



4141 Douglas Drive North • Crystal, Minnesota 55422-1696

Tel: (763) 531-1000 • Fax: (763) 531-1188 • www.crystalmn.gov

**CRYSTAL CITY CODE REVIEW
TASK FORCE**

MARCH 24, 2016

7:00 p.m.

CONFERENCE ROOM A, CITY HALL

MEETING NOTICE AND AGENDA

1. Call meeting to order
2. Comments from City Attorney – March 10 presentation of Chapter 3 recommendations to City Council
3. Review February 25, 2016 Meeting Notes
4. Review Task Force comments
 - a. Review comments: Chapter 5, Sections 515.61-.69, 520, 525, 530
5. Discuss assignments and homework due Monday, April 18
6. Next meeting – Thursday, April 28, 2016
7. Adjourn – 9 p.m.

CITY CODE REVIEW TASK FORCE

MEETING NOTES FEBRUARY 25, 2016

Task Force Members Present: Kirsten Anderson, Bonnie Bolash, Jerry Bolash, Tim Buck, Carolyn Maristany, and Andrew Richter.

Also present: City Attorney Troy Gilchrist and City Manager Anne Norris.

Chair Richter called the meeting to order at 7:00 p.m. Chair Richter noted the resignation of Jon Bohlinger and Nicholas Meyer from the Task Force.

December 3, 2015 and January 28, 2016 Meeting Notes

Motion by Maristany, seconded by B. Bolash to accept the December 3, 2015 and January 28, 2016 meeting notes (including ratifying) as presented. Motion carried. The Task Force agreed the motion included the ratification of the recommendations from the January 28, 2016 meeting.

Review Comments – Chapter 5, Sections 515.45 - .57

Section 515.45 – 515.53 - The Task Force agreed these three sections should be reformatted to minimize repetition – such as a table or grid. Including a copy of the zoning map in this section was also recommended.

Section 515.45, Subd. 2b – The Task Force agreed to utilize “same or similar” in describing permitted uses.

Section 515.45, Subd3c – The Task Force agreed to utilize “same or similar” in describing permitted uses.

Section 515.45, Subd. 3g – The Task Force agreed this should be simplified. Consider removing the purpose statement and instead defining what the district is with a fuller explanation of the nature of the district and the uses allowed in it.

Section 515.45, Subd. 4a – Consider adding a cross reference in (a)(1) to subd. 7c. The Task Force agreed (a)(3) should be clarified.

Section 515.45, Subd. 4d)5 and 6 – The Task Force agreed this should be reformatted, clarified and be consistent with State law. Consider removing unnecessary language.

The Task Force also discussed reformatting so the intent of each zone and the uses allowed in them are clear.

Section 515.45, Subd. 4h) – The Task Force agreed “same or similar” language should be added.

Section 515.49, Subd. 2f) – The Task Force agreed this section should be simplified/clarified.

Section 515.49, Subd. 3a) – The Task Force agreed underground parking should be defined and more specifically addressed.

Section 515.49, Subd. 4d)5 – The Task Force agreed the parking provisions should be reviewed in light of the proposed light rail project.

Section 515.49, Subd. 4)l and m - The Task Force agreed that this section should be clarified for 24 hour gas pumps allowing credit card payments.

Section 515.49, Subd. 7c) – The Task Force suggested using numerals throughout the Code.

Section 515.53, Subd. 3f) – The Task Force suggested list of uses in a district should refer to a section that lists the restrictions on the use rather than including them in the list of allowed uses for each district.

Section 515.53, Subd. 4m)8 & 9 – The Task Force agreed this should be simplified as its seems duplicative.

Section 515.57 – The Task Force agreed the use of PD (Planned Development) should be clarified and the references in this section updated as needed (playground, not tot lot).

In Sections 515.45, .49, and .53 when referencing sidewalks, the Task Force agreed any dimensions need to be ADA compliant (not exceeding 4 feet should be not exceeding 5 feet).

Assignments and Homework

The homework is to review Sections 515.61 – 515.69, and Sections 520,525, and 530. Comments are due Monday, March 14, 2016. The next meeting of the Task Force is Thursday, March 24, 2016.

Adjournment

Chair Richter adjourned the meeting of the City Code Review Task Force at 9 p.m.

CITY CODE REVIEW – EDITORIAL AND CLARIFYING COMMENTS
CHAPTER 5
Section 515.57

Section	Nature of Comment	Comment	Author
515.57, Subd. 1	Format/consistency	Move or remove statement of purpose as has been done in other locations	Candace Oathout
515.57, Subd. 1b	Edit	Strike this sentence. In a market environment the developer and purchaser determine affordability. Move to strike this language as unnecessarily restrictive to community development.	Candace Oathout
515.57, Subd.1c	Editoriall	Strike reference to clustering in this sentence it does not belong in city code as it is a planning term. It is better suited to planning guidelines rather than in the code as stated. Move to strike the reference to clustering of building and land uses.	Candace Oathout
515.57, Subd. 1e	Cmment	Why are we codifying information that is clearly putting the force of law into a preferred or desired design that has never been presented for approval to the residents of Crystal who will be impacted by it and be taxed to support it? Crystal is a fully developed and functional city. What is the purpose of this level of planning especially when it is coming from interests that do not reside in Crystal? What legal recourse is available to city property owners who must deal with the consequences of such remote planning? Move to strike this section and refer this level of planning back to the local planning commission and city council to determine.	Candace Oathout
515.57, Subd. 1g	Clarify	What does this sentence mean? I don't understand why this is a necessary inclusion. Move to strike this section and refer this level of planning back to the local planning commission and city council to determine.	Candace Oathout

CITY CODE REVIEW – COMMENTS
CHAPTER 5
Section 515, Chapters .61-.69, Sections 520, 525 and 530

Section	Nature of Comment	Comment	Author
515.61	General Comment	<p>I would make this read more like the zoning districts since this is a zoning district depending on flood plain areas.</p> <p>I would define things in terms of previously established chapters/sections so 515.61 subd. 5 d) 2 instead of referring to residential basements and non-residential basements I would refer to residential basements as low density housing basements and below grade level housing. I'm pretty sure that high density housing that uses the basement for parking is excluded from this limitation, but no any businesses that are in zones R-1-3(with or without a conditional use permit), but occupying homes that were once zoned for residential, so that would affect the definition for non-residential.</p> <p>I would make the references standard throughout the code. So for instance 515.61 Subd. 3 a) 3 just refers to Subd. 2 b. Previously in the code it would have listed this as 515.61 Subd. 2 b) just to make things clearer. Because if you're reading this you do get lost as to where you are and what subdivision section things are being referred to. I can site more as we go through this section.</p>	Carolyn Maristany
515.61, Subd. 1	Format	<p>Put with rest of purpose statements</p> <p>a) Move this information according to previously required formatting changes</p>	<p>Carolyn Maristany</p> <p>Candace Oathout</p>
515.61, Subd. 2	Clarify	<p>Just wondering how often flood plain maps get updated. Maybe each time a new flood zoning map is created the</p>	Carolyn Maristany

		council or planning commission should go through this section just to update and make sure things are in line with current technologies	
515.61, Subd. 2d)2	Clarify/simplify	Just wondering if instead of listing so much under 2) there should be a 3) for how people can dispute a flood plain district boundary.	Carolyn Maristany
515.61, Subd. 2e	Clarify	Reword for clarification	Candace Oathout
515.61, Subd.2 h)	Clarify	I think that common usage should be struck and it should just read: interpreted as most reasonable application because the meanings of words change over time	Carolyn Maristany
515.61 Subd. 2 h) 2	Clarify	What about basement walk-outs?	Carolyn Maristany
515.61, Subd. 2 h) 4	Clarify	What about when geography of an area prevents equal encroachment with regard to a stream?	Carolyn Maristany
515.61, Subd. 2 h)12	Clarify/amend	Are manufactured homes principle structures? How do self-sufficient tiny homes fit into this definition?	Carolyn Maristany
515.61, Subd. 2 h) 16	Clarify/question	Unclear whether I'm going to be seeing the terms travel trailer/travel vehicle in place of RV in other parts of this section	Carolyn Maristany
515.61, Subd. 2 h) 17	Clarify/format	Use the definitions posted in the 515.61 Subd. 2 h) 17 if you have it don't list 100 year flood everywhere if you've already defined it or define a region flood as a 100 year flood. First example is 515.61 Subd. 4 d) iii, but I can site more as we go through this section.	Carolyn Maristany
515.61, Subd. 2 h)21	Clarify	Is there any way that this can be made clearer? Should historical structures have their own definition?	Carolyn Maristany
515.61, Subd. 3 b	Editorial	This is a great example of inclusive wording that greatly reduces the size of the list of the codes.	Candace Oathou

515.61, Subd. 4 d)4 iii	Simplify	Simplify language	Carolyn Maristany
515.61, Subd. 4 d) 5 iii	Clarify	Isn't this counterproductive because you are taking up space that would be occupied by a flood because this fill is not being used and moving since there is a structure on it?	Carolyn Maristany
515.61, Subd. 4 d) 6 i	Clarify	Does this mean that these items can never be stored here or if there is a flood these items need to be evacuated before flood waters reach them?	Carolyn Maristany
515.61,, Subd. 5a	Edit	Wish it read like 515.61	Carolyn Maristany
515.61, Subd..5 b) 1	Clarify	Assuming structure includes self-sufficient tiny house or RV that is not currently in use, but just sitting in a yard behind a fence. Maybe 515.61 Subd. 2 h)n 19 needs to be made clearer as things that are not highway ready.	Carolyn Maristany
515.61, Subd. 5 b/e	Clarify	Seems like it should be part of 515.61, Subd. 5b, so I would combine them.	Carolyn Maristany
515.61, Subd.5 d) 5	Clarify	Is a repeat of 515.61, Subd. 4 d) 6, so is this better in 515.61 Subd. 6 for rules that apply to all flood districts?	Carolyn Maristany
515.61, Subd. 5 e)4	Edit	Get rid of FEMA explanation of history and cite source as FEMA regulations.	Carolyn Maristany
515.61, Subd. 5 e) 7	Edit	This section together with the previous one could be consolidated to reduce redundancy. Subdivision 6 provides a good example.	Candace Oathout
515.61, Subd. 6	Clarify	I'm confused about this whole section because I don't know how it's different than a floodway district or flood fringe district other than it encompasses both, so maybe it should be listed first instead of last in 515.61 Subd. 3a.	Carolyn Maristany
515.61, Subd. 6 b)	Clarify	I thought that this was determined in 515.61 Subd. 2 d) 2. Should this be titled Construction Procedures for Flood	Carolyn Maristany

		Way and Flood Fringe districts?	
515.61, Subd. 9c)	Edit/format	Is there any way to put exemptions in their own subd like the previous zoning chapters? This is just really confusing.	Carolyn Maristany
515.61, Subd. 10 (b8,c5,d2)	Formatting	Make sure that the MN statute numbers are current.	Carolyn Maristany
515.61 Subd. 10c	Clarify	Who are these people? Are the Fed, state, local a combo of all; appointed, Sor elected and by whom?	Carolyn Maristany
515.61, Subd. 10 c) 7	Clarify	Don't insurance companies determine the rates and they fluctuate more frequently than code gets reviewed, so why are we listing how high the rates may increase when this might go out of date before it gets reviewed again?	Carolyn Maristany
515.61, Subd. 10 . d) 5	Clarify	Isn't this the same as 515.61, Subd. 10 9d) 2?	Carolyn Maristany
515.61, Subd. 11 a	Edit/typo	Typo it's 515.61 Subd. 2 h) 21 not 31. Also I don't think it is necessary to even use historic structures in here because any structure that is non-conforming must adhere to these rules regardless of if it's historic or not	Carolyn eMaristany
515.61, Subd. 11 a) 5	Edit/typo	Typo it's 515.61, Subd. 2 h) 20 not 30.	Carolyn Maristany
515.61, Subd. 12	Clarify	Just make sure the penalty structure is in line with previous discussions on this topic.	Carolyn Maristany
515.69	General Comment	AP and AO weirdness same as PD planning district weirdness	Carolyn Maristany
515.69, Subd.2 c	Clarify/question	Has the process to rezone this area to allow non-aeronautical use been started? If not why not?	Candace Oathout
515.69, Subd.2 d	Clarify	Is this currently met or are we already not following this? Why is out city allowed to do things not in accordance with the code or why aren't they at least changing things they know conflict with the code before they are non-conforming?	Carolyn Maristany

515.69, Sec 2	Format/clarify	First of all this doesn't follow any formatting we've read so far. Second doesn't this just mean 515 = appendix 1 and isn't that clearly stated in the code as The Zoning Code as contained in Appendix 1) in the code?	Carolyn Maristany
. 520.01	Format	Purpose statement, move to location of the other purpose statements.	Carolyn Maristany
520.01 d.	Clarify	When they talk about promoting vehicular traffic does that include bike traffic? We do not seem to have a plan for bike traffic in the Comprehensive Plan do we?	Bonnie Bolash
520.07, Subd. 6	Clarify	The language needs to be clearer.	Bonnie Bolash
520.07, Subd. 8	Format	Make consistent with extensions granted in 515.05 Subd. 3 j)	Carolyn Maristany
520.13	Question	I just wanted to know if this applies to the LRT station	Carolyn Maristany
520.13, Subd. 3	Amend/delete	I don't understand the purpose of this and would like to remove it.	Andrew Richter
520.13, Subd. 5	Amend	I don't see why a sprinkler system needs to be required, it just adds to the cost of a new project or expansion	Andrew Richter
520.13, Subd. 6	Amend	Repeal the 30% part, no need for it.	Andrew Richter
520.13, Subd. 7.	Amend	Repeal; again I'm lost to the point of this	Andrew Richter
520.15, Subd.1	Clarify	Escrow deposit. Does this apply to the City as well when doing street reconstruction? Since we have had failure of some of the trees and sod are the people required to provide an escrow for the potential failure?	Bonnie Bolash
525.09, Subd. 5	Clarify	Because cremation is becoming more popular can you bury more than one person at a burial plot that have been cremated?	Bonnie Bolash
530	General	Should this be titled storm water management instead? With then current title it sounds like it should be in Chapter 3 otherwise	Carolyn Maristany
530.03/.05	Format	Back history that should go with purpose statements	Carolyn Maristany

530.07	Format	Place this wherever definitions are being placed	Carolyn Maristany
530.07, Subd. 2 (d.r.f.)	Clarify	Shouldn't these be defined the same as 515.61 Subd. 2 h) 7, 8, 10	Carolyn Maristany
530.11, Subd. 2 a) 8	Clarify	100 year flood plain already defined as regional flood in 530.07, Subd. 2(l), so use defined terminology.	Carolyn Maristany
530.13, Subd. 2	Format	Make consistent with 515.05 and 520.07, Subd. 8	Carolyn Maristany
530.15, Subd. 8 b	Format	Update to numerical representation like we discussed at February meeting	Carolyn Maristany
530.15, Subd. 8 f	Edit	Modernize the metrics and replace rod with width in feet and meters	Carolyn Maristany
530.15, Subd. 9b	Edit	Modernize the metrics and replace rod with width in feet and meters	Carolyn Maristany