



**REGULAR PLANNING COMMISSION MEETING
RICHFIELD MUNICIPAL CENTER, COUNCIL CHAMBERS
FEBRUARY 27, 2023
7:00 PM**

Call to Order

Approval of the Minutes

Approval of the minutes of the Regular Planning Commission meeting of January 23, 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: 2456 607 0227 and password: 1234.

Agenda Approval

1. Approval of the Agenda

Other Business

2. Election of Planning Commission Chairperson, Vice-Chairperson and Secretary.
Staff Report No. 2
3. 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. 3

4. Review of the Planning Commission Bylaws.

Staff Report No. 4

Public Hearings

5. Consideration of an ordinance amendment to eliminate the minimum lot size requirement for a Planned Unit Development.

Staff Report No. 5

- 6.

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

7. City Planner's Report
8. Next Meeting Time and Location
 - Regular meeting on March 27, 2023 at 7pm in Council Chambers at City Hall
9. 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 612-861-9712.

***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

January 23, 2023

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: Brendan Kennealy, Vice Chair; Benjamin Surma, Eddie Holmvgig-Johnson, James Rudolph, Brett Stursa, and Cole Hooey

Planning Commissioners Absent: None

Staff Present: Sam Crosby, Planner II; Nellie Jerome, Planner I

Others Present: Rodney Hintz, MSP Commercial; Dean Lerum, Lerum Auto

APPROVAL OF MINUTES

M/Kennealy, S/Holmvgig-Johnson to approve the minutes of the Regular Planning Commission Meeting of December 12, 2022

Motion carried: 6-0

OPEN FORUM

Chair Rudolph reviewed the options to participate in the open forum.

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

Motion carried: 6-0

ITEM #2	PUBLIC HEARING TO CONSIDER A THREE-PART REQUEST: SITE PLAN REVIEW, TWO SIGN VARIANCES, AND A ONE-STALL PARKING VARIANCE FOR MSP COMMERCIAL'S HEADQUARTERS AT 6436 PENN AVENUE SOUTH. (STAFF REPORT NO. 1)
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Planner II Crosby presented Staff Report No. 1.

Chair Rudolph verified that no comments were received from the public. Commissioners discussed the existing nonconforming freestanding sign, the parking configuration, and other site details. The Applicant, Rodney Hintz from MSP Commercial, addressed the Commissioners on traffic and site layout. The neighbor, Dean Lerum from the neighboring property, Lerum Auto, also commented on traffic movement through the parking lot. Commissioners further discussed traffic and parking and a door on the north side, to the rear of the building.

M/Holmvg-Johnson, S/Hoey to close the public hearing.

Motion carried 6-0.

Commissioner Holmvg-Johnson suggested that the Applicant, the City’s Penn Ave Liquor Store Manager and the City Engineer set up a meeting to resolve any potential traffic issues.

M/Holmvg-Johnson, S/Stursa to Recommend approval of the proposed site plan, sign variances and parking variance for 6435 Penn Avenue South, as well as the reciprocal access easement and maintenance agreement.

M/Stursa, S/Rudolph to amend the motion to require the north side rear door access to be eliminated if it is not required by code.

Motion for amendment failed: 2-4 (Rudolph and Stursa voting in favor)

Motion carried: 6-0

ITEM #3	LIAISON REPORTS
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- Community Services Commission: Chair Rodolph reported that thy welcomed the MN Whitecaps at the Richfield Ice Arena and discussed local sales tax.
- City Council: Commissioner Kennealy Reported that they had a work session on 1/10 to discuss the City Charter and Regular Meeting where incoming Councilmember Christensen and Mayor Supple each had an Oath of Office. They discussed the single-family zoning amendment and a new liquor license for the Ice Arena. They reviewed plans for the year at the 1/12 Legislative Breakfast.
- Housing and Redevelopment Authority (HRA): Commissioner Stursa reported that the Richfield Flats proposal at 7700 Pillsbury Avenue South did not receive Tax Credits, so the HRA extended the contract for an additional year so they could apply again. The HRA put out a request for Information for a development partner for the property at 494 and 77, the deadline is 2/17.
- Richfield School Board: Commissioner Holmvg-Johnson reported that the School Board reviewed enrollment numbers, which were steady, and the district has about 60% market share of all district students enrolled in the public schools. Enrollment class sizes are down from last year. No major construction projects are anticipated.
- Transportation Commission: Commissioner Surma had no report as the meeting was cancelled.
- Chamber of Commerce: Commissioner Hoey had no report.
- Sustainability Commission: Commissioner Kennealy had no report.

ITEM #4	CITY PLANNER’S REPORT
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Planner II Crosby reported that the updated landscape ordinance was approved at the Jan 10 City Council meeting. The second reading of the zoning ordinance amendment, eliminating the MR-2 District and allowing two-family residences in the R District, will be January 24. The new Planning Commissioner will join the Commission in February.

ITEM #5	NEXT MEETING TIME AND LOCATION
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The next regular meeting is scheduled for Monday, February 27, 2023, at 7:00 p.m. in the Council Chambers at the Richfield Municipal Center.

ITEM #6	ADJOURNMENT
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M/Hooey, S/Surma to adjourn the meeting.

Motion carried: 6-0 and the meeting was adjourned at 7:47 p.m.

Submitted by:

Nellie Jerome
Planner I

Brett Stursa
Planning Commission Secretary

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



PLANNING COMMISSION MEETING 2/27/2023

REPORT PREPARED BY: Nellie Jerome, Planner I

ACTING COMMUNITY DEVELOPMENT DIRECTOR REVIEW: Julie Urban, Acting Community Development Director
2/21/2023

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.

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**

None

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

- An annual organizational meeting is required by the Planning Commission Bylaws.

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 #	3.
CASE NO.:	Staff Report No. 3



PLANNING COMMISSION MEETING 2/27/2023

REPORT PREPARED BY: Nellie Jerome, Planner I

ACTING COMMUNITY DEVELOPMENT DIRECTOR REVIEW: Julie Urban, Acting Community Development Director
2/22/2023

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.

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.

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.

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.

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.

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.

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.

RECOMMENDED ACTION:

By motion: Approve members to serve as liaisons to the City Council, Community Services Advisory Commission, Housing and Redevelopment Authority, School Board, Transportation Commission, Chamber of Commerce and Sustainability Commission.

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

None

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



PLANNING COMMISSION MEETING 2/27/2023

REPORT PREPARED BY: Nellie Jerome, Planner I

ACTING COMMUNITY DEVELOPMENT DIRECTOR REVIEW: Julie Urban, Acting Community Development Director
2/21/2023

ITEM FOR COMMISSION CONSIDERATION: **Review of 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 not recommending any changes to the Bylaws this year.

RECOMMENDED ACTION:

No action is necessary unless changes are proposed.

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:**

None

D. **FINANCIAL IMPACT:**

None

E. **LEGAL CONSIDERATION:**

None

ALTERNATIVE RECOMMENDATION(S):

None

PRINCIPAL PARTIES EXPECTED AT MEETING:

N/A

ATTACHMENTS:

Description	Type
□ City Code Section 305	Backup Material

📄 2018 Bylaws

Backup Material

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.

**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.

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. 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. 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) Approval of Agenda
- 4) Open Forum
- 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.

PART III. MISCELLANEOUS

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, 2018


Chairperson, Richfield Planning Commission


Secretary, Richfield Planning Commission



PLANNING COMMISSION MEETING 2/27/2023

REPORT PREPARED BY: Nellie Jerome, Planner I

ACTING COMMUNITY DEVELOPMENT DIRECTOR REVIEW: Julie Urban, Acting Community Development Director
2/22/2023

ITEM FOR COMMISSION CONSIDERATION:

Consideration of an ordinance amendment to eliminate the minimum lot size requirement for a Planned Unit Development.

EXECUTIVE SUMMARY:

The purpose of a Planned Unit Development (PUD), according to the Richfield Zoning Code, is to "provide an opportunity for innovative and creative development" that will "complement existing neighborhood character." In exchange for flexibility with traditional zoning rules that would otherwise require variance approvals, a proposed PUD development is required to bring something unique, special, or beneficial to the community. Property owners may apply to receive a PUD zoning designation if the development is "well designed and can be successfully integrated into the neighborhood."

The current Richfield Zoning Code requires a property to be at least one acre in size in order to receive a PUD zoning designation. Most neighboring metro cities, that staff reviewed, do not have this size minimum. Although PUDs were originally intended for large, integrated developments (such as master planned communities), the process need not be limited to such projects. Richfield is considered a fully built-out City, and only about 1.5% of our 10,586 parcels in the City would meet this requirement. Staff finds no reason to exclude smaller sized parcels from applying for PUD approval. The responsibility is on the applicant to show how the quality of the development is a reasonable trade-off for the requested Zoning Code flexibility.

RECOMMENDED ACTION:

Conduct and close a public hearing and by motion: Recommend approval of an ordinance amendment to eliminate the minimum lot size requirement for a Planned Unit Development.

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT

- The one acre minimum lot size provision appears to have been adopted in the early 1980s. The current PUD ordinance was amended in 2014 to allow the inclusion of adjacent right-of-way in the size area calculation, at the discretion of the Director.

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

- The PUD regulations can be found in subsection 542 of the Richfield Zoning Code.

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 February 16, 2023. No mailed notice is required.
- A first Reading has been tentatively scheduled for March 14, 2023, and a Second Reading and Summary Publication of the ordinance has been tentatively scheduled for March 28, 2023.

ALTERNATIVE RECOMMENDATION(S):

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

PRINCIPAL PARTIES EXPECTED AT MEETING:

N/A

ATTACHMENTS:

Description	Type
▣ Draft Ordinance	Ordinance

BILL NO. _____

**AN ORDINANCE AMENDING THE RICHFIELD ZONING CODE REGULATIONS
TO ELIMINATE THE MINIMUM LOT SIZE REQUIREMENT
FOR A PLANNED UNIT DEVELOPMENT.**

THE CITY OF RICHFIELD DOES ORDAIN:

Section 1 Subsection 542.03 of the Richfield Zoning Code related to the scope of Planned Unit Developments (PUD's) is amended to read as follows:

Subdivision 1. [Table of PUD Districts.] Planned District regulations are applied in conjunction with a Guiding District, as described in the following table. The Planned District provisions may modify any portion of the regulations of the Guiding District or other regulations of the code. The provisions may apply additional requirements or allow exceptions to general regulations:

PUD District	Abbreviation	Guiding Districts
Planned Residential	PR	R and R-1
Planned Two Family Residential	PMR-1	MR-1
Planned Multifamily Residential	PMR	MR-2 and MR-3
Planned Service Office	PSO	PSO
Planned Neighborhood Commercial	PC-1	C-1
Planned General Commercial	PC-2	C-2
Planned Mixed Use	PMU	MU-N, MU-C, and MU-R
Planned Industrial	PI	I

~~Subd. 2. Minimum area. A PUD district shall contain not less than one (1) acre (43,560 square feet) in lot area. With respect to planned unit developments only, lot area may include (at the discretion of the Director), areas of the right-of-way that are improved and integral to the design of the project.~~

Subd. 3. PMR-1 density limitation. In the PMR-1 District, the density of two-family dwellings shall not exceed ten (10) dwelling units per acre.

Subd. 4. Mixed or multiple land uses. Both residential and nonresidential land uses may be included in a single PUD District provided that:

- a) The uses are those that are authorized in one (1) of the eight (8) types of PUD Districts;
- b) The land use that is not normally allowed in the Guiding District shall not occupy more than 25 percent of the gross floor area in the PUD; and

- c) Notwithstanding the foregoing, an adult establishment as defined and regulated in Section 1196 of the City Code is not permitted in any PUD District other than a PC-2, PMU, or PMI District

Section 2 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 28th day of March, 2023.

Mary B. Supple, Mayor

ATTEST:

Chris Swanson, Acting City Clerk