year Park Maintenance	50,000	R
Multi-Year Park Maintenance/Wood Lake Fence Repair	15,000	R
Outdoor Pool Improvements	65,000	R
Veterans Park Sign	35,000	R
Wood Lake Nature Center Building	125,000	R
TOTAL REC. & OPEN SPACE	\$ 550,000	
RIGHT OF WAY IMPROVEMENT		
ADA Improvements	200,000	FF
Multi-Year Bicycle Improvements	40,000	FF
Multi-Year Pavement Management Program	541,600	FF
Multi-Year Pedestrian Improvements	40,000	FF
Nicollet Avenue Reconstruction	540,000	U
Rehabilitation of Stormwater Collection Mains	200,000	U
Rehabilitation of Stormwater Collection Manhole Structures	200,000	U
Richfield Parkway RRFB Installation	300,000	FF
Sanitary Sewer Main Lining	900,000	U
Speed Limits Implementation	150,000	FF
Watermain Rehabilitation	200,000	U
TOTAL RIGHT-OF-WAY IMPROVEMENT	\$ 3,311,600	
PUBLIC FACILITIES		
Central Garage Equipment	\$ 721,000	TL
Taft Storage Site Improvements	75,000	U
Technology Equipment	164,900	TL
Water Treatment Plant-Education Center	100,000	U
Water Treatment Plant-Generator Fuel Tank	135,000	U
Water Treatment Plant-Network	50,000	U
Water Treatment Plant-Panel Board and VFD Replacement	90,000	U
TOTAL PUBLIC FACILITIES	\$ 1,335,900	
TOTAL USES OF FUNDS	\$ 5,197,500	
ESTIMATED REVENUE BY SOURCE		
(B) G.O. Improvement Bonds	\$ -	
(C) Hennepin County	\$ -	
(F) Federal Grant	\$ -	
(FF) Franchise Fees	\$ 1,271,600	
(M) Municipal State Aid	\$ -	
(O) Other Funding	\$ -	
(R) Special Revenue	\$ 550,000	
(RB) Referendum Bonds	\$ -	
(S) State	\$ -	
(TL) Tax Levy	\$ 885,900	
(U) User Fees	\$ 2,490,000	
(UB) G.O. Utility Bonds	\$ -	
(X) Xcel Energy	\$ -	
TOTAL FUNDING BY SOURCE	\$ 5,197,500	

2025 Capital Improvement Plan

PROJECT EXPENDITURE

RECREATION & OPEN SPACE

Heredia Park Play Equipment	110,000	R
Little Bob's Playground Equipment	110,000	R
Multi-Year Community Center/Wood Lake Building Repair	\$ 20,000	R
Multi-Year Ice Arena Repair	20,000	R
Multi-Year Park Maintenance	50,000	R
Multi-Year Park Maintenance/Wood Lake Fence Repair	20,000	R
Outdoor Pool Improvements	55,000	R
Outdoor Pool Improvements	2,820,000	RB
Tennis Court Rebuild/Repair	165,000	R
Wood Lake Nature Center Building	6,750,000	RB
Wood Lake Nature Center Building	3,000,000	F
Wood Lake Nature Center Building	10,000,000	S

TOTAL REC. & OPEN SPACE	\$ 23,120,000	
------------------------------------	----------------------	--

RIGHT OF WAY IMPROVEMENT

ADA Improvements	\$ 200,000	FF
Multi-Year Bicycle Improvements	40,000	FF
Multi-Year Pavement Management Program	541,600	FF
Multi-Year Pedestrian Improvements	40,000	FF
Nicollet Avenue Reconstruction	810,000	U
Rehabilitation of Stormwater Collection Mains	200,000	U
Rehabilitation of Stormwater Collection Manhole Structures	200,000	U
Sanitary Sewer Main Lining	900,000	U
T.H. 62 Noise Barrier West	250,000	M
Traffic Signal Replacements	260,000	M
Watermain Rehabilitation	200,000	U

TOTAL RIGHT-OF-WAY IMPROVEMENT	\$ 3,641,600	
---------------------------------------	---------------------	--

PUBLIC FACILITIES

Central Garage Equipment	\$ 742,600	TL
Technology Equipment	169,900	TL
Water Treatment Plant-Education Center	500,000	U
Water Treatment Plant-Network	50,000	U

TOTAL PUBLIC FACILITIES	\$ 1,462,500	
--------------------------------	---------------------	--

TOTAL USES OF FUNDS	\$ 28,224,100	
----------------------------	----------------------	--

ESTIMATED REVENUE BY SOURCE

(B) G.O. Improvement Bonds	\$ -
(C) Hennepin County	\$ -
(F) Federal Grant	\$ 3,000,000

(FF) Franchise Fees	\$	821,600
(M) Municipal State Aid	\$	510,000
(O) Other Funding	\$	-
(R) Special Revenue	\$	550,000
(RB) Referendum Bonds	\$	9,570,000
(S) State	\$	10,000,000
(TL) Tax Levy	\$	912,500
(U) User Fees	\$	2,860,000
(UB) G.O. Utility Bonds	\$	-
(X) Xcel Energy	\$	-
TOTAL FUNDING BY SOURCE		\$ 28,224,100

2026 Capital Improvement Plan

	PROJECT EXPENDITURE	
RECREATION & OPEN SPACE		
Donaldson Park Building Renovation	400,000	R
Multi-Year Community Center/Wood Lake Building Repair	\$ 20,000	R
Multi-Year Ice Arena Repair	20,000	R
Multi-Year Park Maintenance	50,000	R
Multi-Year Park Maintenance/Wood Lake Fence Repair	20,000	R
Tennis Court Rebuild/Repair	40,000	R
TOTAL REC. & OPEN SPACE	\$ 550,000	
RIGHT OF WAY IMPROVEMENT		
69th St Emergency Water Interconnect/Street Recon	\$ 6,000,000	UB
69th St Emergency Water Interconnect/Street Recon	2,000,000	B
73rd St Bridge and Bikeways	3,700,000	O
73rd St Bridge and Bikeways	5,500,000	F
73rd St Safe Routes to School Trail	635,000	F
73rd St Safe Routes to School Trail	175,000	FF
77th St Pavement Maintenance	700,000	M
ADA Improvements	200,000	FF
Multi-Year Bicycle Improvements	40,000	FF
Multi-Year Pavement Management Program	541,600	FF
Multi-Year Pedestrian Improvements	40,000	FF
Nicollet Avenue Reconstruction	500,000	U
Nicollet Avenue Reconstruction	3,635,000	B
Rehabilitation of Stormwater Collection Mains	200,000	U
Sanitary Sewer Main Lining	900,000	U
Traffic Signal Replacements	275,000	M
Watermain Rehabilitation	500,000	U
TOTAL RIGHT-OF-WAY IMPROVEMENT	\$ 25,541,600	
PUBLIC FACILITIES		
Central Garage Equipment	764,900	TL
Technology Equipment	175,000	TL
Water Treatment Plant-Network	50,000	U
Fuel/Salt Storage Facility	1,300,000	B
TOTAL PUBLIC FACILITIES	\$ 2,289,900	
TOTAL USES OF FUNDS	\$ 28,381,500	
(B) G.O. Improvement Bonds	\$ 6,935,000	

(C) Hennepin County	\$	-
(F) Federal Grant	\$	6,135,000
(FF) Franchise Fees	\$	996,600
(M) Municipal State Aid	\$	975,000
(O) Other Funding	\$	3,700,000
(R) Special Revenue	\$	550,000
(RB) Referendum Bonds	\$	-
(S) State	\$	-
(TL) Tax Levy	\$	939,900
(U) User Fees	\$	2,150,000
(UB) G.O. Utility Bonds	\$	6,000,000
(X) Xcel Energy	\$	-

TOTAL FUNDING BY SOURCE

\$ 28,381,500

2027 Capital Improvement Plan

	PROJECT EXPENDITURE	
RECREATION & OPEN SPACE		
Multi-Year Community Center/Wood Lake Building Repair	\$ 20,000	R
Multi-Year Ice Arena Repair	20,000	R
Multi-Year Park Maintenance	50,000	R
Multi-Year Park Maintenance/Wood Lake Fence Repair	20,000	R
Tennis Court Rebuild/Repair	40,000	R
Washington Park Building/Picnic Shelter	400,000	R
TOTAL REC. & OPEN SPACE	\$ 550,000	
70th Street Reconstruction	3,375,000	UB
70th Street Reconstruction	125,000	X
ADA Improvements	200,000	FF
Multi-Year Bicycle Improvements	40,000	FF
Multi-Year Pavement Management Program	541,600	FF
Multi-Year Pedestrian Improvements	40,000	FF
Nicollet Avenue Reconstruction	1,065,000	B
Rehabilitation of Stormwater Collection Mains	200,000	U
Sanitary Sewer Main Lining	900,000	U
Watermain Rehabilitation	500,000	U
TOTAL RIGHT-OF-WAY IMPROVEMENT	\$ 6,986,600	
PUBLIC FACILITIES		
Central Garage Equipment	787,800	TL
Technology Equipment	180,300	TL
Water Treatment Plant-Network	50,000	U
TOTAL PUBLIC FACILITIES	\$ 1,018,100	
TOTAL USES OF FUNDS	\$ 8,554,700	
ESTIMATED REVENUE BY SOURCE		
(B) G.O. Improvement Bonds	\$ 1,065,000	
(C) Hennepin County	\$ -	
(F) Federal Grant	\$ -	
(FF) Franchise Fees	\$ 821,600	
(M) Municipal State Aid	\$ -	
(O) Other Funding	\$ -	
(R) Special Revenue	\$ 550,000	
(RB) Referendum Bonds	\$ -	
(S) State	\$ -	
(TL) Tax Levy	\$ 968,100	
(U) User Fees	\$ 1,650,000	
(UB) G.O. Utility Bonds	\$ 3,375,000	
(X) Xcel Energy	\$ 125,000	
TOTAL FUNDING BY SOURCE	\$ 8,554,700	

Capital Improvement Plan - Beyond 2027

	PROJECT EXPENDITURE	
RECREATION & OPEN SPACE		
Multi-Year Community Center/Wood Lake Building Repair	\$ 20,000	R
Multi-Year Ice Arena Repair	20,000	R
Multi-Year Park Maintenance	50,000	R
Multi-Year Park Maintenance/Wood Lake Fence Repair	20,000	R
Tennis Court Rebuild/Repair	40,000	R
Ice Arena Roof, Desiccant, Fascia	1,370,000	R
Nicollet Park Building/Picnic Shelter	400,000	R
TOTAL REC. & OPEN SPACE	\$ 1,920,000	
ADA Improvements	200,000	FF
Multi-Year Bicycle Improvements	40,000	FF
Multi-Year Pavement Management Program	541,600	FF
Multi-Year Pedestrian Improvements	40,000	FF
Rehabilitation of Stormwater Collection Mains	1,000,000	U
Sanitary Sewer Main Lining	900,000	U
Watermain Rehabilitation	18,400,000	U
Traffic Signal Improvements	2,285,000	M
76th Street West Reconstruction	3,000,000	UB
76th Street West Reconstruction	1,770,000	B
76th Street West Reconstruction	2,230,000	F
76th Street West Reconstruction	1,000,000	X
Bloomington Ave and Diagonal Blvd	1,500,000	M
Bloomington Ave and Richfield Pkwy	1,500,000	M
Humboldt Ave/Lakeshore Drive Recon.	3,100,000	UB
Humboldt Ave/Lakeshore Drive Recon.	6,000,000	B
North Lyndale Ave Reconstruction	3,000,000	M
Penn Avenue Reconstruction	2,500,000	UB
Penn Avenue Reconstruction	3,250,000	B
TH62 Noise Barrier East	85,000	M
TOTAL RIGHT-OF-WAY IMPROVEMENT	\$ 52,341,600	
PUBLIC FACILITIES		
Central Garage Equipment	811,400	TL
Technology Equipment	185,700	TL
Roof Replacement of Well Houses	85,000	U
TOTAL PUBLIC FACILITIES	\$ 1,082,100	
TOTAL USES OF FUNDS	\$ 55,343,700	
ESTIMATED REVENUE BY SOURCE		
(B) G.O. Improvement Bonds	\$ 11,020,000	
(C) Hennepin County	\$ -	
(F) Federal Grant	\$ 2,230,000	
(FF) Franchise Fees	\$ 821,600	
(M) Municipal State Aid	\$ 8,370,000	
(O) Other Funding	\$ -	
(R) Special Revenue	\$ 1,920,000	
(RB) Referendum Bonds	\$ -	
(S) State	\$ -	
(TL) Tax Levy	\$ 997,100	

(U) User Fees	\$ 20,385,000
(UB) G.O. Utility Bonds	\$ 8,600,000
(X) Xcel Energy	\$ 1,000,000

TOTAL FUNDING BY SOURCE	\$ 55,343,700
--------------------------------	----------------------

2023 CIB 2024 - 2027 CAPITAL IMPROVEMENT PLAN - CITY OF RICHFIELD, MINNESOTA

PROJECTS	CIB		2023		2024		2025		2026		2027	
RECREATION												
OPEN SPACE DEVELOPMENT												
23-Donaldson Park Play Equipment	110,000	R										
23-Ice Arena Sign	40,000	R										
23-Multi-Year Community Center Building Repair	20,000	R		20,000	R	20,000	R	20,000	R	20,000	R	
23-Multi-Year Ice Arena Repair	20,000	R		20,000	R	20,000	R	20,000	R	20,000	R	
23-Multi-Year Park Maintenance	50,000	R		50,000	R	50,000	R	50,000	R	50,000	R	
23-Multi-Year Wood Lake Building and Fence Repair	15,000	R		15,000	R	20,000	R	20,000	R	20,000	R	
23-Outdoor Pool Improvements	80,000	R		65,000	R	55,000	R					
23-Outdoor Pool Improvements	-			-		2,820,000	RB					
23-Skate Park Expansion	90,000	R										
23-Skate Park Expansion	90,000	C										
23-Wood Lake Nature Center Building	125,000	R		125,000	R							
23-Wood Lake Nature Center Building						6,750,000	RB					
23-Wood Lake Nature Center Building						3,000,000	F					
23-Wood Lake Nature Center Building						10,000,000	S					
24-Adams Hill Park Play Equipment				110,000	R							
24-Fairwood Park Play Equipment				110,000	R							
24-Veterans Park Sign				35,000	R							
25-Heredia Park Play Equipment						110,000	R					
25-Little Bob's Park Play Equipment						110,000	R					
25-Tennis Court Rebuild/Repair						165,000	R	40,000	R	40,000	R	
26-Donaldson Park Building Renovation								400,000	R			
27-Washington Park Building/Picnic Shelter										400,000	R	
Ice Arena Roof, Desiccant, Fascia												
Nicollet Park Building/Picnic Shelter												
TOTAL RECREATION & OPEN SPACE	640,000			550,000		23,120,000		550,000		550,000		
C) County	90,000			-		-		-		-		
(F) Federal Grant	-			-		3,000,000		-		-		
(OR) Other Recreation Funding	-			-		-		-		-		
(R) Special Revenue	550,000			550,000		550,000		550,000		550,000		
(RB) Referendum Bonds	-			-		9,570,000		-		-		
(S) State	-			-		10,000,000		-		-		
TOTAL FUNDING BY SOURCE	640,000			550,000	-	23,120,000	-	550,000	-	550,000	-	

PROJECTS	CIB		2023		2024		2025		2026		2027	
RIGHT OF WAY IMPROVEMENTS												
23-494 Project 1	950,000	M										
23-494 Project 1	350,000	FF										
23-65th Street Reconstruction	2,000,000	UB										
23-65th Street Reconstruction	3,100,000	B										
23-65th Street Reconstruction	1,800,000	M										
23-65th Street Reconstruction	1,100,000	F										
23-71st St Safe Routes to School Sidewalk	173,000	S										
23-71st St Safe Routes to School Sidewalk	44,000	FF										
23-71st St Safe Routes to School Sidewalk	5,000	O										
23-77th St Railroad Crossing Replacement	400,000	FF										
23-77th Street Underpass	1,000,000	M										
23-77th Street Underpass	2,000,000	F										
23-77th Street Underpass	2,000,000	S										
23-77th/Lyndale Traffic Signal Replacement	508,151	M										
23-77th/Lyndale Traffic Signal Replacement	121,485	F										
23-ADA Improvements	100,000	FF		200,000	FF	200,000	FF	200,000	FF	200,000	FF	
23-HUB Redevelopment Participation	500,000	U										
23-HUB Redevelopment Participation	70,000	FF										
23-HUB Redevelopment Participation	500,000	O										
23-Multi-Year Bicycle Improvements	40,000	FF		40,000	FF	40,000	FF	40,000	FF	40,000	FF	
23-Multi-Year Pavement Management Program	541,600	FF		541,600	FF	541,600	FF	541,600	FF	541,600	FF	
23-Multi-Year Pedestrian Improvements	40,000	FF		40,000	FF	40,000	FF	40,000	FF	40,000	FF	
23-Nicollet Avenue Reconstruction	150,000	U		540,000	U	810,000	U	500,000	U			
23-Nicollet Avenue Reconstruction								3,635,000	B	1,065,000	B	
23-Rehabilitation of Stormwater Collection Mains	200,000	U		200,000	U	200,000	U	200,000	U	200,000	U	
23-Rehabilitation of Stormwater Collection Manhole Structures	200,000	U		200,000	U	200,000	U					
23-Sanitary Sewer Main Lining	800,000	U		900,000	U	900,000	U	900,000	U	900,000	U	
23-Speed Limit Implementation	50,000	FF		150,000	FF							
23-Traffic Signal Controller Upgrades	50,000	M										
23-Watermain Rehabilitation	200,000	U		200,000	U	200,000	U	500,000	U	500,000	U	
24-Richfield Parkway RRFB Installation				300,000	FF							
25-T.H. 62 Noise Barrier West				-		250,000	M					-
25-Traffic Signal Replacements				-		260,000	M	275,000	M			
26-69th Emergency Water Interconnect/Street Recon								6,000,000	UB			
26-69th Emergency Water Interconnect/Street Recon								2,000,000	B			
26-73rd St Bridge and Bikeways								3,700,000	O			
26-73rd St Bridge and Bikeways								5,500,000	F			
26-73rd Street Safe Routes to School Trail								635,000	F			
26-73rd Street Safe Routes to School Trail								175,000	FF			

2023 CIB 2024 - 2027 CAPITAL IMPROVEMENT PLAN - CITY OF RICHFIELD, MINNESOTA

26-77th Street Pavement Maintenance				700,000	M		
70th Street Reconstruction						3,375,000	UB
70th Street Reconstruction						125,000	X
76th Street West Reconstruction							
76th Street West Reconstruction							
76th Street West Reconstruction							
76th Street West Reconstruction							
Bloomington Ave and Diagonal Blvd							
Bloomington Ave and Richfield Pkwy							
Humboldt Ave/Lakeshore Drive Recon.							
Humboldt Ave/Lakeshore Drive Recon.							
North Lyndale Ave Reconstruction							
Penn Avenue Reconstruction	-	-	-	-	-	-	-
Penn Avenue Reconstruction							
TH62 Noise Barrier East							

	18,993,236	3,311,600	3,641,600	25,541,600	6,986,600
(B) G.O. Improvement Bonds	3,100,000	-	-	5,635,000	1,065,000
(C) Hennepin County	-	-	-	-	-
(F) Federal Grant	3,221,485	-	-	6,135,000	-
(FF) Franchise Fees	1,635,600	1,271,600	821,600	996,600	821,600
(M) Municipal State Aid	4,308,151	-	510,000	975,000	-
(O) Other	505,000	-	-	3,700,000	-
(S) State	2,173,000	-	-	-	-
(U) User Fees	2,050,000	2,040,000	2,310,000	2,100,000	1,600,000
(UB) G.O. Utility Bonds	2,000,000	-	-	6,000,000	3,375,000
(X) Xcel Energy	-	-	-	-	125,000
TOTAL FUNDING BY SOURCE	18,993,236	3,311,600	3,641,600	25,541,600	6,986,600

PROJECTS

CIB

	2023		2024		2025		2026		2027
<u>PUBLIC FACILITIES</u>									
23-Central Garage Equipment	700,000	TL	721,000	TL	742,600	TL	764,900	TL	787,800 TL
23-City Wide Water Meter Upgrade	525,000	U							
23-Lift Station #7 Ice Arena Cement wall extension & cover	45,000	U							
23-Lime Filter Press Rehabilitation	90,000	U							
23-Technology Replacement	160,100	TL	164,900	TL	169,900	TL	175,000	TL	180,300 TL
23-Water Treatment Plant-Education Center	50,000	U	100,000	U	500,000	U			
23-Water Treatment Plant-Effluent Meter Upgrade	100,000	U							
23-Water Treatment Plant-Network	50,000	U	50,000	U	50,000	U	50,000	U	50,000 U
23-Water Treatment Plant-Roof Replacement	1,000,000	U							
24-Taft Storage Site Improvements			75,000	U					
24-Water Treatment Plant-Generator Fuel Tank			135,000	U					
24-Water Treatment Plant-Panel Board and VFD Replacement			90,000	U					
26-Fuel/Salt Storage Facility							1,300,000	B	
Roof Replacement of Well Houses									
TOTAL PUBLIC FACILITIES	2,720,100		1,335,900		1,462,500		2,289,900		1,018,100

(B) G.O. Bonds	-	-	-	-	1,300,000	-
(O) Other Funding	-	-	-	-	-	-
(TL) Tax Levy	860,100	885,900	912,500	939,900	968,100	
(U) User Fees	1,860,000	450,000	550,000	50,000	50,000	
TOTAL FUNDING BY SOURCE	2,720,100	1,335,900	1,462,500	2,289,900	1,018,100	

SUMMARY PROJECTS

Recreation/Open Space Development	640,000	550,000	23,120,000	550,000	550,000
Right of Way Improvements	18,993,236	3,311,600	3,641,600	25,541,600	6,986,600
Public Facilities	2,720,100	1,335,900	1,462,500	2,289,900	1,018,100
TOTAL CAPITAL PROJECTS	22,353,336	5,197,500	28,224,100	28,381,500	8,554,700

(B) G.O. Improvement Bonds	3,100,000	-	-	6,935,000	1,065,000
(C) Hennepin County	90,000	-	-	-	-
(F) Federal Grant	3,221,485	-	3,000,000	6,135,000	-
(FF) Franchise Fees	1,635,600	1,271,600	821,600	996,600	821,600
(M) Municipal State Aid	4,308,151	-	510,000	975,000	-
(O) Other Funding	505,000	-	-	3,700,000	-
(R) Special Revenue	550,000	550,000	550,000	550,000	550,000
(RB) Referendum Bonds	-	-	9,570,000	-	-
(S) State	2,173,000	-	10,000,000	-	-
(TL) Tax Levy	860,100	885,900	912,500	939,900	968,100
(U) User Fees	3,910,000	2,490,000	2,860,000	2,150,000	1,650,000
(UB) G.O. Utility Bonds	2,000,000	-	-	6,000,000	3,375,000
(X) Xcel Energy	-	-	-	-	125,000
TOTAL FUNDING SOURCES	22,353,336	5,197,500	28,224,100	28,381,500	8,554,700

* Total CIP costs do not include any project costs reflected in the 2022 CIB.

CHAPTER 7
RICHFIELD CITY CODE

TAXATION AND FINANCES

Section 7.05. Preparation and Submission of Annual Budget.

At a special budget meeting of the Council on or before September 15, the City Manager must submit to the Council a proposed budget and a budget message in the form and containing the information specified in Section 7.06. In preparing the budget and the budget message, the Manager must obtain from City department heads information regarding (i) proposed expenditures for the ensuing fiscal year, and (ii) capital projects and capital expenditures proposed to be undertaken in the ensuing budget year and in the following four fiscal years. The Council must hold one or more informational meetings on the proposed budget at which the public may provide comments and may thereafter revise the proposed expenditures and capital projects contained in the proposed budget document.

(Amended, Bill 1990-13; Bill No. 2003-23)

Section 7.06. Form of Annual Budget.

Subdivision 1. The budget must contain a financial plan for the ensuing fiscal year. The financial plan must include: (i) a budget message, (ii) a general summary of the financial plan, (iii) estimates of revenues applicable to proposed expenditures, and, (iv) proposed expenditures. Proposed expenditures may not exceed proposed revenues. Proposed expenditures for the general and special revenue funds must (i) be listed by organization, unit or activity, and (ii) be in parallel columns opposite the major and minor object of the expenditure showing the amount of expenditure for the last fiscal year, the amount estimated for the current fiscal year and the proposed expenditure for the ensuing fiscal year. The revenues attributable to each general and special fund must be presented in a similar manner. The statement of revenues must include the source of and amount of miscellaneous revenues, the amount of surplus of prior fiscal year revenues, and the amount of revenues raised by property taxes in the prior fiscal year and estimated to be raised in the current fiscal year.

(Amended, Bill 1990-13; Bill No. 2003-23)

Subd. 2. The Budget Message. The budget message may be submitted by the Manager as a separate document but it must accompany the budget. The message must contain the following elements:

(Amended, Bill No. 2003-23)

- (i) Current operations. The budget message must explain the budget. The message must contain an outline of the proposed financial position of the City for the ensuing fiscal year and the important features of the financial plan of the City. The message must give reasons for major changes in expenditures and revenues from the prior fiscal year and explain the rationale for major changes, if any, from previous financial policies of the City.

(Amended, Bill 2003-23)

- (ii) Capital Improvements. The message must contain a description of pending and proposed capital projects together with estimates of the costs of those projects and the sources of funds to be used to pay for them.

(Amended, Bill 2003-23)

- (iii) Capital Program. The message must contain, or have attached to it, a Capital Project Plan for the four fiscal years following the fiscal year of the budget. The Capital Project Plan is to be prepared by the

Manager after consultation with the department heads and any informational meetings conducted under Section 7.05.

(Amended, Bill 1990-13; Bill No. 2003-23)

- (iv) Miscellaneous. The Manager must attach to or include in the budget message supporting schedules, exhibits and other data believed by the Manager to be appropriate and informative.

(Amended, Bill No. 2003-23)

462.356 PROCEDURE TO EFFECT PLAN: GENERALLY.

Subdivision 1. Recommendations for plan execution.

Upon the recommendation by the planning agency of the comprehensive municipal plan or sections thereof, the planning agency shall study and propose to the governing body reasonable and practicable means for putting the plan or section of the plan into effect. Subject to the limitations of the following sections, such means include, but are not limited to, zoning regulations, regulations for the subdivision of land, an official map, a program for coordination of the normal public improvements and services of the municipality, urban renewal and a capital improvements program.

Subd. 2. Compliance with plan.

After a comprehensive municipal plan or section thereof has been recommended by the planning agency and a copy filed with the governing body, no publicly owned interest in real property within the municipality shall be acquired or disposed of, nor shall any capital improvement be authorized by the municipality or special district or agency thereof or any other political subdivision having jurisdiction within the municipality until after the planning agency has reviewed the proposed acquisition, disposal, or capital improvement and reported in writing to the governing body or other special district or agency or political subdivision concerned, its findings as to compliance of the proposed acquisition, disposal or improvement with the comprehensive municipal plan. Failure of the planning agency to report on the proposal within 45 days after such a reference, or such other period as may be designated by the governing body shall be deemed to have satisfied the requirements of this subdivision. The governing body may, by resolution adopted by two-thirds vote dispense with the requirements of this subdivision when in its judgment it finds that the proposed acquisition or disposal of real property or capital improvement has no relationship to the comprehensive municipal plan.

AGENDA SECTION:	Other Business
AGENDA ITEM #	3.
CASE NO.:	Staff Report No. 19



PLANNING COMMISSION MEETING 7/25/2022

REPORT PREPARED BY: Nellie Jerome, Assistant Planner

COMMUNITY DEVELOPMENT DIRECTOR REVIEW: Melissa Poehlman, Community Development Director
7/18/2022

ITEM FOR COMMISSION CONSIDERATION:

Consideration of a resolution finding that the conveyance of real property located at 1710 - 78th Street East from the City to the Housing and Redevelopment Authority is in conformance with the Comprehensive Plan.

EXECUTIVE SUMMARY:

The property at 1710 - 78th Street East was purchased by the City of Richfield in 2000 to facilitate construction of the 77th Street underpass. It was unclear at the time exactly how much of the parcel would be needed in that construction. Now that it has been determined, staff is recommending that the remnant parcel be conveyed to the Housing and Redevelopment Authority (HRA) to facilitate redevelopment of the property, along with 1600 and 1620 - 78th Street East. One of the primary purposes of a City's HRA is to purchase and sell properties for redevelopment. State Statutes have established a more streamlined process for HRAs (versus Cities) to act in this capacity.

Conveyance of property by the City to the HRA requires a finding of consistency with the Comprehensive Plan. Staff believes the purchase of this property is consistent with 2040 Comprehensive Plan which designates the property as Regional Commercial.

RECOMMENDED ACTION:

By motion: Approve a resolution finding that the conveyance of real property located at 1710 - 78th Street East to the Housing and Redevelopment Authority is in conformance with the Comprehensive Plan.

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT

- See Executive Summary

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

- The conveyance to the HRA requires that the Planning Commission consider whether or not the action is consistent with the City's Comprehensive Plan.
- The Comprehensive Plan designates this property as Regional Commercial.
- Conveying this property to the HRA offers the HRA the opportunity to direct redevelopment in a manner that is consistent with public investments in this area.

C. CRITICAL TIMING ISSUES:

- The HRA is tentatively scheduled to authorize this acquisition on August 15, 2022.

D. FINANCIAL IMPACT:

- The HRA budget anticipates occasional acquisitions (and related demolitions) such as this, and there is available funding.
- If authorized, the property will be conveyed for a fee of \$1.00. The fee is a contractual requirement.

E. LEGAL CONSIDERATION:

- HRA legal counsel has advised this action.
- Chapter 462 of Minnesota State Statutes requires that whenever any public agency buys or sells property within the City, the Planning Commission must review the acquisition/disposition for consistency with the City's Comprehensive Plan

ALTERNATIVE RECOMMENDATION(S):

- Reject the proposed resolution and find that the proposed acquisition is not consistent with the Comprehensive Plan.

PRINCIPAL PARTIES EXPECTED AT MEETING:

N/A

ATTACHMENTS:

Description		Type
□	Resolution	Resolution Letter
□	Zoning Map	Backup Material

RESOLUTION NO. _____

**RESOLUTION OF THE RICHFIELD PLANNING COMMISSION
FINDING THAT THE CONVEYANCE OF REAL PROPERTY
LOCATED AT 1710 - 78TH STREET EAST
TO THE RICHFIELD HRA IS IN CONFORMANCE
WITH THE COMPREHENSIVE PLAN**

WHEREAS, the Planning Commission has reviewed the Comprehensive Plan regarding the conveyance of real property located at 1710 – 78th Street East and legally described as follows:

That part of the N 180 26/100 ft. of S 1/2 of SE 1/4 of SE 1/4 lying E of the W 722 ft. thof ex road and hwy. UNPLATTED 35 028 24.

WHEREAS, the Planning Commission has found that the conveyance of the property to the Richfield Housing and Redevelopment Authority (HRA) would be consistent with the Richfield Comprehensive Plan;

NOW THEREFORE, BE IT RESOLVED, that the Planning Commission finds that the conveyance of the above described property to the HRA is in conformance with the Richfield Comprehensive Plan.

Adopted this 25th day of July, 2022, by the Planning Commission of the City of Richfield, Minnesota.

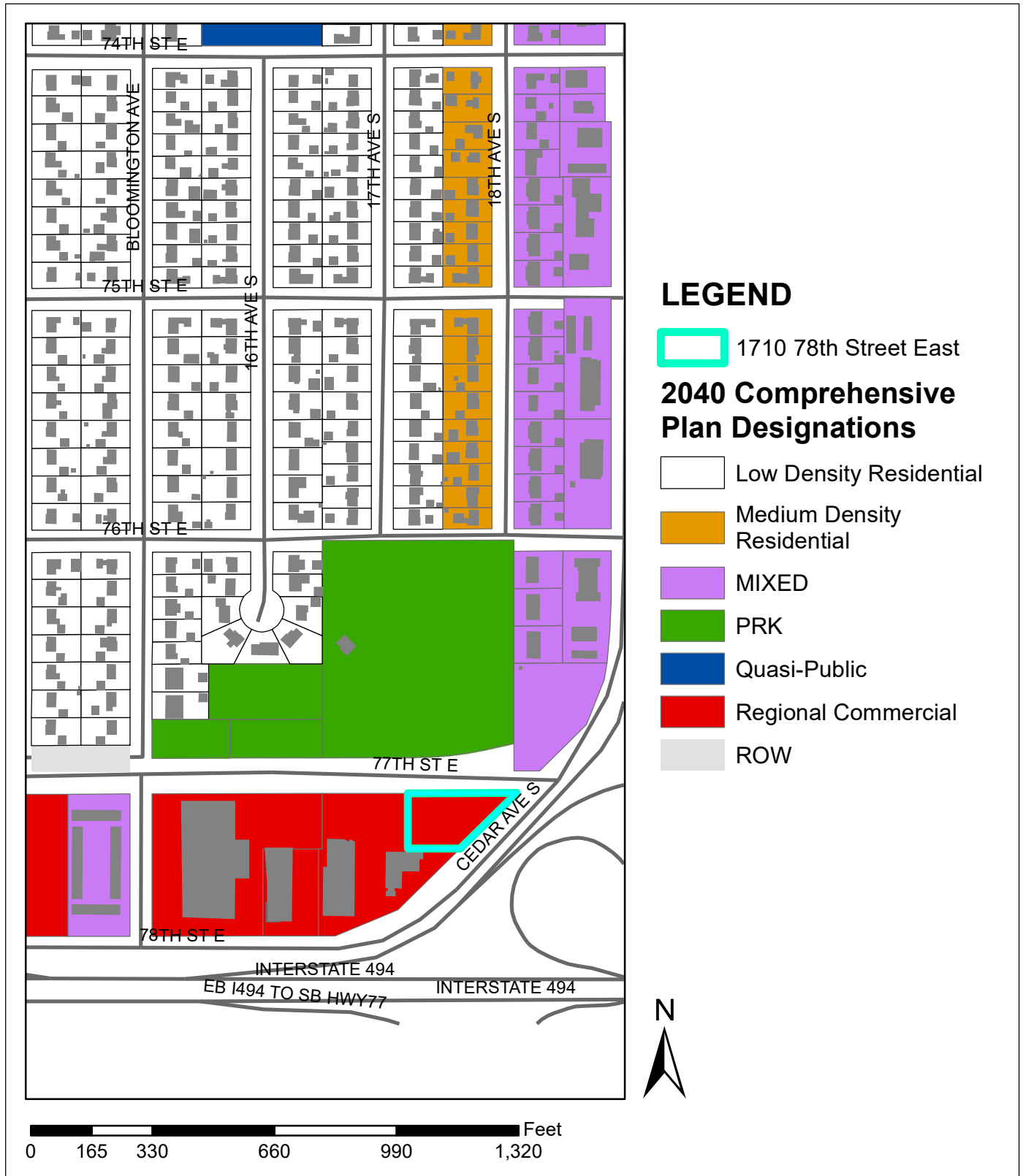
Chairperson, Richfield Planning Commission

ATTEST:

Secretary, Richfield Planning Commission

1710 78th St E

Finding of Consistency 07/2022





PLANNING COMMISSION MEETING

7/25/2022

REPORT PREPARED BY: Lance Bernard, Consulting Planner

COMMUNITY DEVELOPMENT DIRECTOR REVIEW: Melissa Poehlman, Community Development Director
7/15/2022

ITEM FOR COMMISSION CONSIDERATION:

Conduct a public hearing to consider updates to the City's Zoning Code subsection that regulates fences, walls, and hedges.

EXECUTIVE SUMMARY:

City Staff is proposing updates to the fence regulations (Section 509.15) in the City's Zoning Code to incorporate the following:

- General provisions that define "good neighbor" standards that require the finished side of an erected fence to face the adjacent property.
- Modified height requirements for corner lots.
- Special fence exceptions for through lots that possess unique and special circumstances that make it impractical to meet the zoning requirements.

RECOMMENDED ACTION:

Conduct and close a public hearing and by motion: Recommend approval of ordinance amendments to the City's Zoning Code to incorporate general provisions; modified height requirements for corner lots; and a special fence exception for through lots.

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT

- Good Neighbor Standards: Section 509.15 does not contain general provisions that define "good neighbor" standards that require the finished side of an erected fence to face away from the center of the property. These standards are commonly used to help ensure the more attractive or finished side of the fence faces the adjacent property. The property owner building the fence has the view of the rails and posts from inside their yard. The City uses these standards, and they are included in a fence handout, but they have not been included as a requirement in the City Code.
- Height Requirements: The proposed Zoning Code amendments will apply to corner lots. Staff is recommending height limits to not exceed four (4) feet along the corner side yard. The fence height may be increased to six (6) feet if it is located behind the principal building and set back at a half-way point between the side corner setback. An image is included in the attached ordinance to help the public to understand the regulation.
- The purpose for this amendment is to help ensure fence heights are constructed at a reasonable height along roadways without negatively impacting the corridor's character and visibility angles. It is also intended to improve the pedestrian and bicyclist experience by creating recognizable

corridors that are more comfortable to travel on. Fences that are greater than four (4) feet in height can have a negative impact on the corridor's aesthetics and feel.

- **Special Fence Exceptions:** City staff recognizes there may be unique and special circumstances that make it impractical for a through lot to meet the fence requirements. The proposed amendments will provide the option for a property owner to apply for a special exception. The applicant will need to demonstrate the unique and special circumstances that warrant a special exception, in addition to demonstrating that the proposed improvements are reasonable and do not negatively impact the neighborhood's aesthetics. Special exceptions will be processed administratively and require a \$250 application fee. The Community Development Director will be responsible for approving or denying special exceptions to the Zoning Code. Appeals are available per Code Section 547.

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

- The proposed Zoning Code amendments are in alignment with the City's Comprehensive Plan's goals and policies. Examples include:
 - Maintain and enhance the "urban hometown" character of Richfield.
 - Develop identifiable nodes, corridors and gateways throughout Richfield.
 - Improve pedestrian and bicycle travel in the City.
 - Establish a land use pattern and supporting infrastructure that preserves and enhances the ability of residents to make personal connections in their neighborhoods.
 - Maintain and provide quality amenities and a safe living environment.
 - Improve gateways to create a visual means of welcoming people to the City.
 - Embrace the City's Complete Streets Policy.

C. CRITICAL TIMING ISSUES:

- None.

D. FINANCIAL IMPACT:

- None.

E. LEGAL CONSIDERATION:

- Notice of the public hearing was published in the Sun Current newspaper on July 14, 2022.
- Council consideration of these applications has been tentatively scheduled for August 9 and September 13, 2022.

ALTERNATIVE RECOMMENDATION(S):

- Recommend approval of the text amendment with additional and/or modified stipulations.
- Recommend denial of the text amendment with a finding that the proposal does not meet City requirements.

PRINCIPAL PARTIES EXPECTED AT MEETING:

N/A

ATTACHMENTS:

Description	Type
□ Draft Fence Ordinance	Ordinance

BILL NO. _____

**AN ORDINANCE AMENDMENT MODIFYING THE ZONING CODE
IN RELATION TO FENCES WALLS AND HEDGES**

THE CITY OF RICHFIELD DOES ORDAIN:

Section 1. Subsection 509.15, "Fences, Walls and hedges"; Subsection 547, "Administration"; and Appendix D, "License, Permit and Miscellaneous Fees", of the Richfield Zoning Code, is hereby amended to read as follows:

509.15. - Fences, walls, and hedges.

Subdivision 1. General rule. A fence, wall, or hedge may occupy a lot as provided in this subsection.

Subd. 2. Definitions.

- a) "Hedge." A row of shrubbery which forms or is intended to form a barrier.
- b) "Wall." This term includes retaining walls, freestanding walls, and decorative or privacy walls.
- c) "Height of fence." Fence height is measured to include the body of the fence, plus allowing a maximum of six (6) inches (on average between posts) above the natural grade (i.e., for drainage purposes). Fence posts are permitted to extend a maximum of six (6) inches above the body of the fence.

(Amended, Bill No. 2014-4)

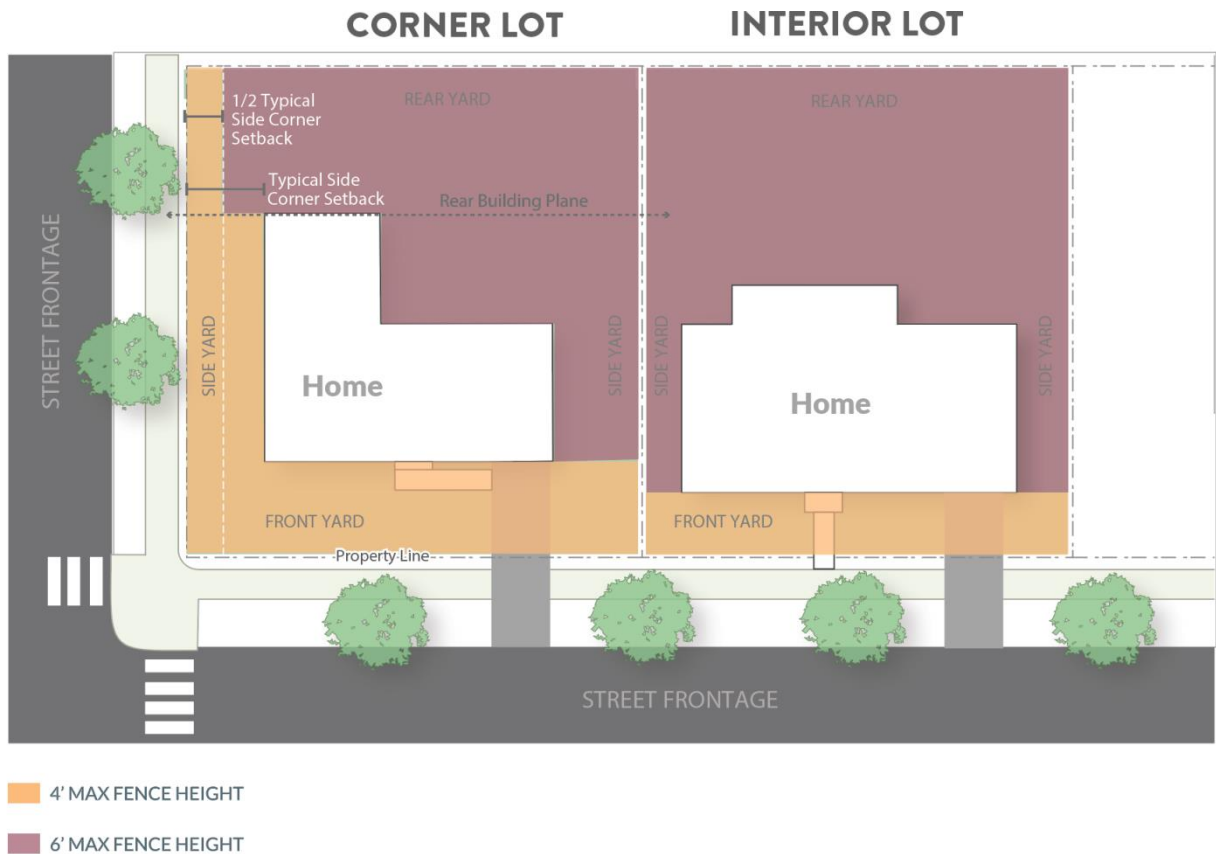
Subd. 3 General Provisions

- a) **All fences, walls, and hedges shall be maintained and kept safe and in a state of good repair.**
- b) **Fences and walls erected shall be erected with the finished side facing away from the center of the property.**
Provisions shall be made for gates or openings to provide access maintenance where necessary, such as through lots.

Subd. ~~34~~. Height.

- a) No fence, wall, or hedge more than four (4) feet in height shall be constructed or permitted to grow forward of the front line of the principal building extended to the side lot lines;
- b) **On corner lots, fences located in the required side yard shall not exceed four (4) feet in height. The fence height may be increased to six (6) feet behind the rear plane of the principal building at a point halfway between the property line and the required corner side setback.**
- c) No fence or wall more than six (6) feet in height shall be constructed elsewhere on the lot; ~~except that in "C-2" and "I" districts the maximum height shall be eight (8) feet. A building permit shall be required for fences and walls over six (6) feet in height;~~ and
- d) Whenever a fence and wall are used in combination, or placed upon a berm, the combined height shall not exceed the permitted heights outlined in the paragraphs ~~a) and b)~~ above. For

the purposes of this clause, fences placed within three (3) feet of a berm or wall shall be considered to be used "in combination" with said berm or wall (Amended, Bill No. 2011-13).



Subd. 45. Corner lots. Fences, walls, and hedges located on any corner lot are subject to the traffic visibility requirements described in subsection 925.01 of the City Code.

Subd. 56. Setback requirement. Fences, walls, and hedges located along a right-of-way which contains a public sidewalk, or located along a street or alley, shall be set back not less than three (3) feet from the nearest edge of such sidewalk, street, or alley.

Subd. 67. Prohibitions. Barbed wire and electric wire fences are prohibited in all districts. Fences shall not be constructed from chicken wire, welded wire, branches, or materials originally intended for other purposes, unless a showing of a high degree of architectural quality is achieved through the use of such, and prior approval is granted by the Director.

Subd. 78. Chain link. Chain link fences shall have a top rail and the barbed ends shall be toward the ground. Inserts or slats woven through such fences shall be kept in a good state of repair.

Subd. 89. Posts. Posts and stringers on any fence located at or near the lot line shall be on the inside of the fenced area unless designed as an integral part of the fence. Posts for wooden fences shall be spaced at intervals not to exceed eight (8) feet. Posts for chain link fences shall be spaced at intervals not to exceed ten (10) feet. (Amended, Bill No. 1999-3)

Subd. 910. Construction and maintenance. Fences and walls shall be constructed of durable, weather resistant materials that are properly anchored. All fences and walls shall be maintained in a condition of reasonable repair and shall not be allowed to become and remain in a condition of disrepair, danger, or constitute a nuisance.

Subd. 1011. Required screening. Any fence or wall required as a screening device shall be constructed of decay resistant materials that provide screening to the extent required by this Code. (Amended, Bill No. 2011-13)

Subd. 1112. Certain structures. Fences and walls legally existing on or before March 20, 1982, may continue to exist and to be repaired and maintained.

Subd. 13. Special Fence Exception. The Director may consider a special fence exception to the restrictions of Section 509.15 in instances where:

- a) On a through lot, where the proposed fence or wall does not affect the continuity of neighboring front yards.
- b) Whether the size, configuration or other unusual characteristics of the lot requires an exception from the zoning requirements in order to provide a reasonable enclosed area without creating significant harm to adjacent properties or the neighborhood.
- c) The review process for the special fence exception request shall follow the procedure detailed in Section 547.19.

Section 547 – ADMINISTRATION

547.19 – Special Fence Exception

Subdivision 1. Purpose. The purpose and intent for allowing a special exception of fence restrictions applies to through lots that possess unique and special circumstances that make it impractical to meet the zoning requirements.

Subd. 2. Application. An application for a special fence exception shall be made to the Director on forms provided by the City. The Director or staff will determine if an application is deemed complete. Submitted applications shall be accompanied by the following:

- a) Evidence of ownership or an interest in the property;
- b) Accurate legal description;
- c) One (1) full-size legible plan regarding the following aspects of the project (All submitted plans shall be signed by a registered architect, civil engineer, landscape architect, or other appropriate design professional):
 - a. Boundary survey with existing conditions; and
 - b. Site plan or landscaping plan with proposed improvements.

Section 5. This Ordinance is effective in accordance with Section 3.09 of the Richfield City Charter.

Passed by the City Council of the City of Richfield, Minnesota this 13 day of September, 2022.

Maria Regan Gonzalez, Mayor

ATTEST:

Kari Sinning, City Clerk

DRAFT

Subd. 3. General criteria and standards for review. In evaluating an application, staff or the Director shall consider its complaint with the following:

- a) **Consistency with the various elements and objectives of the City's long range plans, including, but not limited to, the Comprehensive Plan;**
- b) **Consistency with the purposes of this Code;**
- c) **Demonstrates unique and special circumstances that make it impractical to meet the fence requirements described in 509.15.**
- d) **Does not create significant harm to adjacent properties or the neighborhood.**
- e) **Preservation of the site in its natural state, insofar as practicable, by minimizing tree and soil removal, and designing any grade changes so as to be in keeping with the general appearance of neighboring developed or developing areas.**

Subd. 4. Fee. The fee for a special fence exception is set by Appendix D of the City Code.

Subd. 5. Decision. The Director may approve or disapprove a special fence exception application as submitted or may require that the applicant modify, alter, adjust, or amend the proposal.

Appendix D – License, Permit and Miscellaneous Fees

ZONING, LAND USE AND RELATED CHARGES

Type of Permit or License	Section Requiring	Description	Fee
<u>(17) Special Exception Review for Fences or Walls</u>	<u>509.15 Subd. 13</u>	<u>A special fence exception may be issued to the restrictions of Section 509.15 for corner lots or through lots.</u>	<u>\$250.00</u>