

**REGULAR MEETING  
OF THE  
VADNAIS HEIGHTS PLANNING COMMISSION  
JANUARY 23, 2018**

**OPEN MEETING**

Chairperson Joseph Stumph called the Regular Meeting of the Vadnais Heights Planning Commission to order at 7:00 p.m. on January 23, 2018.

**ROLL CALL**

Joseph Stumph, Chairperson	Present
Dave Anderson	Present
Linda Bigelbach	Absent
Edward Caillier	Present
Brian Carnes	Present
Evan Cordes	Present
Martin Jokinen	Present
Curt Cooper, First Alternate	Present

Also present: Nolan Wall, Planning/Community Development Director; and Jeff Melcoch, Cable Producer.

**APPROVAL OF AGENDA**

Upon motion by Commissioner Jokinen, seconded by Commissioner Cordes, it was

“RESOLVED, to approve the January 23, 2018, Regular Meeting Agenda.”

Ayes – 7                      Nays – 0

The motion carried.

**APPROVAL OF MINUTES**

Upon motion by Commissioner Anderson, seconded by Commissioner Carnes, it was

“RESOLVED, to approve the minutes of the December 20, 2017, Regular Meeting.”

Ayes – 7                      Nays – 0

The motion carried.

**OPEN TO THE PUBLIC**

Chairperson Stumph opened the floor to the public at 7:02 p.m. for questions and comments on items not on the agenda.

Mayor Fletcher introduced Boy Scout Quinn from Troop 212 whom is currently working on his citizenship badge. Quinn said he was in 6<sup>th</sup> grade at Sunrise Elementary and shared how much he enjoyed Boy Scouts and their activities including archery and camping.

Mayor Fletcher said he met with Troop 212 earlier to review the new bridge design. He said he will be bringing forward some of their ideas for review. Mayor Fletcher and then recited the Boy Scout law together with Quinn for the Planning Commission.

There being no additional speakers, Chairperson Stumph closed the floor to the public at 7:05 p.m.

**PUBLIC HEARINGS**

A. Case 18-001: City of Vadnais Heights, City Code Amendment Concerning Residential Zoning Districts

Planning/Community Development Director Wall described this item and provided a presentation with background information for the proposed amendments to Chapters 5, 8, 9, 10, 11, and 12 of the City Code concerning definitions, permitted uses in all zoning districts, and residential zoning district standards. He said the process is being done as part of the codification process with Municode to update the entire City Code for online publication. He outlined several areas of amendments including a new definition for agriculture land, relocating special uses from Chapter 8 to each residential district instead, eliminating manufactured homes as a temporary residence and including it in another area, permitted uses, accessory uses, and conditional uses in each zoning district, and several housekeeping changes, starting with residential and bring back for formal discussion..

Commissioner Jokinen inquired that with the proposed changes to agriculture it was possible that cannabis could be grown in a residential zoning district if legally allowed. Planning/Community Development Director Wall said this would only be possible if it were legal in the State. Planning/Community Development Director Wall said zoning is consistent with the guide for future land use for the property, noting there is some R-1 areas off McMenemy Street, Centerville Road, County Road F and others that allow farming.

Commissioner Carnes suggested these uses be changed to a conditional use instead of permitted use.

Commissioner Cordes noted the difficulty is the broad definition of agricultural. Planning/Community Development Director Wall said the intent was to be the main use of property or large-scale accessory use. He asked if the policy issue is do we want to allow new agriculture uses or commercial operations and if so should they be a conditional use instead of a permitted use.

Commissioner Cooper stated he was in favor of making agriculture a conditional use under R-1 as the policy would be simpler to do by exception.

Commissioner Cordes suggested tightening up the agricultural definition.

Commissioner Caillier agreed and suggested the definition be solely for non-commercial, non-retail use to differentiate from a single, residential use.

Commissioner Cordes suggested the definition for state agriculture should solely or exclusively include commercial operations and/or retail sales but noted the definition does not define the use. He asked if there is anywhere else in City Code that refers to agriculture as a use and asked if adding “not including commercial operation and or retail sales to definition of agriculture” would be preferred. Planning/Community Development Director Wall clarified the section would just say agriculture.

Planning/Community Development Director Wall suggesting limiting size to decrease potential land use conflicts, adding a conditional use could be reviewed and better controlled. He said the intent was not to regulate small gardens and suggested language to be added to definition that states excluding gardens and landscaping for personal use, and that it be moved to conditional use.

Commissioner Jokinen expressed concern about herbicides effects.

Planning/Community Development Director Wall referred to the home occupation section of the Code currently allowed through a conditional use and that staff is suggesting being changed to an accessory use if outlined conditions are met. He said the permit could be issued administratively after review of hours of operation, onsite advertising, and noise impacts, adding the City Council wants to promote accessory uses and not be cumbersome as long as standards are in place.

Commissioner Cordes asked if healthcare uses such as group homes are included as accessory uses. Planning/Community Development Director Wall said those uses are protected by Statute as permitted use and treated the same as a single-family use but noted they must still comply with property maintenance regulations, etc.

Commissioner Cordes suggested including parameters regarding parking concerns that could arise as a result of this conditional use.

Commissioner Jokinen suggested language refer to multiple trips rather than length of stay to address parking concerns. Planning/Community Development Director Wall noted the number of trips could be subjective and difficult to enforce.

Commissioner Caillier expressed concern about following other requirements with home occupations and to make language uniform throughout and not contradictory to 2(h). Planning/Community Development Director Wall said if a use does not qualify for an accessory use in the language it would be moved to a conditional use, adding the use would still have to be compliant with all maintenance and parking requirements. He said the

conditional use permit process would vet most of these concerns but agreed we do not want any unintended consequences.

Commissioner Jokinen inquired about beekeeping. Planning/Community Development Director Wall said beekeeping is not included in agriculture and was unaware of anyone currently doing this in the City but will check with code enforcement and review to see how they deal with it.

The Planning Commission consensus was to include beekeeping as a conditional use and remove livestock raising as a conditional use with the exception of protections for those currently in place. Planning/Community Development Director Wall suggested making language consistent with the new definition of agriculture and leave 9.020(c) as presented, eliminating (c) and incorporating language in the definition of permitted uses instead.

Planning/Community Development Director Wall summarized the Commission's amendments including a revised definition of agricultural including language excluding gardens and landscaping for personal use; propose eliminating (c) Agricultural, but recognizing if you are in compliance with the definition would potentially be allowed and moving it to conditional use; considerations for additional conditions for home occupations such as parking violations as a condition of, as an accessory use; adding beekeeping as a conditional use; proposed language change for agriculture and commercial operations and reformatting (g) to make it consistent with the new definition of agriculture.

Planning/Community Development Director Wall summarized proposed changes to the R-2 zoning district including no changes to permitted uses, removing references to special uses and moving to conditional uses for consistency with the Zoning Administration Chapter 6 are: striking public buildings, uses, and churches and schools, and changing to accessory buildings instead of structures to be consistent with dwellings.

Commissioner Cordes inquired why kennels was included as an exception. Planning/Community Development Director Wall said kennels are not allowed because of the smaller lot sizes and two-family dwellings are not compatible with kennels.

Planning/Community Development Director Wall reviewed the proposed changes to the Chapter 10, R-3 zoning district that included setbacks, uses, and tables that will make it easy to follow online.

Planning/Community Development Director Wall said Chapter 11 includes establishing an R-4 zoning district for manufactured home districts and reviewed some language to clean-up and answer policy questions reviewed with the Planning Commission and City Council, adding there was not a lot of development-related changes but changes consistent with the vision moving forward. He added staff recommended approval of the proposed City Code amendment to residential zoning districts as outlined in proposed Ordinance No. 723.

Chairperson Stumph opened the public hearing at 7:50 p.m.

No one wished to address the Commission, Chairperson Stumph closed the public hearing at 7:50 p.m.

Planning/Community Director Wall said that it will be helpful to look at the Zoning Ordinance chart which shows the existing uses, and shows what is being carried forward. The Amendments to the City Code will be brought forward to the City Council first, than back to the Planning Commission for discussion and then back to the Council for the City to act on.

Commissioner Cordes inquired if foster homes would require a conditional use permit. He asked if some things can be exempt to allow for the City to approve it. Planning/Community Development Director Wall said he will verify with the City Attorney for relevancy but noted care facilities licensed by the State must be considered permitted uses by Statute and would not be a zoning related concern.

Chairperson Stumph complimented Mr. Wall and staff on their comprehensive work on this project. Planning/Community Development Director Wall thanked the Commission, adding this is a worthwhile project to complete prior to recodification but that staff will continue their review throughout the process.

Upon motion by Commissioner Cordes, seconded by Commissioner Jokinen, it was

“RESOLVED, to recommend approval of an Ordinance Amending Chapters 5, 8, 9, 10, 11, and 12 of the Zoning Code, Concerning Definitions, Permitted Uses in All Zoning Districts, and Residential Zoning District Standards, as amended.”

Ayes – 7                      Nays – 0

The motion carried.

**NEW BUSINESS**

A.     Elect Chairperson

Chairperson Stumph said staff recommend the Commission take action on electing a Chairperson for 2018, as required by City Code.

Upon motion by Commissioner Carnes, seconded by Commissioner Cordes, it was

“RESOLVED, to recommend approval of Joseph Stumph as Chairperson for 2018.”

Ayes – 7                      Nays – 0

The motion carried.

B.     Elect Vice Chairperson

Chairperson Stumph said staff recommend the Commission take action on electing a Vice Chairperson for 2018, as required by City Code. He explained the proactive approach to

this appointment was the intent to become Chairperson in 2019. Commissioner Carnes nominated Commissioner Bigelbach as Vice Chairperson for 2018. Planning/Community Development Director Wall indicated Commissioner Bigelbach was not interested in serving as Chairperson in the future, and said that it would be ideal to have a chair-in-waiting.

Upon motion by Commissioner Carnes, seconded by Commissioner Jokinen, it was

“RESOLVED, to recommend approval of Evan Cordes as Vice Chairperson for 2018.”

Ayes – 7

Nays – 0

The motion carried.

C. Appointment of Economic Development Authority Representatives (2)

Chairperson Stumph said staff recommends the Commission take action on electing a representative and alternate to the EDA for 2018, as required by City Code.

Upon motion by Commissioner Cordes, seconded by Commissioner Carnes, it was

“RESOLVED, to recommend approval of Martin Jokinen for EDA Representative for 2018.”

Ayes – 7

Nays – 0

The motion carried.

Upon motion by Commissioner Cordes, seconded by Commissioner Carnes, it was

“RESOLVED, to recommend approval of Curt Cooper for as EDA Alternate Representative for 2018.”

Ayes – 7

Nays – 0

The motion carried.

D. Accept the Annual Expense Allowance

Chairperson Stumph explained that per City Code Commissioners shall receive an expense allowance of not more than \$20 per month for Chairperson and secretary and not more than \$15 per month for other members.

Upon motion by Commissioner Jokinen, seconded by Commissioner Carnes, it was

“RESOLVED, to recommend approval of the annual expense allowance for the Planning Commission as proposed.”

Ayes – 7

Nays – 0

The motion carried.

**OLD BUSINESS**

None.

**REPORTS**

A. Council Liaison

Council Liaison Fletcher was not present.

B. Planning Commissioners

None.

C. Staff

Planning/Community Development Director Wall reported the current Planning Commission vacancy will be advertised and filled, after which the City Attorney will provide an overview for all members of the Commission’s duties, common issues, Roberts Rules of Order, ethics, and the open meeting law at an upcoming workshop (February or March) He said the review will be good for the new member as well as be a good reminder for current members, especially with the importance of the newly-added public hearing responsibility to ensure that due process is followed and accurately reflected in the record. Workshops to be held before both February and March Commission meetings.

Planning/Community Development Director Wall said the Comprehensive Plan will reviewed again at either the February or March workshop. He said staff is waiting on some information from Ramsey County and that he will be attending the Parks Recreation and Trails Commission meeting to share the parks and trail map with more open houses to be scheduled late spring or early summer. He said they are on schedule and will continue providing public engagement opportunities.

Planning/Community Development Director Wall noted the Midwest ENT project was approved at the January City Council meeting and the Health East construction project is going well, adding the Commission should expect a robust construction season.

Chair Stumph thanked Planning/Community Development Director Wall for his hard work for the City.

**NEXT MEETING**

The next Planning Commission meeting will be held on February 27, 2018.

**ADJOURN MEETING**

Chair adjourned the meeting at 8:24 p.m.

Respectfully submitted,  
Cathy Sorensen  
*TimeSaver Off Site Secretarial, Inc.*