

**Monday, December 5, 2016**  
**CITY OF MINNETONKA BEACH**  
**CITY COUNCIL**  
**STUDY SESSION MINUTES**

**STUDY SESSION:**

**Roll Call:** Mayor Rick Skalla, Council Members: Jill Bartel, Paul Kozloski, Jaci Lindstrom, and Mike Taylor

**Absent:** Treasurer Randy Gilster

**Staff Present:** City Administrator Susanne Griffin, City Clerk Heidi Honey, Zoning Administrator Ben Gozola

1. Mayor Skalla called the meeting to order at 5:30 p.m.

2. Zoning Code Update

Mayor Skalla stated the intention of the meeting is to examine and discuss highlighted proposed changes to the zoning code. Chair Andrew Myers, Jeff Steinke and Max Hacker from the Planning Commission are in attendance to answer questions. Planning Chair Myers recommended residents be informed about the changes such as linking the new code on the website and putting notice in the Beachcomber highlighting potential changes. Administrator Gozola went on to review the proposed changes in his memo in the packet.

#1 - Three new permit types were added:

- Interim Use – These are a new tool for the city and are used for specific long-term uses that should be eliminated when they are no longer necessary. Example; Necessary accessibility improvements for a current resident that will be removed when the resident moves.
- Driveway – These permits are recommended to ensure driveways do not go over on hardcover. They would be for new driveway installations, a change in surface material, or expansion. Council decided a permit would not be required for a change of material.
- Temporary Use – These are for temporary uses that are only allowed for a specific amount of time such as RV parking, tents, and construction dumpsters. Specific uses are defined in the Uses Section.

#2 - Revisions to the City's special setback allowances. Changes are proposed to Construction Uses and Structures; Lake Accessory Uses; Patios; BBQs and Fire Pits; RVs and Travel Trailers; Temporary Structures; and Terraces. Council decided to maintain current requirements for Construction Uses and Structures, RV's and Travel Trailers, and Temporary Structures. They also decided Patios, Terraces, and BBQs & Fire Pits must meet AMLS. Council discussed the potential impact on smaller lots, and Mayor Skalla directed Administrator Gozola to examine the average lakeshore setbacks of homes within the community. The Council would like to better understand how changing setbacks for features like patios, terraces, bbq's and fire pits will actually impact property owners.

#3 – New Shoreland Overlay District encompassing DNR regulations. The Shoreland provisions are based on the DNR’s model Shoreland ordinance, statutory requirements, and best practices use by similar communities. Changes include a lakeshore setback map and updated language.

#4 – New PUDs will not be allowed until the City revisits the ordinance and elects to adopt new regulations. PUD language only affects Lafayette Club land if it is ever sold.

#5 – Recommended regulations for fences and walls. Recommendations include requiring fencing to be completely on private property and not on lot lines; requiring access points for emergencies; restricting materials used for fencing; and requiring finished sides of fences to face outward toward neighboring properties. Council discussed chain link fencing and aesthetics. Council requested resident input on fence materials at the public hearing.

#6 – Proposed new regulations on land use related nuisances to complement language in the current nuisance ordinance. Administrator Gozola will link this language to the other section of code with the nuisance ordinance.

#7 – Replacing the term “church” with “places of public assembly”.

#8 – Proposed limit on the maximum number of accessory structures to one minor and one major accessory building. Currently there is no regulation if the property does not go over on hardcover. Council decided to eliminate the proposed limit.

#9 – Proposed regulations requiring outdoor storage items to be covered or screened.

#10 – Proposed regulations on ham radio towers, TV antennas, and solar energy systems. These items are currently allowed but there are no requirements limiting the quantity, placement and upkeep of them.

#11 – Proposed regulations for swimming pools prohibiting above ground swimming pools and requiring safety devices (fence or covers) on all pools. Council discussed aesthetics and over-regulating residents. They have not been an issue in the past. Council decided to keep existing regulation allowing above ground swimming pools. They supported safety requirements for new pools.

#12 – New Temporary Uses are defined with standards for each outlined. Council recommended removing the permit requirement for large tents, but keeping the 30-day limit. Travel trailers/RVs are limited to 2 weeks with current code. Administrator Gozola suggested referring to them as a temporary use definition requiring a permit and documenting a start and end date. Council discussed possible inconsistencies for requirements of different types of trailers. They also discussed inconsistencies for trailer storage setbacks between lakeshore and non-lakeshore properties. Council discussed having the same setback requirements for all properties for travel trailers/RVs. Council directed Administrator Gozola to research the implication of removing the trailer and RV restrictions and report back.

#13 – Code language for Nonconformities is in a special section.

#14 – A zoning code enforcement section has been added.

#15 – Chapter 8 is a new section devoted to Rules and Definitions.

Administrator Gozola briefly summarized minor changes to code as listed in his memo. He stated that he will schedule the first public hearing the end of January and he will report the results of the hearing to Council in February or March.

**1. Adjourn.**

**A motion was made by Council Member Taylor and seconded by Council Member Bartel to adjourn the meeting at 7:06 p.m. With all members voting in favor, the motion carried.**

Meeting was adjourned at 7:06 p.m.

**PUBLIC IN ATTENDANCE – The following individuals did not sign the sign-in sheet but were in attendance from the Planning Commission: Andrew Myers, Jeff Steinke, and Max Hacker.**

**Respectfully submitted,**

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**Heidi Honey, City Clerk**