
MEMORANDUM

DATE: February 5, 2002

TO: Development Services staff, Zoning staff

FROM: Andy Carlson, Gary Dorek, Nicole Peterson, Stuart Roberson, Jim Voll,
Jason Wittenberg

SUBJECT: Planning/Zoning Coalition land use application and site plan
recommendations

A six-person zoning/planning coalition was convened to examine how to increase the likelihood of receiving a complete land use application and accurate site plan within the first ten days from the date of submittal. The goal established by the coalition was to propose an acceptable solution to both planning and zoning that increased the likelihood of receiving a complete land use application and accurate site plan. In order to achieve this goal two objectives were defined:

- Establish the *minimum submittal requirements* for a land use application in order for the Zoning Office to accept, log in, and process an application and clearly define that this is different from what makes a land use application *complete* to notice it for a public hearing.
- Define the minimum requirements for a site plan to be accepted by Zoning and Planning and make useful example plans available to the public.

The coalition believes that by achieving these objectives we will have developed a system mutually beneficial not only to planning and zoning but our applicants as well.

Objective 1 - Minimum submittal requirements and complete land use applications.

The point where an application should be transferred from the zoning specialist to the planner is an issue that needs clarification. Planning staff often would like to see applications with more information, but the zoning specialist is not always sure at what point they have sufficient material to pass an application on to the planner. Certain information required for a land use application directly affects the analysis of a project by the zoning specialist, while other information is needed for the planner to evaluate a proposal. We concluded that this would be a useful way to determine the difference between an application that could be processed by the zoning specialist and a complete application that would be noticed for a public hearing by the planner. Therefore, we split the status of an application into the two categories of an application that meets minimal submittal requirements and an application that is complete.

The zoning specialist would not accept, process, or log in an application until the applicant meets the specified minimum submittal requirements. When the application meets the minimum submittal requirements the zoning specialist could accept the application, log it in, and process the data worksheet. It would be made clear to the applicant that meeting the minimal submittal requirements does not mean that the application is complete. After review the planner would determine if the application is complete.

The standard we used to determine the minimum submittal requirements was that if an item is needed to determine if a land use application is necessary, then the item qualified as a minimum submittal requirement. For example, building elevations are a minimum submittal requirement because if the height exceeds the code requirement than a CUP or a Variance would be needed. On the other hand, mailing labels would not be a minimum submittal requirement, since their absence would not trigger an additional application. However, they would be necessary to determine whether an application is complete. Other information and materials that are necessary to help the planner evaluate the merits of the proposal could be required before an application is deemed complete.

We indicate the minimum submittal requirements by highlighting them in bold lettering on the checklist (please see attached checklist). Staff will reinforce the importance of these items by not accepting the application unless every applicable highlighted item is submitted. We realize not all priority items are applicable to every land use application and if this were the case the application would be considered to meet the minimum.

The inherent danger of this approach is that we will only receive the highlighted items. Needless to say this was a hotly debated topic. However, we agreed that the benefits outweighed the negatives. In addition, the zoning staff would still inform the applicant that the other non-highlighted items were necessary to make an application complete for notice for a public hearing. We believe there are several benefits from this approach that will have a positive impact on decreasing the number of incomplete zoning applications including:

- The change clearly communicates truthful written information to our customers about the difference between an *minimal submittal requirements* for zoning to accept, process, and log in an application and a *complete* application to be noticed for a public hearing.
- Adds consistency to a complicated process by having a set standard for everyone and helps clarify the roles of the zoning specialist and the planner in relation to an application.
- Adds value to an application by allowing the zoning specialist to analyze and then process the application and allows the planner to evaluate the project.

Objective 2 - How to routinely receive quality site plans as part of a land use application.

Site plans are usually the most important part of a land use application because they provide a visual record of the public hearing outcome. Yet the quality of a site plans that we receive is a major point of contention. There is a wide range in the quality of site plans received from applicants. Some are very accurate, while others are of poor quality and of little use in evaluating a proposal's compliance with applicable code requirements and relevant city policies. In addition, Public Works has raised concern over the quality of site plans for their needs.

By providing clear expectations of what is considered an acceptable site plan we will increase the likelihood of receiving a complete site plan. The coalition engaged in a good deal of discussion regarding ways that we can obtain better site plans from applicants. Ideally, we would receive accurately scaled and dimensioned site plans from every applicant. Inaccurate and incomplete site plans cause problems for both the staff and the applicant such as:

- Applicants receiving notices of incomplete application and potential public hearing delays.
- Frustration among staff (zoning, planning, public works) and members of the planning commission and board of adjustment due to the lack of a quality plan.
- Late identification of additional required land use applications.
- Discovery upon attempted implementation that the inaccuracy of the site plan requires the applicant to go through the public hearing process again.

There was general agreement that site plans drawn by professionals tend to be more accurate than plans prepared by non-professionals. Of course, surveys should almost always be accurate. We believe that, if we are going to require a professionally drawn plan for particular applications, we need to define what "professionally drawn" means. First, we looked at language from other municipalities that require professionally drawn plans. Second, we discovered that the state of Minnesota licenses and certifies architects, landscape architects, engineers, and land surveyors under state statute 326.02. These are the types of professionals, of course, that might be expected to provide us with a professionally drawn site plan. So we have essentially defined in our proposed language that professionally drawn means that the plan was prepared by one of those professionals.

We discussed a variety of options such as requiring a professionally drawn site plan for a particular type of application (e.g., any major site plan review), a particular type of construction (e.g., commercial), or for a size threshold (e.g., construction over a certain number of square feet). We reached a general agreement that a professionally drawn site plan should be required for any new principal structure. We also agreed that a survey should be required where it is also required by the Plan Review Office. Plan Review requires a survey for any new building (except for garages). They generally do not require a survey when someone is adding to an existing building. The language we developed is attached to this memo.

While not required in every case, the language that we're recommending steers people in the direction of having their site plans professionally drawn. Realizing that some applicants may be of limited means we included a provision where staff may waive the requirement that the plan be professionally drawn. The waiver provision is not intended to be a loophole for an applicant to get out of drawing a scaled and an accurate site plan. It is a recognition that hiring a professional (as defined above) can be expensive. If the applicant can produce a plan that is to scale and accurate, we would waive the requirement for it to be professionally drawn (except when the

application involves a new principal structure). A scaled plan is one that is drawn to an engineering or architectural scale. We would not accept plans drawn on graph paper with a scale such as “one square equals three feet.” An accurate plan, while more difficult to define, implies that it reflects the actual conditions and the proposed improvements to the site. If they can not produce a scaled and accurate plan, then we would require that they hire a professional in order to proceed with the application. In order to assist applicant in producing scaled and accurate plans we developed example commercial and residential site plans that are attached to this memo.

In conclusion we created five tools to enhance the workflow and customer service of the Zoning Office and Planning Department. They are:

- 1) Checklist with bolded items.
- 2) Language to clarify the minimum standards for a site plan.
- 3) Sample residential site plan.
- 4) Sample Commercial site plan.
- 5) Sample landscaping plan.

The coalition would recommend proceeding with the implementation of these tools. After a reasonable period of time we would evaluate the effectiveness of these tools to determine if any changes are necessary.