

To: Planning Commission

From: DNR Code Compliance Task Force --Included in 9.26.22 Planning Commission Packet

Date: September 25, 2022

Re: Status Update

1. The City has completed the guest cottage/detached ADU Code correction consistent with one of the original inducements made by the City to the DNR in support of the DNR grant of flexibility from the shoreland rules (hardcover, building height and location of the one allowed Water-Oriented Accessory Structure--see attached Chart).

The City-appointed Task Force was able to successfully advocate for changes to completely contained ADUs. The updated code language approved by the DNR allows occupation by adult family members and caregivers, in addition to employees.

On September 21, 2022, the City received acknowledgement from the DNR that the adoption of Code amendment language related to ADUs at the September 12, 2022 Regular Council Meeting is acceptable to the DNR. This is final approval of that Code amendment by the state agency that regulates shoreland.

2. in light of the transition of elected officials in 2023, the City-appointed Task Force met with the current Mayor, City Administrator and Planning Commission Chair to discuss what, if any, impact there may be on this lengthy compliance evaluation project and how best to communicate to PC, CC and the City Administrator.
3. With approval of that group, the Task Force and the City Administrator next met with the City Planner to discuss the best way to address the necessary Code compliance corrections/changes, considering the 1996 approved City Code, the DNR Model Ordinance and our current Code language.
4. Based on input from the City Planner and City Administrator, the Task Force intends to base its recommendations on the approved 1996 Code, integrating updated language from the DNR Model Ordinance and our current Code as appropriate.
5. The City-appointed Task Force has requested the DNR provide updated written confirmation of expectations the DNR has for the City for the balance of the Code compliance evaluation. This is for the benefit of new Council and Planning members. The DNR expectations are based upon the evaluation of the current City Land Use Regulations for compliance with the shoreland rules, the inducements made by the City to the DNR in support of the flexibility from the shoreland rules previously granted by the DNR, and changes made to the City Zoning Code since 1996 that have not been approved by the DNR.
6. The Task Force will provide monthly updates to the Planning Commission on progress.

