



AGENDA OF THE PLANNING
COMMISSION
CITY OF BIRCHWOOD VILLAGE
WASHINGTON COUNTY, MINNESOTA
November 30th, 2023
7:00 P.M.

CALL TO ORDER

PUBLIC FORUM

APPROVE AGENDA

REGULAR AGENDA

- A. Approve October Meeting Minutes* (pp. 3-5)
- B. Joint Meeting with City Council and Planning Commission
 1. Review the job description, role, duties, authority, and responsibility of City staff (including the City Planner, City Clerk, City Engineer, City Building Official) and the role of the Planning Commission and City Council as it relates to the following:
 - i. *Administration and review of permit applications for completeness, time lines and related issues. (I.e., Are our current checklists adequate to eliminate false starts and re-dos. Who determines if variances or CUP are required?)*
 - ii. *Administration of construction and permit follow up, enforcement, closeout and related issues. (I.e., Are we monitoring in-field compliance with plans, dimensions and specifications? Are we monitoring construction activities like erosion control?)*
 - iii. *Administration of our variance and CUP application processes. (I.e., Are we as thorough as we need to be as it relates to application completeness, timeline monitoring, compliance review, follow up during construction, enforcement and closeout and related issues. Is it as streamlined as it could be? Who is monitoring timelines? Who is monitoring in-field compliance?)*
 - iv. *Periodic City Code review processes and related issues? (I.e., Do we have a policy for periodic code review and upgrades? Who can propose suggested edits, additions, deletions? What is the venue and protocol for such suggestions?)*

- v. *City policy and enforcement protocol (timeliness, completeness) related to meeting packets, agendas, public notifications, supporting document submittals, etc. (I.e., Do we enforce packet submittal deadlines? Should we? Where are questions directed?)*

C. PC Term Expirations Discussion

1. Michelle Maiers-Atakpu's term will expire Dec 2023
2. Mike Kraemer's term will expire Dec 2023

ADJOURN

MEETING MINUTES (Draft)

Birchwood Planning Commission Regular Meeting

City Hall - 7:00 PM Regular Meeting 10/26/2023

Submitted by Michael Kraemer – secretary

COMMISSIONERS PRESENT: — Andy Sorenson - Chairman, , Michelle Maiers-Atakpu, Michael Kraemer, Michael McKenzie (arrived at 7:08)

COMMISSIONERS ABSENT: Joe Evans

OTHERS PRESENT: Birchwood Council Member Ryan Hankins

TO ORDER: Meeting called to order by Chairman Andy Sorenson at 7:00 PM.

1. PUBLIC FORUM
 - a. No one present
2. APPROVE AGENDA
 - a. Motion by Maiers-Atakpu, 2nd by Sorenson to approve agenda. Vote: Yes – 4, No – 0. Motion to approve agenda passed.
3. REGULAR AGENDA
 - a. Item A – Review/Approve Sept 28, 2023, Meeting Minutes
 - i. Maiers-Atakpu, moved, 2nd by Sorenson, to approve the minutes. Vote: Yes – 4, No – 0, Motion to approve the minutes passed.
 - b. Item B – Discuss Planning Commission Meeting Dates for November and December of 2023
 - i. Discussion: In an effort to avoid holiday conflicts and allow City staff adequate time for packet preparation it was proposed to move the November and December planning commission meeting dates.
 - ii. Motion by Sorenson, 2nd by Maiers-Atakpu to move the November Planning Commission meeting date to November 30, ²⁰²³, at 7:00 PM and move the December Planning Commission meeting date to December 28, 2023. **Planning Commission is requesting that second half of the November Planning Commission meeting be noticed as a joint Planning Commission/Council Workshop. The Planning Commission is requesting that the City Engineer, City Administrator, and City Planner also attend the November meeting workshop to review City operational processes, communications and protocols.** Vote Yes – 4, No – 0 Motion passed to move the meeting dates.
 1. Suggested Joint Council/Planning Commission Workshop Agenda
 - a. The following are Planning Commission agenda suggestions for the joint meeting/work session discussion:

- b. Review the job description, role, duties, authority, and responsibility of City staff (including the City Planner, City Clerk, City Engineer, City Building Official) and the role of the Planning Commission and City Council as it relates to the following:
 - i. *Administration and review of permit applications for completeness, time lines and related issues. (I.e., Are our current checklists adequate to eliminate false starts and re-dos. Who determines if variances or CUP are required?)*
 - ii. *Administration of construction and permit follow up, enforcement, closeout and related issues. (I.e., Are we monitoring in-field compliance with plans, dimensions and specifications? Are we monitoring construction activities like erosion control?)*
 - iii. *Administration of our variance and CUP application processes. (I.e., Are we as thorough as we need to be as it relates to application completeness, timeline monitoring, compliance review, follow up during construction, enforcement and closeout and related issues. Is it as streamlined as it could be? Who is monitoring timelines? Who is monitoring in-field compliance?)*
 - iv. *Periodic City Code review processes and related issues? (I.e., Do we have a policy for periodic code review and upgrades? Who can propose suggested edits, additions, deletions? What is the venue and protocol for such suggestions?)*
 - v. *City policy and enforcement protocol (timeliness, completeness) related to meeting packets, agendas, public notifications, supporting document submittals, etc. (I.e., Do we enforce packet submittal deadlines? Should we? Where are questions directed?)*

c. Item C – Section 302 ZONING CODE REQUIREMENTS AND PERFORMANCE STANDARDS v2023.09.12

- i. Discussion: The Commission members reviewed draft code revision documents submitted by Council Member Ryan Hankins editing City Code Section 302.020.4 SETBACK REQUIREMENTS EXCEPTIONS. Items d and e. In particular the proposed edits involve:

1. Allow some reduction (4' total) to side setbacks using a conditional use permit (not a variance request process) for lots existing prior to January 1, 1975.
2. Setting Minimum Dwelling Size – setting the dimensions at 24' wide and 32' long.
3. Institute minimum extension into prevailing street, road, and shoreline setback averaging with existing structures.

ii. ACTION TAKEN:

1. Findings

- a. The proposed ordinance edits reduce side setback restrictions just enough to better accommodate the numerous substandard lots in Birchwood, allows some flexibility in the placement of structures on the site, while maintaining a reasonable minimum side yard set back of 6 feet.
- b. The use of the Conditional Use Permit (CUP) process ties the permission to a particular use and if the use changes the permission goes away. The variance process creates a permanent approval to vary from code.
- c. The establishment of a proposed minimal house size of 24' wide by 32' long sets the proper expectations tying structure size to lot coverage.
- d. Setback averaging on street, road, shoreline affords reasonable development potential without penalizing a particular lot because of historic setback indiscretions.

2. ACTION TAKEN

- a. Motion by Kraemer, 2nd by McKenzie to support the ordinance edits proposed. Vote: Yes – 4, No-0 Motion of support passed.

4. ADJOURN 8:24 PM

- a. Motion by McKenzie, 2nd by Sorenson to adjourn meeting. Vote: Yes – 4, No – 0. Motion passed.