City of La Crescent
Planning Commission
Meeting Notice

June 7, 2022 – 5:30 p.m.
La Crescent City Hall
315 Main Street

Agenda

1. Call To Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of May 3, 2022 Meeting Minutes
5. Public Meeting - Variance Application 20 North Hill Street - Radecki
6. Public Hearing – 5:50 p.m. Consideration of proposed Chapter 12, Zoning Ordinance text amendments including:
   a. Section 12.22 C-1 Highway Commercial District, Subd. 6 General Provisions, A. Building Design and Materials 4. b., to allow architectural metal as a secondary building material and to create a definition of architectural metal.
   b. Section 12.10 General Provisions, Subd. 8 Fences, D. 1. to allow eight (8) foot fences in the Industrial District.
   c. Section 12.10 Subd. 19 to allow electric vehicles as a permitted accessory use in all zoning districts, adopt requirements for electric vehicle charging requirements for residential and non-residential uses, adopt construction standards for electric vehicle charging stations, and adopt parking use standards and protections for electric vehicles.
7. Discussion Items:
   a. Role of the Comprehensive Plan and Planning Commission
   b. Annual Workplan Items by the Planning Commission
   c. Joint city council/planning commission meeting
   d. Annual public meeting with all city committees
   e. Council updates from planning commission appointed city council member
   f. Planning commission members per diem compensation for meetings
8. Adjourn

cc: Honorable Mayor, City Council Members, City Attorney, City Administrator
TO: Planning Commission Members  
Honorable Mayor and City Council members  
FROM: Jason Ludwigson, Sustainability Coordinator  
DATE: May 5th 2022  
RE: Meeting Minutes from May 3rd 2022  

The Planning Commission met at 5:30 p.m., on Tuesday, May 3rd 2022 in the City Council Chambers at City Hall. The Chair asked that the roll be called. The following members were present: Ryan Stotts, Mike Welch, Annie Stoecklein, Dave Hanifl, Dave Coleman, and Jerry Steffes. Also in attendance were Sustainability Coordinator, Jason Ludwigson, Economic Development Coordinator, Larry Kirch and Council member Cherryl Jostad. Greg Husmann called in to excuse his absence.

1. The meeting was called to order by Chair Stoecklein. Members recited the Pledge of Allegiance.

2. Mike Welch made a motion to accept the minutes from the March 1st, 2022 meeting. Motion was seconded by Ryan Stotts.

Upon a roll call vote, taken and tallied by the Sustainability Coordinator, all members present voted in favor accepting the minutes.

Stoecklein – Yes
Stotts – Yes
Steffes – Yes
Coleman – Yes
Hanifl – Yes
Welch – Yes

3. At 5:33 a public meeting was held for the variance application at 190 Main Street. Larry Kirch reviewed the staff report for the variance in the application at 190 Main Street. The subject property is a
portion of Lots 11 and 12 of the Manton Subdivision and is subject to a Public Street Right-of-Way Easement to the City. The property is located at the northwest intersection of Main Street and Sycamore Street. The zoning code specifies that fences in the city cannot exceed 6' in height and the applicant is seeking a two-foot height variance to allow an eight-foot-tall fence. All zoning districts in the city allow fences not exceeding 6' in height. The Army Corps had requested the fence include razor wire. After speaking with the building official, the request for the razor wire was dropped. Discussion included the location of the current city easement for roadway and where the fence could be located in the easement. Applicant Allan McCormick spoke in favor of the city granting the variance. He noted that the Army Corps is currently storing boats at the lock and dam. The property at 190 Main Street would allow the Army Corps to drive these boats in and out of the space rather than having to back them out. Mr. McCormick noted that the 8’ fence is a federal standard. Members asked the applicant about security of the fence being scaled, lighting, and security camera. The applicant noted that he has plans to install a security camera and lighting at the site. Possible conditions and findings in the staff report were reviewed by members of the planning commission. Discussion of the condition for shade trees as screening took place. Members expressed concern that the trucks using the Truss Company property would swing wide and hit the trees planted in the easement. Staff noted that the city is a Tree City USA city, a Minnesota GreenSteps city, and screening is recommended in the comprehensive plan. Members noted that the city should plant trees in the boulevard. Members asked the applicant about the duration of the lease on the property. The applicant noted it is a 5-year lease. Commissioner Haniff made a motion with the conditions and findings below. Commissioner Steffes seconded the motion.

Conditions for approval:

1) Prior to fence installation, the city Engineer will verify the easement location and confirm whether the city’s plan for the Wagon Wheel Trail corridor includes a possible 10’ sidewalk within the easement or stormwater bioswale. The applicant can put the fence in the easement. If the fence needs to be moved in the future it shall be done at the owner’s expense.

2) The proposed fence may be installed within the City’s perpetual roadway right-of-way easement. If it ever needs to be relocated, it will be done at the owner’s expense.

3) The proposed fence shall be a traditional galvanized fence.

Findings in the motion included:

- The property is in an industrial area where other chain link fences have been installed
- The variance is consistent with the intent of the comprehensive plan which does not provide specific guidance on fencing
- Property owner does not propose to use the property in an unreasonable manner not permitted by the ordinance
- Granting the variance would not alter the essential character of the locality as it would continue as an industrial use.

4. The planning commission reviewed zoning text amendment to modify commercial design standards regarding allowed percent architectural metal as a primary exterior building material. Economic development director Larry Kirch reviewed example language from other peer cities. The committee discussed including definitions for what constitutes architectural metal and in what zoning districts the changes should apply. Economic development director Larry Kirch will bring recommendations forward for changes to be made to the zoning code at a future public hearing.

5. The planning commission reviewed zoning text amendments regarding minimum electric vehicle charging standards for new construction. Sustainability coordinator Jason Ludwigson presented a staff memo and reviewed example language from other peer cities. The committee asked for clarification on the proposed requirements for enclosed parking spaces. Sustainability coordinator Jason Ludwigson will bring recommendations forward for changes to be made to the zoning code at a future public hearing.

6. Members discussed the role of the planning commission as outlined in the comprehensive plan. Items for future meeting agendas should be shared with Chair Stoecklein.

7. Meeting was adjourned by consensus at 7:01 p.m.
PLANNING COMMISSION – BOARD OF ADJUSTMENT PUBLIC MEETING
VARIANCE REQUEST – 20 NORTH HILL STREET
STAFF REPORT

MEETING DATE: June 7th, 2022

CASE NUMBER: PC-22-06-VAR 20 North Hill Street - Variance

OWNER: Robert and Carley Radecki
20 North Hill Street
La Crescent MN 55947

PARCEL ID: 25.0276000

APPLICANT: Robert Radecki

REQUEST: 10-foot front yard setback variance to add a covered front porch

LOCATION: 20 North Hill Street

GENERAL PLAN/
ZONING DESIGNATION: R-1B – TRADITIONAL LOW DENSITY RESIDENTIAL DISTRICT

SURROUNDING USES: North: Low Density Residential
South: Low Density Residential
East: Low Density Residential
West: Low Density Residential

BACKGROUND

The property is located at the northwest intersection of North Hill Street and 1st Street. The applicant has completed a significant remodel and rehabilitation of the property. The zoning code specifies that the front yard setback in the R-1B district shall be 20’ for a porch (25’ for the main structure) and the applicant is seeking a ten-foot variance.

Sect-10 Twp-104 Range-004 LA CRESCENT PLAT Lot-001 Block-053 B 332 P 507; DOC 257815;
DOC 301292

PROPOSAL

PC-22-06-VAR is a proposed variance request from the zoning code provisions found in Chapter 12, Zoning Ordinance, Section 12.15, TRADITIONAL LOW DENSITY RESIDENTIAL DISTRICT, Subd.
5. Lot Requirements and Setbacks, A. Front Yard: The minimum front yard setback for living
area in an R-1B district shall be twenty-five (25'). The setback may be reduced to twenty feet (20') if the following conditions are met: 1. The setback reduction is for an attached living area or porch to the principal structure which does not exceed a total of fifty (50) square feet of above grade finished livable space. Such area may not include a garage. 2. The exterior materials of the proposed living area or porch are consistent or complementary in color, texture and quality with those visible at the front of the dwelling. 3. The roof of the proposed living area or porch is properly proportioned to and integrated with the roof of the dwelling.

BUILDING AND ZONING STAFF ANALYSIS

Relationship to Comprehensive Plan:

The subject site is designated by the City’s General Plan as “Neighborhood Residential.” The Comprehensive Plan states that although this land use is the primary land use in most neighborhoods, healthy and balanced neighborhoods may also include other uses that support the needs of residents. Land Uses include Parks and recreational Facilities, Small Municipal and Institutional Facilities, Community Centers, Places of Worship, Schools, Day Care Centers, Small Pockets of High Density Residential, and Small Commercial Uses that Serve Neighborhood Needs. The preferred design strategies note that “Front porches are encouraged on new homes, especially when built close to the street.” Further that “Narrow lots and shallow front yard setbacks are encouraged, to use land use efficiently.”

Land Use & Community Design

Goal 2 New development and redevelopment will maintain the City’s small-town character and establish a reputation for environmental stewardship and investment in public health.

Objectives:

2.1 New development will be compact, to use land and infrastructure efficiently, but it will generally not be tall, meaning four stories or less.

Strategies: 5.

The city will promote the efficient use of land by allowing and encouraging landowners and developers to use compact development strategies such as shallow front yard setbacks, attached residential units, and multi-story buildings.

City zoning and land use regulations: The City Zoning Code contains setback regulations in Section 12.15 for the R-1-B District and specifies that a front setback of 20’ for front porches may be permitted if certain conditions are met.

Site Context:

The site consists of a single lot and is a corner lot. The lot is 50’ in width and the house does not meet the front yard setback on Hill Street. The house is set in the middle of the lot, north
to south. Most of the adjacent properties contain single family homes. To the west is Prince of Peace church which houses the Peli Pre-School and Family Center.

Infrastructure Improvements:

N/A

Public Input:

Staff has not received any public comment regarding this application.

FINDINGS OF FACT FOR VARIANCE REQUEST

12.07 VARIANCES Subd. 1. Pursuant to Minn. Stat. Sec. 462.357, Subd. 6, as it may be amended from time to time, the Planning Commission, acting as a Board of Adjustment, may issue variances from the provisions of this zoning code. A variance is a modification or variation of the provisions of this zoning code as applied to a specific piece of property.

CRITERIA FOR GRANTING VARIANCE

The City Zoning Ordinance states the following:

A variance is a modification or variation of the provision of this zoning code as applied to a specific piece of property.

Subd. 2.

A. Variances shall only be permitted
   1. when they are in harmony with the general purposes and intent of the ordinance, and
   2. when the variances are consistent with the comprehensive plan.

B. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance.

Subd. 3. “Practical difficulties,” as used in connection with the granting of a variance, means that

1. The property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance;
2. The plight of the landowner is due to circumstances unique to the property not created by the landowner; and
3. The variance, if granted, will not alter the essential character of the locality.
Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems. The board may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance. DECISIONS. Following the public meeting or any continuance which is not appealed by the applicant, the Board of Adjustment shall grant or deny the variance upon a decision by a majority of members present. The Board of Adjustment may grant variances from the literal provisions of this Ordinance when the applicant for the variance establishes that there are practical difficulties as defined herein, and when they are in harmony with the general purposes and intent of the Ordinance and when the variances are consistent with the comprehensive plan. The Board of Adjustment may impose any reasonable condition in granting of such variances in order to ensure compliance with this Ordinance or to protect adjacent property. The Board of Adjustment may consider functional and aesthetic issues in order to protect the essential character of the neighborhood. The Board of Adjustment shall accompany its decision to grant or deny a variance with a statement of its findings.

STAFF FINDINGS AND RECOMMENDATION

City staff has reviewed the submitted application, the applicant’s response (a - k) of the application, reviewed the adopted comprehensive plan, and the city’s zoning code. The requested variance is to allow a covered front porch to be an additional ten feet closer to the property than the front yard setback allows in the zoning code.

Variances shall not be permitted when they are not in harmony with the general purposes and intent of the ordinance and when the variances are not consistent with the comprehensive plan. While there is no specific reference in the comprehensive plan to front porch setbacks, the Comprehensive Plan does call for narrow lots and shallow front yard setbacks to use land efficiently. The Comprehensive Plan also lists a housing goal that older homes will be rehabilitated, modernized and redeveloped to meet contemporary needs.

The zoning code contains a provision for relaxed setbacks for porches of 5’ and so the variance request is in harmony with the general purposes and intent of the zoning ordinance, which is to carry out the intent of the City of La Crescent, Minnesota’s plans and policies and to promote the public health, safety and general welfare.

If the variance request does meet these two criteria (harmony and purpose of the ordinance and consistency with the comprehensive plan), then the request if further evaluated to determine if there are “Practical difficulties.”

1. Does the property owner propose to use the property in a reasonable manner not permitted by the ordinance?
The property owner proposes to reasonably use the property as a residence in a residential zoning district and the code does allow front porches.

2. **Is the plight of the landowner due to circumstances unique to the property owner not created by the landowner?**

The house was constructed in 1957 and the structure currently does not meet front yard setbacks and the nonconforming structure was not created by the landowner.

3. **Would granting the variance allow the essential character of the locality to stay the same?**

The essential character of the area would not change as the area is mostly all single-family residences.

**RECOMMENDED MOTION FOR VARIANCE**

I move that the Planning Commission serving as the Board of Adjustment (APPROVE/DENY) case PC-22-06-VAR – 20 North Hill Street, a request by Robert and Carley Radecki for a covered front porch with a front setback distance of 10’ and finds that granting the request:

1) **Is consistent with the Comprehensive Plan** because the Land Use & Community Design element, Goal 2 states that new development and redevelopment will maintain the City’s small-town character and establish a reputation for environmental stewardship and investment in public health and that Objective 2.1 states that new development will be compact, to use land and infrastructure efficiently, but it will generally not be tall, meaning four stories or less and that Strategies: 5 states that the city will promote the efficient use of land by allowing and encouraging landowners and developers to use compact development strategies such as shallow front yard setbacks, attached residential units, and multi-story buildings.

2) **Is in harmony with the general purpose and intent of the ordinance** because the zoning code allows for a 5’ relaxation of the front setback for front porches if certain conditions are met and an additional 10’ feet is not contrary to the ordinance where there already exists a structure that is non-conforming as to the front yard setback.

3) **Does meet the Practical Difficulties Analysis** because the property owner proposes to reasonably use the property as a residence in a residential zoning district and the code does allow front porches. The house was constructed in 1957 and the structure currently does not meet front yard setbacks and the nonconforming structure was not created by the landowner. The essential character of the area would not change as the area is mostly all single-family residences.

Specific conditions added by the Board of Adjustment (if any):
Prepared by Jason Ludwigson,
Sustainability Coordinator

Attachments:
Exhibit #1 – Houston County Beacon Aerial Map – Parcel Map
Exhibit #2 – Variance Findings Form
Exhibit #3 – Application - Variance Request
Exhibit #1
Houston County Beacon Aerial Map – Parcel Map
Exhibit #2
Variance Findings Form

1. Is the request in harmony with the general purposes and intent of the ordinance?

The variance is/is not in harmony with the purpose and intent of the zoning ordinance based on the following findings of the Planning Commission because: ______________________

________________________________________

________________________________________

2. Would granting the variance be consistent with the Comprehensive Plan?

Granting the variance is/is not consistent with the Comprehensive Plan because: ______________________

________________________________________

________________________________________

Practical Difficulties Analysis

3. Does the property owner propose to use the property in a reasonable manner not permitted by the ordinance?

The property owner does/does not propose to use the property in a reasonable manner not permitted by the ordinance, given the purpose of the protections because: ______________________

________________________________________

________________________________________

4. Is the plight of the landowner due to circumstances unique to the property owner not created by the landowner?

There are/are no circumstances unique to the property that would prevent compliance with the ordinance because: ______________________

________________________________________

________________________________________

5. Would granting the variance allow the essential character of the locality to stay the same?

Granting the variance will/will not alter the essential character of the locality because: ______________________

________________________________________

________________________________________
7. Why do I need to list my neighbors? All adjoining property owners shall be advised of the variance request 10 days before the scheduled meeting to have a chance to appear at the hearing with comments or objections.

8. Why do I need to pay a fee? The fee is for the cost of the mailings, the recording fee from Houston County and the meeting itself.

9. Why do I need to turn all information into the building/zoning official before three weeks prior to a scheduled meeting date? We need time to check the information, schedule the hearing and prepare all mailings to adjoining properties.

10. Please include a response to each of the following items. Please type or print legibly. If your response does not fit within the available space, please attach additional sheets. If the question does not apply to your situation, respond with “Not Applicable.”
   a. Please provide a brief description of the project.
      To put on an addition of a front covered porch with the same building materials as the house

   b. What variance to the Zoning Code are you requesting? What is the reason for your request?
      12.15 R-1B Subd. 5 lot requirements and setbacks
      Primarily the 20 foot setback for a front porch

   c. Describe specific, unique problems with the property, such as location, surroundings, mature trees, natural obstacles or formations and explain why the improvements you are requesting cannot be made in conformity with Zoning Code stipulations. (Issues of personal hardship such as family size, finances, medical condition should not be considered.)
      On my block and surrounding area, the lot lines are a considerable distance from the curb making it difficult to make functional updates that would improve our house. Specifically, the addition of a covered walkway.

   d. Explain why, without the variance, you cannot use your property in the same manner as others in the same zone. Also, explain how the variance will not give you an advantage over others in the same zone.
      Within 2-block distance of my home and on the same street there are multiple homes that are using there lots in the same manner. There are front decks and porches that are constructed in the
same style of the houses in the area and have similar characteristics that fit in well with the charm of the neighborhood. Much like we want to do. By constructing a covered walkway in a way that fits in with the style of the neighborhood we see that we gain no advantage over what has been done before in the same area.

How will completing your project without a variance cause a practical difficulty in planning, design, or construction? (For the purpose of the application, Practical difficulties, as used in connection with the granting of a variance, means that:

1. The property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance;
2. The plight of the landowner is due to circumstances unique to the property not created by the landowner; and
3. The variance, if granted, will not alter the essential character of the locality.

Without the variance it would make it difficult to get my mother-in-law in and out of the house. She is in a wheelchair and having the covered walkway would help with getting her in and out of the house especially in bad weather or in the case of a fire or other emergency.

e. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.)

f. What provisions have you made to ensure that the design elements of your project are aesthetically pleasing and harmonious with existing buildings in the area? These design elements include, but are not limited to height, bulk, area openings, breaks in the façade, line and pitch of the roof, materials, arrangements of structures on the property, concealment of mechanical and electrical equipment, etc.

Provisions that we have made are to construct our covered walkway with all new materials that match existing finishes of our house. We had new siding installed last year and purchased at the same time enough siding and accents for this project. We would also be adding a roof to provide cover using shingles that match and keeping the pitch of the roof consistent with the main house roof for added appeal.

g. What provisions have you made to ensure that will not adversely affect property owners in the zoning district particularly those who own adjacent properties, properties on the same block or properties in the immediate neighborhood? Consider the effect on neighboring properties' existing views, privacy, access to direct and indirect light, etc.
We feel that our design will not impact any of the neighbors adjacent to the property or in the immediate neighborhood in such that we are the only house that faces west on our block, and do not have a private neighbor across the street as it is the Prince of Peace church.

h. How has your own safety and that of others been considered in your plan? Consider fire codes, points of ingress and egress, flow of pedestrian and vehicular traffic, etc.
With regards to safety of me and my family, this project would have a positive impact on the egress of the house providing easier path to enter and exit the home. I do not feel it would impede on the flow of pedestrian traffic as there are not sidewalk in the neighborhood. It would also not obscure any view of vehicular traffic.

i. Are there exceptional or extraordinary circumstances that apply property which does not generally apply to other properties located within the zoning district? (i.e. atypical lot size or shape, atypical topography or other conditions over which the property owner is unable to control).
From looking on Beacon it appears that we are on a single lot as apposed to the majority that are on a double lot in the neighborhood.

j. Please indicate what steps you have taken to discuss this project with your neighbors prior to submission.
My wife and I have talked with many of the neighbors in the area about this addition. Everyone that we have talked with was very receptive to the idea.

k. Please indicate what steps you have taken to discuss this project with the City staff prior to submission.
I have talked with Shawn. He has lead me in the direction of asking for a variance.
If there are any questions as to property lines, please call the Houston County Recorder at 507-725-5813.

**Questions:** If you have any questions, please contact the Building/Zoning Department, Monday through Thursday, 7:30 a.m. to 6:00 p.m. at 507-895-4409, or write to, Shawn Wetterlin-Building Official, 315 Main Street, City of La Crescent, Minnesota, 55947.

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My signature below signifies that:

I hereby declare that I am the owner, or authorized agent of the owner, of the above described property and I agree to construct the building or use herein described in accordance with the regulations and ordinances that govern said improvement within the City of La Crescent and that the foregoing information contained on this application is a true and correct statement of my intentions. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a variance does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction. I understand that any utility that must be moved as a result of additions or alterations to the property will be at my expense and I will be responsible for the cost of the plan check of this application even though I do not continue the project. I have also read and understand the instructions and information listed on the reverse side of this form.

- I have read the background information and have provided the required information.
- I have reviewed the legal description on my property deed and indicated all recorded easements and deed restrictions on the submitted site plan. *(Please provide a description here of the easements and restrictions shown on your property deed.)*
- I believe the information provided in this application is accurate to the best of my knowledge.
- I am aware that City staff and/or Planning Commission members may view my property and proposed construction. *(Please note any special instructions regarding access to your property such as dogs, gates, alarms, etc. We have daytime hours.)*
- I understand that if this application is approved, a building permit is required for construction and that no construction may commence prior to issuance of the permit. No changes may be made without City
approval, and changes may require a new application.

Signature(s) of Property Owner(s)  Bob  Carley Radack

Date
PLANNING COMMISSION – PUBLIC HEARING
PROPOSED CHAPTER 12, ZONING ORDINANCE TEXT AMENDMENTS
STAFF REPORT

MEETING DATE:       June 7th, 2022
CASE NUMBER:        PC-22-01-ZO AM Zoning Ordinance Text Amendments
OWNER:              N/A
PARCEL ID:          N/A
APPLICANT:          N/A
REQUEST:            City-initiated zoning ordinance text amendment
LOCATION:           N/A

GENERAL PLAN/
ZONING DESIGNATION: N/A
SURROUNDING USES:   N/A

BACKGROUND:

The Planning Commission has had discussions regarding both EV charging requirements for new construction as well as the use of architectural metal on commercial building on several occasions. Most recently, on May 5th, there was a presentation on possible code changes regarding EV charging facilities. The commission has discussed metal on commercial buildings at two meetings. There have been several variance requests for metal on buildings as well as one variance request to allow an eight (8) foot fence in place of a six (6) foot fence.

PROPOSAL

Case PC-22-01- ZO AM is a proposed city-initiated 5zoning code text amendment to require electric vehicle charging on new development, allow architectural metal on commercial buildings in the C-1 Commercial District and to allow eight (8) foot fences in the industrial zoning district. A draft ordinance has been prepared for consideration by the Planning Commission. The draft ordinance is presented as:

AN ORDINANCE AMENDING THE CITY OF LA CRESCENT CODE OF ORDINANCES, TITLE XV, CHAPTER 154 ZONING REGULATIONS, CHAPTER 12
ZONING CODE TO REQUIRE ELECTRIC VEHICLE CHARGING EQUIPMENT IN NEW DEVELOPMENT, MODIFY THE FENCE CODE TO ALLOW EIGHT FOOT TALL FENCES IN INDUSTRIAL ZONING DISTRICTS AND TO ALLOW ARCHITECTURAL METAL AS A SECONDARY BUILDING MATERIAL IN THE C-1 HIGHWAY COMMERCIAL DISTRICT

BUILDING AND ZONING STAFF ANALYSIS

Relation to Comprehensive Plan:

Natural Systems, Open Spaces
The city's Natural Systems, Open Spaces Element notes that the city's goal in Goal 3 states that "La Crescent will be recognized as a leader in environmental stewardship and natural resource conservation." Objective 3.2 states that "There will be both public and private investments in renewable energy and energy efficiency that reduce local use of and reliance on non-renewable fossil fuels."

Land Use & Community Design

There is not a reference in the Comprehensive Plan regarding the percent architectural metal on commercial buildings.

Goal 3 Properties along the State and Federal highway corridors will be improved and redeveloped.

Objectives:
3.1. Buildings will be improved or replaced with higher-quality materials and design.
3.2. Outdoor storage uses on these prominent sites will relocate and/or have improved screening.

Future Land Use Categories: 1 - Industrial District

Any new or expanded industrial use should have the following features to ensure compatibility with surrounding land uses and the City's environmental stewardship principles: fencing and landscaping to reduce or eliminate the visibility of any outdoor storage or loading areas

City zoning and land use regulations: The City Zoning Code does not contain provisions regarding EV charging requirements. The city has approved several variances to increase the amount of metal on commercial buildings. The city has had one variance request for the height of a fence in the industrial zoning district.

Site Context: N/A

Infrastructure Improvements: N/A
Public Input:

Staff has not received any public comment regarding this application.

STAFF RECOMMENDATION

City staff is recommending approval of the attached DRAFT Ordinance.

RECOMMENDED MOTION

I move that the Planning Commission recommend (APPROVAL/DENIAL) to the La Crescent City Council of case PC-22-01-ZO AM, a proposed city-initiated zoning ordinance text amendment DRAFT dated 6-7-2022 to the following sections of the Zoning Code:

a. Section 12.22 C-1 Highway Commercial District, Subd. 6 General Provisions, A. Building Design and Materials 4. b., to allow architectural metal as a secondary building material and to create a definition of architectural metal.

b. Section 12.10 General Provisions, Subd. 8 Fences, D. 1. to allow eight (8) foot fences in the Industrial District.

c. Section 12.10 Subd. 19 to allow electric vehicles as a permitted accessory use in all zoning districts, adopt requirements for electric vehicle charging requirements for residential and non-residential uses, adopt construction standards for electric vehicle charging stations, and adopt parking use standards and protections for electric vehicles.

Larry Kirch
Prepared by Larry Kirch,
Community Development Director

Attachments:
Exhibit #1 – Draft Ordinance
Exhibit #1
Draft Ordinance
AN ORDINANCE AMENDING THE CITY OF LA CRESCENT CODE OF ORDINANCES, TITLE XV, CHAPTER 154 ZONING REGULATIONS, CHAPTER 12 ZONING CODE TO REQUIRE ELECTRIC VEHICLE CHARGING EQUIPMENT IN NEW DEVELOPMENT, MODIFY THE FENCE CODE TO ALLOW EIGHT FOOT TALL FENCES IN INDUSTRIAL ZONING DISTRICTS AND TO ALLOW ARCHITECTURAL METAL AS A SECONDARY BUILDING MATERIAL IN THE C-1 HIGHWAY COMMERCIAL DISTRICT

FINDINGS AND PURPOSE

WHEREAS, the City is a participant in the Green Step Program and there is a growing trend in the automobile industry of producing an increasing number of electric vehicles and new development projects should be planning for this growth in electric vehicles by installing Level 1-Level 3 charging stations during construction of new residential and commercial buildings; and

WHEREAS, other jurisdictions in Minnesota have adopted EV standards and requirements for new development the City desires to be able to accommodate consumer preferences and demands for convenient vehicle charging at home or in commercial settings; and

WHEREAS, the City has restricted the height of fences to six (6) feet in height in all zoning districts and it is common for fences to be taller in industrial districts to screen operations, storage and materials and a recent request for a two (2) foot height variance in an industrial district brought to light a discussion on whether the code should be amended to allow for taller fences in industrially zoned areas; and

WHEREAS, the City has approved a number of variances to permit a higher percentage of metal on the exterior of commercial buildings over the last year; and

WHEREAS, the zoning ordinance defines exterior building materials as primary, secondary and accent materials and in order to strike a balance between not having any metal on a commercial building to allowing some amount of metal on commercial buildings in the C-1 zoning district, the Planning Commission is recommending that architectural metal would be allowed as a secondary exterior building material which would allow up to 30 percent of the exterior of the building to be composed of architectural metal; and

WHEREAS, these three proposed amendments to the Zoning Ordinance have been reviewed and recommended for approval by the City Planning Commission.
NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF LA CRESCE NT AS FOLLOWS:

SECTION I. La Crescent Municipal Code, Chapter 154, Zoning Regulations, Chapter 12, Zoning Ordinance, Section 12.10 General Provisions, Subd. 19 Electric Vehicle Charging Stations be created to allow electric vehicles as a permitted accessory use in all zoning districts and hereby adopts requirements for electric vehicle charging requirements for residential and non-residential uses as well as construction standards for electric vehicle charging stations along with parking use standards and protections for electric vehicles as follows:

A. EVCS are permitted accessory (structures?) use in all zoning districts subject to the following requirements.

B. EVCS Requirements

<table>
<thead>
<tr>
<th>Property Use</th>
<th>Charger Requirement</th>
<th>EV-Ready Spaces</th>
<th>Additional Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential uses with up to 3 units</td>
<td>One L2 charger required in an enclosed parking space</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Residential uses with 4 to 14 units</td>
<td>10% of enclosed parking spaces require L1 chargers.</td>
<td>2 spaces require L2 or L3 EV-ready spaces</td>
<td>At least one ADA space must have access to an EV charger.</td>
</tr>
<tr>
<td>Residential uses with 15 or more units</td>
<td>10% of enclosed parking spaces require L2 chargers.</td>
<td>20% of spaces require L2 or L3 EV-ready spaces. All remaining enclosed spaces are required to be L1 EV ready.</td>
<td>At least one ADA space must have access to an EV charger.</td>
</tr>
<tr>
<td>Non-residential uses with up to 20 spaces</td>
<td>One space with an L2 or L3 charger.</td>
<td>10% percent require L2 or L3 EV-ready spaces.</td>
<td>At least two ADA spaces must have access to an EV charger.</td>
</tr>
<tr>
<td>Non-residential uses with 21 or more off-street parking spaces</td>
<td>5% percent of parking spaces with an L2 or L3 charger.</td>
<td>20% percent require L2 EV-ready spaces. At least one L3 EV-ready space.</td>
<td>At least two ADA spaces must have access to an EV charger.</td>
</tr>
<tr>
<td>Residential and non-residential with only street parking</td>
<td>Charger(s) not required, but encouraged</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

C. EVCS cords shall (will/are?) be retractable or have a place to hang the connector and cord sufficiently above the pedestrian surface as to minimize tripping hazards;
D. Any cords connecting the charger to a vehicle shall be configured so that they do not cross a driveway, sidewalk, accessibility routes, or passenger unloading area;

E. In order to proactively plan for and accommodate the anticipated future growth in market demand for electric vehicles it is strongly encouraged, but not required, that all new and expanded development parking areas consider adding the electrical infrastructure necessary to support the future installation of Electric Vehicle Charging Stations. This may include increasing electrical panel capacity, the installation of conduit or raceway, or other actions. Installing the infrastructure necessary for Electric Vehicle Charging Stations during construction is significantly more cost effective than retrofitting parking areas to be EV-ready;

F. EVCS shall be posted with signage indicating the space is reserved for electric vehicle charging purposes;

G. EVCS shall provide a phone number or other contact information on the equipment to report problems;

H. EVCS shall have adequate lighting available for ease of night time use;

I. EVCS equipment shall be protected by a curb, wheel stops, or concreted filled bollards;

J. EVCS installers should (shall) consider the following best practices for considerations of individuals protected under The Americans with Disabilities Act (ADA) until such time as there is national standard for ADA requirements for EVCS;

K. Accessible EVCS shall count toward the minimum number of accessible car and van parking spaces required in a parking facility;

L. EVCS should (shall) be located so they are accessible for a person in a wheelchair on an access aisle, and the EVCS should not encroach on the access aisle;

M. Reach range and turning radius requirements from ADA are good standards for accessing the equipment;

N. Bollards and wheel stops should (shall) not obstruct the use of the charging station;

O. Charging equipment may be shared between accessible EVCS and regular EVCS;

P. It is recommended that at least one accessible EVCS be included when installing multiple EVCS. If installing only one EVCS, strong consideration should be given to making it accessible;
Q. Allows for a 5% reduction of minimum required parking for the installation of EV chargers above and beyond requirements, at a ratio of one L2 or L3 charger to one parking spot;

R. New off-street parking areas will need to comply with the EV charger requirements and if an existing parking area is physically expanded, any added parking areas will need to meet ratios for minimum EV charging requirements as well.

SECTION II. La Crescent Municipal Code, Chapter 154, Zoning Regulations, Chapter 12, Zoning Ordinance, Section 12.10 General Provisions, Subd. 8 Fences, D. Agriculture, Commercial, Central Business and Industrial District Fences, 1. be amended as follows:

1. Fences in the Agriculture District shall not exceed six (6) feet in height and fences in the Industrial District shall not exceed eight (8) feet in height and shall be decorative to include vinyl coated chain link or decorative masonry concrete.

SECTION III. La Crescent Municipal Code, Chapter 154, Zoning Regulations, Chapter 12, Zoning Ordinance, Section 12.22 C-1 Highway Commercial District, Subd. 6 General Provisions, A. Building Design and Materials 4. b., to allow architectural metal as a secondary building material as follows:

b. Secondary exterior building materials may be any of the primary building materials above, decorative block, integrally colored stucco, architectural metal, or fiber cement siding (color impregnated or painted) in vertical panel design only with hidden seams.

SECTION IV. La Crescent Municipal Code, Chapter 154, Zoning Regulations, Chapter 12, Zoning Ordinance, Section 12.55 Definitions Listed be amended to create the following definitions as follows:

ARCHITECTURAL METAL (decorative/ornamental metal). A metal wall or roof panel system, which can be of various alloys, with a high-grade factory finish, that uses concealed fasteners and includes the system's associated gaskets and trim profiles.

BATTERY ELECTRIC VEHICLE CHARGING STATION. An electrical component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles.

BATTERY ELECTRIC VEHICLE. Any vehicle that operates exclusively on electrical energy from an off-board source that is stored in the vehicle's batteries, and produces zero tailpipe emissions or pollution when stationary or operating.

CHARGING LEVELS. The standardized indicators of electrical force or voltage, at which an electric vehicle's battery is recharged. The terms 1, 2, and 3 are the most common charging levels, and include the following specifications:
1. Level-1 is considered slow charging. Voltage including the range from 0 through 120.
2. Level-2 is considered medium charging. Voltage is greater than 120 and includes 240.
3. Level-3 is considered fast or rapid charging. Voltage is greater than 240.

ELECTRIC CAPACITY. At minimum: 1. Panel capacity to accommodate a dedicated branch circuit and service capacity to install a 208/240V outlet per charger; 2. Conduit from an electric panel to future EVCS location(s).

ELECTRIC VEHICLE. A vehicle that uses electricity for propulsion.

ELECTRIC VEHICLE CHARGING STATION (EVCS). A public or private parking space that is served by battery charging station equipment for the purpose of transferring electric energy to a battery or other energy storage device in an electric vehicle.

SECTION V. EFFECTIVE DATE. This Ordinance shall become effective upon its due passage and enactment and publication according to law.

PASSED AND ENACTED this ___ day of ________, 2022.

_____________________________
Mayor

ATTEST:

_____________________________
City Administrator
462.351 MUNICIPAL PLANNING AND DEVELOPMENT; POLICY STATEMENT.

The legislature finds that municipalities are faced with mounting problems in providing means of guiding future development of land so as to insure a safer, more pleasant and more economical environment for residential, commercial, industrial and public activities, to preserve agricultural and other open lands, and to promote the public health, safety, and general welfare. Municipalities can prepare for anticipated changes and by such preparations bring about significant savings in both private and public expenditures. Municipal planning, by providing public guides to future municipal action, enables other public and private agencies to plan their activities in harmony with the municipality's plans. Municipal planning will assist in developing lands more wisely to serve citizens more effectively, will make the provision of public services less costly, and will achieve a more secure tax base. It is the purpose of sections 462.351 to 462.364 to provide municipalities, in a single body of law, with the necessary powers and a uniform procedure for adequately conducting and implementing municipal planning.

Subd. 5. Comprehensive municipal plan. "Comprehensive municipal plan" means a compilation of policy statements, goals, standards, and maps for guiding the physical, social and economic development, both private and public, of the municipality and its environs, and may include, but is not limited to, the following: statements of policies, goals, standards, a land use plan, including proposed densities for development, a community facilities plan, a transportation plan, and recommendations for plan execution. A comprehensive plan represents the planning agency's recommendations for the future development of the community.
grant applications, and public investment decisions, and to support
inform the adoption and application of ordnances. The comprehensive plan is used by municipalities to

law, including subdivision and zoning ordinances.
other local ordinances that do carry the weight of
ordinances, but they are used to inform
offices, comprehensive plans do not carry the weight of
of law in Minnesota, but they are used to inform
the land use plan (§62.357 Subd. 2(c)). In other
development and development consistent with
controls to ensure planned, orderly, and equitable
the timing and sequence of the adoption of official
the land use plan must provide guidelines for
462. The land use plan must provide guidelines for
Minneapolis cities and townships by state chapter
the time, place, and manner of the adoption.
Minneapolis city and county to guide local
comprehensive plans and land use plans and tools

Minnesota Comprehensive Planning

sections 462.351 to 462.364.

municipalities and other official actions in accordance with the provisions of
municipal plan and implement such plan by ordinance and other official actions.
building the future development and implementation of the municipality and may prepare, adopt and amend a comprehensive
Subdivision I. General Authority. A municipality may carry on comprehensive municipal planning activities for

462.353 AUTHORITY TO PLAN; FUNDS; FEES; APPEAL.
The Plan as a “Living Guide”

Why Plan?

La Crescent, like all communities, is buffeted by economic and demographic forces that can result in change over time. The purpose of this plan is to establish a shared vision for La Crescent that enables our community to adapt and thrive. We plan so that we can act and react in a changing world with intentionality and a confident understanding of our common values and goals.

Planning Horizon

This plan generally considers a 20-year period of future growth and change. While some of the goals and objectives are achievable within just the next few years, others may take decades to be realized. However, it is important to remember that when the City makes land use and development decisions based on this plan, those are often 50-100 year decisions, reflecting how long buildings and land uses tend to persist.

Plan Use and Maintenance

Plans have value only in their use. The ideas and policies in this plan can inform City actions only if City staff, elected officials, and committee members choose to read and cite the plan in the course of budgeting, goal setting, and policy decisions.

Though created with substantial effort and community input, this plan should not be considered a static document, but instead a “living” guide for growth and change in the City of La Crescent. The plan can and should be amended from time to time if conditions warrant reconsideration of policies in this plan. If decisions are being made that are not consistent with this plan, then the plan has lost its relevance and discussion is required to decide if the City needs to recommit to the plan as written, or consider amendments to adjust to changing conditions.

See Chapter 4 - Implementation and Action Plan for more information about how to use and update the plan.
functions. The legitimacy of the plan as an important tool in City planning is essential. This will help to reinforce the importance of City planning in the decision-making process. The Planning Commission members are consistent with this plan, and proposals presented are consistent with this plan and city planning decisions. The Planning Commission to determine whether community design is generally the responsibility of the City Planning Commission. Each have a copy of this plan and must be familiar with it. The City Planning Commission members must make decisions in guiding those decisions. Planning Commission members must make decisions in guiding those decisions.