

APPROVED
Minnetonka Beach Planning Commission Meeting Minutes
December 18, 2023 – 7 pm

1. Call to Order

Chair Breazeale called the meeting to order at 7:00 pm.

2. Oath of Office – Bill Whitely

3. Roll Call

Present: Commissioners Breazeale, Finnegan, Whitely, Wortman and Council Liaison Halverson. Absent: Steinfeld, Swanson, Blodgett

Staff in attendance: City Administrator Heidi Honey, Zoning Administrator Phil Carlson

4. Approve Agenda

(Whitely motion, Finnegan second to approve the agenda; all ayes.) Motion passed.

5. Approve Minutes - Regular Meeting of November 28, 2023

(Whitely motion, Finnegan second to approve the Regular Meeting Minutes of November 28, 2023; Aye – Whitely, Finnegan, Wortman; Abstain – Breazeale because he was not at the meeting.) Motion passed.

6. Zoning Code Amendments

6.1. Move Shoreland to Main Sections of Code

Breazeale reviewed the proposed movement of code sections stating he reorganized existing code and did not review for compliance issues. The shoreland section was previously 4.7.6. and then recently moved to temporary Chapter 13. Brezeale noted the following:

References to statute and other sections were corrected.

Required DNR notices were moved to appropriate locations with variances, conditional use permits, and added DNR to the Role of Decision Maker chart.

Vegetation was moved from finishing standards to Vegetation and Land Alteration to make it easier to find these requirements.

Shoreland Management Controls lists things the DNR model ordinance refers to.

Breazeale stated that when Council approves this proposed language, the code will include all of the 3/7 agreement, and be reorganized to align with the DNR model ordinance. They will use this as the existing code and redline any substantive changes to that. The process will be followed with Planning approval, Council approval, public hearing, Planning recommendation, Council final approval and DNR final approval. The changes proposed would then bring the code into compliance. In future years, the Planning Commission will review a chapter of code per quarter to further refine any changes. Commissioners supported the proposed changes and removing the temporary Chapter 13 after shoreland is moved to the appropriate code sections. Carlson suggested having definitions at the end of the code for ease of use.

(Whitely motion, Wortman second to approve the draft language that moves Shoreland Overlay District Section 4.7.6. into chapters as presented; all ayes.) Motion passed.

6.2. Section 3.4.4.J. – Conditional Use Permit (CUP) Amendments

Breazeale stated there was concern about the impact of a Conditional Use Permit on surrounding properties during the Lafayette Club fence discussion. Council asked for recommended clarification language from Planning. There was discussion about what types of changes require a CUP amendment,

narrowing it down to a change related to the scope of the city code and zoning code. Carlson discussed that there are two types of changes: a change in physical features of a property and change is also a use that is regulated in the code.

Commissioners recommended moving item #2 to #3.

Commissioners recommended inserting a new #2 as: A change to a physical feature, use, or other characteristic of a property on which there is a Conditional Use Permit shall require an amendment to the Conditional Use Permit if such feature, use or other characteristic is within the scope of this ordinance, elsewhere in the City Code or the City's Comprehensive Plan.

(Whitely motion, Finnegan second to insert item #2 to 3.4.4..J. reading as follows: A change to a physical feature, use, or other characteristic of a property on which there is a Conditional Use Permit shall require an amendment to the Conditional Use Permit if such feature, use or other characteristic is within the scope of this ordinance, elsewhere in the City Code or the City's Comprehensive Plan.; all ayes.) Motion passed.

7. New Business

7.1. 2024 Meeting Dates

Breazeale reviewed the proposed meeting dates. The following dates were approved by the commissioners. January 22, February 26, March 18, April 22, May 20, June 24, July 22, August 26, September 23, October 28, November 25, December 16.

6. Reports

Halverson reported on the city council meeting. Police want to remind people to lock their doors, cars, activate home alarms, be aware of anything that looks suspicious and call them. Police have increased patrols in the city. She welcomed Bill Whitely and discussed how important volunteerism is to the city. She then stated the city is working to get funding for the water treatment plant but with that comes additional requirements and is waiting to hear on funding. The final 2024 budget was approved. The mayor gave a state of the city address. The focus is planning, execution and evaluation for council and all commissions. In execution phase for 2024 are the DNR compliance with zoning code updates, the water treatment plant and Parks 5 Year Plan. There will be evaluation of the tree protection ordinance to determine if any changes are needed. There will be work planning future infrastructure (under roads) projects, and a holistic view of the swim beach. She also discussed providing guidance and efficient use of time. She complimented the Planning Commission on their phenomenal work.

7. Adjournment

(Finnegan motion, Whitely second to adjourn; all ayes.) Motion passed.

Chair Breazeale adjourned the meeting at 8:42 p.m.

PUBLIC IN ATTENDANCE –

Minutes respectfully submitted by City Administrator Heidi Honey

Heidi Honey, City Administrator