



**Planning Commission Work Session
Tuesday, January 21, 2025 at 6:00 PM
Council Chambers**

AGENDA

- 1. Call to Order**
- 2. Items for Discussion**
 - A. UDO Boot Camp
- 3. Routine Business**
- 4. Future Discussion**
 - A. 2025 Annual Meeting
- 5. Adjournment**

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Staff Report to the Planning Commission

TO: Planning Commission
THROUGH: David Wanberg, Community & Economic Development Director
FROM: Harry Davis, City Planning Manager
MEETING DATE: January 21, 2025
SUBJECT: UDO Bootcamp

Request:

Review the following information and read suggested materials in preparation for the first UDO boot camp session.

Background:

In late 2023 and early 2024, the Planning Commission provided input on a work plan for 2040. This input included a list of potential projects for the Planning Commission to research, write, and recommend approval of new policies or ordinances. Staff presented a work plan in early 2024 for discussion and as a guide for future activity (see attached). However, city staff could not support the work plan due to changes in CED. Toward the end of 2024, Planning Commissioners requested to bring back and adjust the work plan due to new members and shifting priorities. On bringing back the work plan, the Planning Commission discussed tackling residential within the zoning code- what barriers are currently in code to promote more residential construction and provide more home ownership and investment opportunities.

Coming out of the November 18 work session, the Planning Commission requested staff to conduct a "code boot camp" as a series of educational sessions to review different sections of the code and set a foundation for amendment recommendations. In December 2024, staff recommended reviewing and discussing the Unified Development Ordinance (UDO) for the Planning Commission. The Planning Commission recommended a thorough, comprehensive review of the UDO, which prompted staff to assess department capacity and project timing.

Discussion:

After talking through the concept of the UDO boot camp and a larger code overhaul effort with department and city leadership, staff will explore setting aside money in next year's budget to hire a consultant. In the meantime and in-lieu of a more formal training program for Planning Commissions, staff sees a need to establish a baseline understanding of the ordinance and how

development entitlement works for Faribault. Staff can offer a short series of presentations (between 10 minutes and 20 minutes) and discussions around various aspects of Faribault's UDO. Through these presentations and discussions, we can start to explore and identify opportunities to amend and strengthen the UDO. While not a complete, in-depth look at the code, this series is intended to explain primarily general, with some specific, parts of the code so commissioners feel comfortable applying the UDO in Faribault.

Below is a potential list of topics for reviewing the UDO at the Planning Commission work sessions (the topics and order may change at any time depending on staff time and prioritizing normal business).

Potential Topics List:

Topic 1

- Planning & Zoning Basics
 - History of Planning
 - Planning in Minnesota
 - General Planning Terms
 - Pyramid of Discretion
 - Outline of Development Applications and Processes

Topic 2

- Zoning Districts, Uses, and Lot and Building Requirements
 - General Hierarchy of Zoning Districts
 - Use Table and Defining Uses
 - General Building Envelope Restrictions
 - General Lot Requirements

Topic 3

- Subdivisions and Platting
 - General Platting Processes
 - Street Improvements and Development Agreements
 - Parkland Dedication

Topic 4

- Special Districts and PUDs
 - Heritage Preservation District
 - Airport District
 - Special Districts
 - Open Space and Agriculture
 - Transitional Urban Development
 - Public Institutional
 - Planned Unit Developments

Topic 5

- Overlays
 - Floodplain
 - Shoreland
 - Wild & Scenic River

Topic 6

- Conditional and Interim Uses
 - General Processes
 - Criteria for Approval
 - Triggers Requiring a Conditional Use
 - When to Use an Interim Use

Topic 7

- Variances and Appeals
 - General Variance Process
 - State Requirements and Criteria for Approval
 - Hardship vs Practical Difficulties
 - Variances from DNR Requirements
 - General Appeals Process

Topic 8

- Site Plan Review, Landscaping, and Parking
 - Site Plan Review Process
 - Landscaping and Screening
 - Parking and Parking Area Design

Topic 9

- Zoning Certificates, Accessory Uses/Structures, and Non-conformities
 - Zoning Certificate Uses
 - Accessory Structures and Uses
 - Non-conforming Buildings and Uses

Commissioners are free to review the UDO (available online on the city's website through Municode) and ask questions during or outside of work sessions. Further exploration into different sections of the UDO may happen organically or on an as-needed basis.

Attachments:

- Previous Work Session Packet



Staff Report to the Planning Commission

TO: Planning Commission
THROUGH: David Wanberg, Community & Economic Development Director
FROM: Harry Davis, City Planner
MEETING DATE: November 18, 2024
SUBJECT: 2024/2025 Work Plan Discussion on Residential and UDO Bootcamp

Request:

Review the following information and come to a consensus on next steps.

Background:

In late 2023 and early 2024, the Planning Commission provided input on a work plan for 2040. This input included a list of potential projects for Planning Commission to research, write, and recommend approval of new policies or ordinances. Staff presented a work plan in early 2024 for discussion and as a guide for future activity (see attached). However, due to changes in CED, city staff could not provide support to the work plan. Toward the end of 2024, Planning Commissioners requested to bring back and adjust the work plan due to new members and shifting priorities. On bringing back the work plan, the Planning Commission discussed tackling residential within the zoning code- what barriers are currently in code to promote more residential construction and provide more opportunities for home ownership and investment.

Coming out of the November 18 work session, the Planning Commission requested staff to conduct a "code boot camp" as a series of educational sessions for the Planning Commission to review different sections of the code and set a foundation for amendment recommendations.

Discussion:

The City of Faribault's UDO (Unified Development Code) is Appendix B of the Faribault Code of Ordinances. The difference between having separate chapters in the City's Code of Ordinances and the UDO is that the UDO combines several chapters of content (zoning, signs, subdivision, stormwater, etc.) into one chapter. The intent is to make it easier for developers to find all they need in one section of the code and to avoid conflicting regulations. You can read more about UDOs, flexible zoning techniques, and growth management tools under "Sources and Additional Content" attached to this report.

Appendix B is 15 chapters (Articles 8 and 9 of Chapter 6 appear in the chapter listing, but that's likely a formatting error):

1. Introductory Provisions

Summary:

Authority, purpose, scope, and legal language supporting the rest of the UDO. Chapter 1 includes how to interpret grammar and wording, illustrations, and relationship to other regulations (county, state, federal).

Chapter 1's definitions are the largest part and form the foundation of understanding for the other chapters and interpretations. Here, you can find information on how to measure building height, what the definition of multi-family is, and more. Suppose a word used in the UDO isn't in the definitions. In that case, staff will check past projects, the APA, other city codes, a dictionary, etc. for a definition or interpretation that makes the most sense in context.

2. Administration and Enforcement

Summary:

Sets up general processes and procedures for zoning and development review and enforcement, including designated officials, decision-makers, hearings, and different types of applications and approvals.

Most of the processes are controlled by State statute or common zoning practices elsewhere in the US. One possibility to explore is what processes can be streamlined or altered for certain applications or projects. For example:

- Lot consolidation (combination) is an exempted "subdivision" by state statute, so using a minor subdivision process may not be needed (subject to guidance from the City Attorney)
- Subdivisions are not required by state statute to be reviewed by Planning Commission before City Council
- Final plats are not required by state statute to have a public hearing
- Cities may grant variances for subdivision ordinances based on an unusual hardship (the precursor to practical difficulties) but state statute does not set standards for granting subdivision ordinance variances

3. Nonconformities

Summary:

Sets parameters for continuing non-conforming land uses, buildings, and situations.

Many of the parameters for non-conformities have been litigated at the state and federal levels. The City of Faribault currently has rules on nonconformities: when do they happen, how may they continue, can they expand, etc. We could explore opportunities to make it easier for residential structures in non-residential zoning to continue, but the City Attorney should be involved.

4. Site Plan Review

Summary:

Sets requirements for site plan submittals and review. Included are triggers for what projects require site plan review and approval. Landscaping, site layout/circulation, and (some) screening requirements are also contained in this chapter.

While city staff struggles with some of the aspects of this chapter, most of this chapter does not directly impact residential development. The building and site guidelines do not make a significant impact on residential uses, primarily due to guidelines not equating to, in practice, truly enforceable requirements. Landscape requirements are generally split between industrial and non-industrial uses, so changes to the landscape requirements for non-industrial uses may have unintended impacts on commercial uses. Residential landscaping may need to be broken out into an independent category if the Planning Commission seeks to change requirements for residential uses. Staff recommends robust public engagement and buy-in from City Council before setting up residential landscape requirements.

5. Zoning Districts and Maps Generally

Summary:

Lists the different zoning districts and overlays, establishes the zoning map, and guides interpreting district boundaries.

This chapter has very little to no impact on residential development.

6. General Regulations

Summary:

This chapter is a collection of generally applicable regulations for all properties in the city, such as fences, accessory uses and structures, and parcel/lot controls.

There are some specific areas in this chapter that may be useful for reviewing residential requirements and making amendments:

- Article 2 - Lot Controls

- Restrictions on the number of primary-use buildings in residential districts
- Setback encroachments
- Article 4 – Accessory uses and structures
 - Residential accessory buildings
- Article 6 – Fences
- Article 8 – Detached Accessory Dwelling Units

7. Specific Development Standards

Summary:

Sets limits (operation, location, compatibility, etc.) for different types of uses.

This chapter has a limited impact on residential development through the following development standards listed uses:

- Dwelling as part of a mixed use structure, CBD District
- Relocation of a dwelling previously occupied in another location
- Relocation of a new dwelling
- Single-family detached dwelling in R-4 district

8. Off-Street Parking and Loading

Summary:

Minimum standards for parking lot design, parking ratios, loading areas, and drive-ins/drive-throughs.

Cities, large and small, are reevaluating parking requirements (primarily ratios) and generally making amendments to require less parking. Some cities are removing minimum requirements and instead adopting a maximum amount of parking. The idea with removing parking requirements is multifaceted:

- Leave it to the market (and financial institutions) to determine the amount of parking needed
- On-street parking adjacent to the development can accommodate additional demands (and utilizes the largest parking surface in every city- streets)
- Areas not used for parking may become additional housing (which may result in lower costs due to additional units in the market/the additional units helps subsidize the cost for all the other units in the complex)
- The cost of surface parking is high and does not equate to the additional revenue generated by additional units

9. Signs

Summary:

Minimum standards for signs.

This chapter has very little to no impact on residential development. We could look at solidifying the process for subdivision signage, but ultimately with little impact on encouraging residential development.

10. Residential Districts

Summary:

Sets almost all zoning requirements for residential zones.

While there may be cause and interest to review all parts of this chapter, we may want to segment this section into parts to digest. Examples of areas where amendments will have the most impact are:

- Article 1 – General Provisions
 - o Principal uses for the residential districts
 - o Setback encroachments
 - o Lot dimension and building bulk regulations
 - o Lot area requirement, R-4 District
 - o Yard setback requirements, R-3 and R-4 Districts
 - o Front yard setback reductions in R-1, R-1A, R-2, R-3, and R-4 Districts
 - o Maximum lot coverage
 - o Parking and loading requirements
- Article 7 – R-M, Residential Manufactured Home District

11. Commercial Districts

Summary:

Sets almost all zoning requirements for commercial zones.

While commercial districts are intended to be used for commercial uses, we may want to encourage mixed-use development (vertical or horizontal) and sharing areas for parking and stormwater. Residential units in commercial areas may help transition land uses between downtown or commercial corridors to neighborhoods. Historically people lived and worked in the same area, usually within walking distance, and this concept continues into today's newly-planned shopping and employment centers (called New Urbanism). Examples of areas where amendments may have the most impact are:

- Article 1 – General Provisions
 - o Principal uses for the commercial districts

- Lot dimension and building bulk regulations
- Article 5 – CBD, Central Business District
- Residential uses

12. Industrial Districts

Summary:

Sets almost all zoning requirements for industrial districts.

This chapter has very little to no impact on residential development. The Planning Commission may consider reviewing setbacks for industrial development adjacent to residential development to make new or redeveloped industrial uses more compatible with adjacent existing or planned residential.

13. Overlay and Special Districts

Summary:

Sets almost all zoning requirements for overlay and special districts. Included is overlay districts like floodplain, heritage preservation, airport, and shoreland; special districts are open space/agricultural, transitional urban development, and public institutional.

While shoreland and floodplain requirements have an impact on residential development, they are required by the state and therefore hard to amend without input from the DNR. The special districts are not intended to include residential on its own.

14. Planned Unit Development District

Summary:

Establishes the process, criteria, and requirements for approving Planned Unit Developments (PUDs).

PUDs (and their cousin, Planned Zoning Districts [PZDs]) are a unique overlay placed over a development that allows the developer to create their own rules for development within the PUD area and establishing a clear vision for development to the public. PUDs also help facilitate having more than one principal structure on one property. There might be parts of the PUD chapter that make sense to amend, but staff warns against making PUDs *too* easy to use. The adoption process is time- and labor-intensive, the administration of PUDs is equally time-consuming (each development has its own set of rules), and amendments may require going back through the public hearing process. It would be better to leave the PUD process for truly unique properties or developments and instead allow for flexibility and creativity within other codes.

15. Subdivision Regulations

Summary:

Establishes the process, criteria, and requirements for approving Planned Unit Developments (PUDs).

PUDs (and their cousin, Planned Zoning Districts [PZDs]) are a unique overlay placed over a development that allows the developer to create their own rules for development within the PUD area and establish a clear vision for development to the public.

Recommendation:

Staff recommends the Planning Commission consider the summaries of different UDO chapters above, prioritize, and then review each code section. Staff recommends the following prioritization:

High Priority (in no particular order, except chapters 2 and 4)

1. Administration and Enforcement (Chapter 2)
2. Site Plan Review (Chapter 4)
3. General regulations (Chapter 6)
4. Off-Street Parking and Loading (Chapter 8)
5. Residential Districts (Chapter 10)

Medium Priority (in no particular order)

1. Introductory Provisions (Chapter 1)
2. Nonconformities (Chapter 3)
3. Specific Development Standards (Chapter 7)
4. Commercial Districts (Chapter 11)
5. Subdivision Regulations (Chapter 15)

Low Priority (in no particular order)

1. Zoning Districts and Maps Generally (Chapter 5)
2. Signs (Chapter 9)
3. Industrial districts (Chapter 12)
4. Overlay and Special Districts (Chapter 13)
5. Planned Unit Development District (Chapter 14)

Attachments:

- Sources and Additional Content

Sources and Additional Content

Professional Organizations

- American Planning Association (APA) Knowledge Center
<https://www.planning.org/knowledgecenter/>
The national, professional organization for planners in the USA. Reach out to the City Planner for access to some of the services/ documents.
 - Planning Action Service (PAS) Reports, Memo, and Quick Notes Guidance on important planning issues and innovative practices.
 - Zoning Practice - Guidance on writing and administering smart development codes.
 - Property Topics and Concepts
<https://www.planning.org/divisions/planningandlaw/propertytopics.htm>
 - Housing Supply Accelerator Playbook - **IMPORTANT**
A guide for officials and planners in cities to boost diverse, attainable, and equitable housing supply. The guidebook is a product of a partnership between APA and the National League of cities (NLC). The Mortgage Bankers Association, National Association of Home Builders, and National Association of Realtors support the methods and solutions in the playbook.
<https://www.planning.org/publications/document/9289884/>
- Urban Land Institute (ULI)
<https://uli.org/>
Well-respected and diverse organization for planners, developers, policymakers, and others internationally.
 - Knowledge Finder - Available only to members, but contains research and best-practices for various development-related topics.
 - Article titled "Zoning Reforms to Mitigate America's Affordable Housing Crisis"
<https://urbanland.uli.org/issues-trends/zoning-reforms-to-mitigate-americas-affordable-housing-crisis>

Media

- Planetizen
<https://www.planetizen.com/>
Combination of news and academic knowledge for planners and planning topics.
 - News, Blog, Planopedia, Videos - Good sources for finding out what's topical and cutting-edge in planning topics.
 - Educational and Training Courses - Good source for finding out more about and digging into a variety of topics.

- Bipartisan Policy Center
 - Article titled "Ten Actions Cities Can Take to Improve Housing Affordability"

<https://bipartisanpolicy.org/blog/10-actions-to-housing-affordability/#:~:text=10.,of%20color%E2%80%94to%20build%20wealth.>
 - Article titled "Comprehensive Zoning Reform in Minneapolis, MN"

<https://bipartisanpolicy.org/blog/comprehensive-zoning-reform-in-minneapolis-mn/>
- National Association of Housing and Redevelopment Officials (NAHRO)
 - Article titled "Rethinking Zoning to Increase Affordable Housing"

https://www.nahro.org/journal_article/rethinking-zoning-to-increase-affordable-housing/
- National Association of Home Builders (NAHB)
 - Article titled "How Zoning Regulations Affect Affordable Housing"

<https://www.nahb.org/blog/2024/11/zoning-regulation-and-affordable-housing>
- National Community of Practice on Local Housing Policy
 - Article titled "Zoning changes to allow for higher residential density" from Local Housing Solutions

<https://localhousingsolutions.org/housing-policy-library/zoning-changes-to-allow-for-higher-residential-density/#:~:text=Cities%2C%20towns%2C%20and%20counties%20seeking,align%20housing%20supply%20with%20demand>
- Pew Charitable Trusts
 - Article titled "Minneapolis Land Use Reforms Offer a Blueprint for Housing Affordability"

<https://www.pewtrusts.org/en/research-and-analysis/articles/2024/01/04/minneapolis-land-use-reforms-offer-a-blueprint-for-housing-affordability>