

ROSEVILLE
REQUEST FOR COUNCIL ACTION

Date: **07/06/15**
Item No.: 15.a

Department Approval



City Manager Approval



Item Description: Planning Commission Meeting with the City Council

BACKGROUND

Each year, the Planning Commission meets with the City Council to review activities and accomplishments and to discuss the upcoming year's work plan and issues that may be considered.

Activities and accomplishments:

- Zoning code text amendments
 - Parking lot lighting
 - Residential garage doors
 - Developer open house
- Twin Lakes Hospitality Place and Owasso Preserve plats

Discussion items with the City Council:

- Consultant Ben Gozola of Sambatek and Mark Rehder of S&S Landscaping will be present to discuss with City Council and Planning Commission thoughts and ideas regarding amendments to the current tree preservation requirements.
- Consultant Ben Gozola of Sambatek will be present to discuss with City Council and Planning Commission thoughts and ideas regarding the creation of Planned Unit Development requirements.
- Planning Commission involvement in implementing the City Council's Policy Priority Planning Document – specifically what should constitute move-up housing and appropriate price range.

Work Plan (generated by City Planner) items for the upcoming year:

- Zoning Code Text Amendments (as needed)
 - Twin Lakes
- Subdivision Ordinance

Prepared by: Thomas Paschke, City Planner; Staff Liaison to the Planning Commission

Memorandum

DATE: 7/6/15

TO: Roseville City Council & Planning Commission

FROM: Ben Gozola, AICP

SUBJECT: **Tree Preservation Ordinance Update**

Overview

The City has requested that Sambatek and S&S Tree Specialists lead the City's efforts to revise and amend the City's regulations relating to tree preservation. To that end, we have requested an audience with the City Council and Planning Commission during the joint meeting on July 6th to get direction from both bodies. This feedback will accomplish two main goals: 1) ensure we fully understand the City's objectives and expectations for this process; and 2) allow us to review the projected budget to ensure our initial estimates are in-line with the City's expectations.

Approach

Ben Gozola from Sambatek and Mark Rehder from S&S Tree will begin the discussion by presenting some general initial information on tree preservation ordinances, approaches, and things that should be considered as the City moves forward. As part of this presentation, we will summarize the direction for this project as we currently understand it based on our research to date, and our own observations of the existing ordinance. Following the presentation, Gozola and Rehder will pose questions to the Council and Commission, and will listen to all comments and concerns. Gozola and Rehder will then reconvene with staff following the meeting to compare notes and finalize the direction and process for authoring the new ordinance.

Meeting Outcomes

- Final direction on goals to accomplish with this ordinance
- Better understanding of the City concerns
- Introduction of Sambatek, Inc.

Current Background & Project Understanding

The following is a summary of our current project understanding based on preliminary research, review of past meeting minutes, and our expectations of goals based on similar ordinance writing experiences. Please review this list and be prepared to clarify, add to, or amend these thoughts as necessary. Your feedback at this point in the process is critical as the direction resulting from this introductory meeting will greatly shape the resulting ordinance.

(A) On what the City is hoping to accomplish with this tree preservation ordinance update:

1. The final ordinance should be fair and reasonable. The best ordinance will find the proper balance between honoring a landowner's rights to determine what should be done with trees on their property while still recognizing and protecting the public benefit created by a well-maintained, healthy, and diverse urban forest.
2. The new ordinance should recognize that 99% of the trees in the City are not old growth trees and are replaceable. Flexibility will be key.
3. The new ordinance should also recognize that a "tree is a tree" in the eyes of the general public; a loss of vegetation or lack of vegetation with new development will be noticed. Likewise, the general public will typically not differentiate between high-quality and low-quality trees, and will focus more on "vegetated" vs. "non-vegetated."
4. The ordinance should clearly delineate who gets to choose what happens on a site if there are multiple ways to meet code requirements (should the City or landowner dictate which methodology is most appropriate).
5. The various ordinance sections dealing with tree preservation and landscaping need to be linked (i.e. requirements for landscaping over the entirety of a lot should accept sub-landscaping requirements—such as parking lot landscaping—as counting towards the overall requirement).
6. Lists of allowable plant materials used by the City in the zoning ordinance should be coordinated with the list of allowable plant materials used by the City's Parks Department.
7. The ordinance should protect the diversity of the urban forest to guard against individual diseases decimating the City's tree stock.

(B) Regarding the main problems being encountered when administering the current ordinance:

1. The quality of submittals & drawings has been either inconsistent or of poor quality.
2. Submittals under the current process tend to come in at the last minute. The new ordinance should require a replacement plan and a preservation/protection plan up front during the initial project review.
3. The new ordinance needs to have “modified” protection policies to accommodate real-world development issues without requiring long and drawn out approval processes.
4. Submitted plans must be required to be legible in black & white on an 11x17 sized sheet of paper.

(C) On whether there are any significant/landmark trees or tree stands that the City would like to specifically protect:

1. The past history of the area was heavily agriculture, so there are few original or “old growth” trees in the community.

(D) Regarding the spectrum of importance where one end is the “lowest effective cost to administer” and the other end is “getting tree preservation done right:”

1. While being economical is always a concern, the ordinance should trend towards getting things right first. Once put into effect, the language can be scaled back as necessary from there if the costs to administer become excessive.

Memorandum

DATE: 7/6/15

TO: Roseville City Council & Planning Commission

FROM: Ben Gozola, AICP

***SUBJECT:* Planned Unit Development Ordinance Update**

Overview

The City has requested that Sambatek lead the City's efforts to create a new Planned Unit Development ordinance to allow for flexible development as may be necessary and appropriate. As part of the upcoming joint Council and Planning Commission meeting on July 6th, we are seeking direction from both bodies on what you'd like this new ordinance to accomplish. Like the tree preservation discussion, your feedback will ensure we fully understand the City's objectives and expectations for this ordinance, and will allow us to review the projected budget to ensure our initial estimates are in-line with the City's expectations.

Approach

Ben Gozola from Sambatek will begin the discussion by presenting some general initial information on planned unit development ordinances, methodologies for implementing PUDs, and general things that should be considered as the City moves forward. As part of this presentation, he will summarize the direction for this project as we currently understand it based on our research to date. Following the presentation, Gozola will pose questions to the Council and Commission, and will listen to all comments and concerns. Gozola will then reconvene with staff following the meeting to compare notes and finalize the direction and process for authoring the new ordinance.

Meeting Outcomes

- Final direction on goals to accomplish with this ordinance

- Better understanding of the City concerns
- Introduction of Sambatek, Inc.

Current Background & Project Understanding

The following is a summary of our current project understanding based on preliminary research, review of past meeting minutes, and our expectations of goals based on similar ordinance writing experiences. Please review this list and be prepared to clarify, add to, or amend these thoughts as necessary. Your feedback at this point in the process is critical as the direction resulting from this introductory meeting will greatly shape the resulting ordinance.

(A) Regarding what precipitated a repeal of the previous PUD ordinance (as ostensibly addressing those issues will be a top priority for this effort):

1. The previous ordinance was repealed in 2010 with the adoption of a fully revised and new zoning ordinance for the City.
2. Reasons for eliminating the old PUD code focused on the fact that PUDs were not being approved, developers had become hesitant to apply for PUDs, and the new code was designed to ensure development matched the City's vision.

(B) The City's main goals for a revised PUD ordinance appear to be:

1. The regulations must be easy to administer on the City side, and easy to understand on the development side.
2. New PUDs should not replace the underlying zoning. The City does not want to create entire new districts with every PUD that comes forward, so the preference would be an overlay district.
3. The new PUD ordinance cannot be an avenue to just grant relief from existing standards; there has to be measurable or easily identifiable trade-offs to support the requested flexibility.
4. Applicants for a PUD should be required to document and demonstrate proposed trade-offs up front during the initial development review

5. The amendment process created for the new code must acknowledge and account for existing old PUDs
6. Good communication – applicants should be required to go through a neighborhood meeting/sketch plan process so all issues can be identified and the public can provide feedback prior to significant investment in development plans.

(C) On the subject of whether there are specific tweaks, benefits, or tradeoffs the City would like to be a focus of this new ordinance, or things that should be prohibited from changing under a PUD:

1. Allowed tweaks should definitely include building placement, parking standards, and exterior materials at a minimum. Other things to consider may include better design/architectural features, better stormwater management, more trees/landscaping, more recreational amenities/open spaces, trails/ped connections, infrastructure improvements, etc.
2. Give backs/tradeoffs from the developer should include increased setbacks, preserving open space and/or important natural features, sustainability improvements, structured parking, trail & ped connections, etc.
3. Process wise, applicants must be required to clearly document what is being given up vs. what benefits are being provided as part of the development process.
4. To date, we have not come across anything the City has identified as being off the table for some level of negotiation.

(D) On the matter of where PUDs should be allowed:

1. This will be a main focus of discussion as some have indicated a preference for a universally available option, while others may wish for a limited scope.
2. If allowed in residential areas, PUDs should be reserved for developments of four or more lots (exclude very small lot splits from having a PUD option).
3. Consideration should be given to some form of limiting criteria on when PUDs can be pursued (i.e. PUDs may be approved if they meet a certain size, provide a

specified level of additional benefits, only vary a limited number of underlying requirements, etc).

(E) Regarding the spectrum of approval for PUDs where one end is “allowed by right” and the other end is “subjectively determined by Council” (we are seeking guidance as to where the new ordinance should land on this spectrum):

1. The City Council and Planning Commission’s guidance will be sought on this issue. Regardless of where it falls on the spectrum, it is assumed the new ordinance will need a clearly defined set of requirements to ensure PUDs can only move forward if the proposed benefits fulfill the goals of the City.