

January 2, 2018

The Scandia Planning Commission held their regular monthly meeting on the above date. The following were in attendance: Commissioners Greg Amundson, Tom Noyes and Chair Dan Squyres. Absent: Commissioners Jan Hogle and Travis Loeffler. Staff present: City Administrator Neil Soltis, City Planner Sherri Buss and Deputy Clerk Brenda Eklund.

Chair Squyres called the meeting to order at 7:02 p.m.

APPROVAL OF AGENDA, MINUTES

Noyes, seconded by Amundson, moved to approve the agenda as presented. The motion carried 3-0.

Noyes, seconded by Amundson, moved to approve the December 5, 2017 meeting minutes as presented. The motion carried 3-0.

PUBLIC HEARING: ORDINANCE AMENDING CHAPTER 1, SECTION 8 OF THE DEVELOPMENT CODE RELATED TO CONDITIONAL USE PERMIT CONCEPT PLAN REVIEW

Planner Buss explained the proposed zoning ordinance amendment to provide the option for a concept plan review of Conditional Use Permits by the Planning Commission. In earlier discussions, the Commissioners identified the benefits of a concept-level review early in the application process that could identify issues and needs for more information before a formal application comes before the Commission. This would be an optional procedure, and staff would have the prerogative to refer the concept plan to the Planning Commission and/or City Council for informal, non-binding comments.

Chair Squyres opened the public hearing at 7:06 p.m.

Pam Arnold, 16560 220th Street, asked if there were criteria for a concept plan. Planner Buss explained that a general description, size, basic sketch plan showing property uses and structures, hours of operation, parking, sewage treatment and a concept for stormwater drainage are all details that could be reviewed at the concept level. These are listed in paragraph (1) of Section 8.2 Procedures within the ordinance.

There were no further comments and the hearing was closed.

Commissioner Noyes said that this is a good idea and adds a level of understanding to a project. Commissioner Amundson said this is like a “toe in the water” approach before going all in on a project and allows the applicant to get a feeling for direction.

Noyes, seconded by Amundson, moved to recommend approval of an Ordinance amending the Development Code, Chapter 1, Section 8, Conditional Use Permits as presented. The motion carried 3-0.

The recommendation to approve the ordinance will be presented to the City Council at their January 16, 2018 meeting.

PUBLIC HEARING: ORDINANCE AMENDING CHAPTER 2, SECTION 4.33 OF THE DEVELOPMENT CODE TO REGULATE ACCESSORY SOLAR ENERGY SYSTEMS AND CHAPTER 1, SECTION 4.2 DEFINITIONS

Planner Buss described the proposed ordinance to update the section of the development code that permits Passive Solar Energy Systems. In October, the Council repealed the Community Solar Gardens and Farms section to allow time to review the impacts of these systems on the city, and recommended that the Accessory Solar section should be limited to systems that primarily generate solar energy for the primary use on the property. Buss summarized the key elements of the ordinance:

- Permits passive, roof and building mounted, and ground mounted systems.
- Allows one ground mounted SES up to 800 square feet with approval of a building permit. Systems larger than 800 square feet will require a CUP. Will not count as lot coverage if ground area is vegetated.
- Accessory Solar Energy Systems (SES) are permitted in all zoning districts, including shoreland. Will require screening where located within 100' of a road ROW or if a CUP is needed due to size.

Chair Squyres opened the public hearing at 7:12 p.m.

Erica Forsman, representing U.S. Solar based in Minneapolis, encouraged the City to reconsider community solar farms and gardens to be allowed in Scandia. She said current installations haven't been done well, and there are better ways such as 10' height limits, rural style fences and one megawatt maximum size that would prevent co-location and unsightly transmission poles. Forsman said her company would work with the City for better solutions that would allow property owners the opportunity to integrate the systems into the community. Chair Squyres replied that the City was sold something that was not reality and serious changes and honesty would be needed from solar developers before consideration of implementing an ordinance.

Pam Arnold, 16560 220th Street, said she is a huge proponent of solar but agreed that there are visual ramifications. She said the complex screening requirements of the ordinance may prevent successful installation of ground mounted solar systems. Chair Squyres clarified that screening is only required for those systems greater than 800 square feet where CUP's can allow conditions to lessen impacts. Arnold said that solar is a part of growth and a better energy alternative.

Steve Kronmiller, 13450 188th Street, asked if accessory solar systems could sell energy to a neighbor. Planner Buss explained that the ordinance language states solar energy operates primarily to serve the primary use of the property so that at least 50% is going to the house. Some could go to a neighbor and excess back to Xcel. Kronmiller asked about nonfunctional systems. Buss explained that if the system is broken or unused for more than a year, the City can use the nuisance ordinance to remove or repair it at the property owner's expense.

Christopher Johnson, 20360 Manning Trail, asked for clarification that the ordinance is permitting home systems and not solar farms and gardens. Staff explained that the solar garden ordinance was repealed due to so many unknown factors but the City may look at it again in the future.

There were no further comments and Chair Squyres closed the hearing at 7:30 p.m.

Commissioner Noyes stated that the Commission looked for a way to allow homeowners the opportunity to have solar and this ordinance covers that. Commissioner Amundson said that 800 square feet is a good size and sees the City as being proactive in allowing and endorsing solar on a smaller scale. Planner Buss added that 800 square feet is about the footprint of a small garage and an adequate size to serve most single-family residential needs without a special permit. Larger systems will need a CUP with conditions to minimize impacts.

Noyes, seconded by Amundson, moved to recommend approval of an Ordinance amending the Development Code Chapter 1, Definitions and Chapter 2, Section 4.33, Accessory Solar Energy Systems as presented. The motion carried 3-0.

The recommendation to approve the ordinance will be presented to the City Council at their January 16, 2018 meeting.

DISCUSSION ON SHORELAND MANAGEMENT ORDINANCE

The Commission continued their discussion on updating the shoreland management ordinance based on the 2016 DNR model. Buss summarized the conclusions made at the December meeting on using the city's definition of building height, allowing duplexes and permitting water-oriented commercial uses and to include both options for lot area and width standards in the draft ordinance for public comments.

Discussion began with Section 8.0, Vegetation and Land Alteration. Staff noted the more liberal standards for grading without a permit found in the DNR model ordinance that would allow for movement of up to 10 cubic yards of material on steep slopes and within the shore impact zone, currently prohibited. Staff also noted that the current threshold of moving up to 50 cubic yards of material without a grading permit should be modified lower because there have been instances where grading without needing a permit has had impacts on adjacent properties and drainage ways. For perspective, Administrator Soltis explained that 50 cubic yards is equivalent to 5 dump trucks of fill or 5" of material spread out over 3,000 square feet of area. Commissioner Amundson suggested the requirement for a grading permit be set at a level proportionate to the size of the lot.

Commissioner Noyes said that repairing ice heaves shouldn't need a permit. Planner Buss reasoned that the DNR ordinance would allow repairs to the shoreline without a permit because of complaints that rules have been too strict and that minimal grading within the shore impact zone would be tolerable. Chair Squyres stated that it makes sense but must be done right.

Discussion on grading concluded that altering up to 10 cubic yards of material or more than 600 square feet of area, or changing the drainage pattern that impacts neighboring properties or impacts a valuable resource would require a grading and land alteration permit. Chair Squyres suggested that this change from the current standards be explained clearly at the public hearing.

Section 9.0, Subdivision Provisions in the model ordinance will be replaced with language that subdivisions and lot adjustments must comply with City's subdivision ordinance.

Planner Buss explained Section 10.0, Planned Unit Developments (PUDs) which are allowed by the DNR to develop more density as one moves further away from the lake, described as shoreland tiers. At least 50% of the project area would be undeveloped and protected, and at least 70% of the shore impact zone as permanently protected in its natural state. Buss asked if this section should be included in the City's updated ordinance. The City's current PUD does not allow higher density beyond the underlying zoning district.

Chair Squyres said he likes the idea of the exchange of saving shoreland for higher density away from the lake. Buss noted that the Tii Gavo subdivision on Big Marine Lake is comparable, and that this lifestyle option for small lots with access to natural areas is a favorable option to standard subdivisions. The Commissioners agreed that the concept is creative and preferable to standard developments and concluded to include this section in the update.

The next step will be to distribute the draft ordinance to local lake associations and prepare for a public hearing, estimated for the April 3, 2018 Planning Commission meeting.

REVIEW DRAFT CHAPTERS OF THE 2040 COMPREHENSIVE PLAN

Jane Kansier, Bolton & Menk Planner, presented an overview of the Comprehensive Plan update along with draft chapters in preparation of a public hearing this spring. The past year included meetings of the Comp Plan Committee, focus groups, and community surveys to prepare the outline for the update which is used as a growth management guide for the City for the next 20-30 years. Rural, open space was identified as Scandia's strength, with goals to preserve agriculture elements yet provide residential and commercial growth with parks and trail development.

Kansier explained the land use map showing Scandia's community designation as Diversified Rural with 2 areas designated as Rural Center. This would provide for denser growth and commerce in the Village Area and on the west side of Big Marine Lake. Commissioners commented in favor of this land use approach to group density in these 2 areas and preserve the existing agricultural areas with larger tracts of land. It was noted that as the population ages, they are looking for smaller homes and affordable housing could draw in younger families, a feature that could be offered in the Rural Centers. Kansier explained that the land use chapter will also address natural resource protection, solar protection and economic competitiveness. Water resources will be a separate chapter in the plan.

The housing element chapter was discussed and Kansier asked the Commissioners to think about if the goals and tools listed in the table for housing implementation are reasonable.

The Parks and Trails chapter has maps showing potential connections to regional trails that already exist, such as the Gateway Trail and the Swedish Immigrant Trail. The trails map prepared in 2011 will be included in this chapter. Kansier asked if search areas for future local parks should be identified.

Chapters on transportation and water resources will be reviewed at the next meeting.

Commissioners were asked to provide comments on the draft chapters to staff, which will be forwarded to Kansier.

ADJOURNMENT

Noyes, seconded by Amundson, moved to adjourn the meeting. The motion carried 3-0.

The meeting adjourned at 9:20 p.m.

Respectfully submitted,

Brenda Eklund
Deputy Clerk