

WAYZATA PLANNING COMMISSION

Meeting Agenda

Wayzata City Hall Community Room, 600 Rice Street

Monday, August 15, 2022

6:30 PM

HYBRID MEETING INFORMATION

[Click here to join Zoom Meeting](#)

[Meeting ID: 846 0290 1344 Passcode: 394398](#)

Members of the public may attend this Planning Commission meeting in person, provided they follow all City policies and protocols related to the pandemic.



Members of the public may watch and listen remotely by viewing the meeting on Channel 8, WCTV, and at the City's website at www.wayzata.org/WCTV.

Public comment during the Public Forum and/or Public Hearing portions of the meeting may be provided in person at the meeting, in advance, or by logging into the zoom call and raising your hand during the public hearing. **When your name is called in the meeting, you will be seen and heard in our Council Chambers and the cable channel.**

You will be asked to unmute and then you may begin your comment. All public comments must include your full name and address.

The City encourages comments or questions about items on the agenda and, when possible, requests that you submit them in advance by emailing PublicComment@wayzata.org, calling City staff at 952-404-5323, or mailing Wayzata City Hall at 600 Rice St E, Wayzata, MN 55391 (Attn: Public Comment).

1. **Call to Order**
2. **Roll Call**
3. **Approval of Agenda**
4. **Consent Agenda**
 - a. Approve Meeting Minutes of August 1, 2022
 - b. Approval of Planning Commission Report and Recommendation of Approval for Subdivision at 344 Ferndale Road North
5. **Public Hearing Items**
 - a. Consider Development Application for Lot Coverage, Impervious Surface, and Rear Yard Setback Variances at 341 Ramsey Road
 - b. Consider Zoning Text Amendments to Chapter 936 - Tree Preservation Ordinance
6. **Other Items**
 - a. Review of Development Activities
 - b. Planning Commission Meeting Schedule
7. **Adjournment**

Upcoming Meetings:

City Council - August 16, 2022

Planning Commission - September 19, 2022

Members of the Planning Commission and some staff members may gather at the Wayzata Bar and Grill immediately after the meeting for a purely social event. All members of the public are welcome.



City of Wayzata Planning Commission Agenda Report

MEETING DATE: August 15, 2022	AGENDA ITEM: 4.a
TITLE: Approve Meeting Minutes of August 1, 2022	
PREPARED BY: Valerie Quarles, Assistant Planner	
REVIEWED BY: Emily Goellner, Community Development Director	
60 DAY DEADLINE: N/A	

BACKGROUND:

See attached Meeting Minutes of August 1, 2022.

ACTION REQUESTED:

Staff recommends approval of the attached regular meeting minutes of August 1, 2022.

ATTACHMENTS:

1. PC.08.01.2022 - Minutes for PC Approval

**WAYZATA PLANNING COMMISSION
MEETING MINUTES
AUGUST 1, 2022**

AGENDA ITEM 1. Call to Order

Chair Parkhill called the meeting to order at 6:30 p.m. and read a prepared statement related to meeting protocols and public participation.

AGENDA ITEM 2. Roll Call

Present at roll call were Commissioners: Douglas, Merriam, Parkhill, Schwalbe, and Severson. Community Development Director Emily Goellner, Assistant Planner Valerie Quarles, and City Attorney David Schelzel were also present.

Absent at roll call were: Commissioners Stockton and Sorensen

AGENDA ITEM 3. Approval of Agenda

Chair Parkhill asked for a motion to approve the agenda for the meeting.

Commissioner Douglas made a motion, seconded by Commissioner Schwalbe, to approve the August 1, 2022 agenda, as presented. The motion carried unanimously.

AGENDA ITEM 4. Consent Agenda

- a.) Approval of the Draft Meeting Minutes of July 18, 2022 Planning Commission Meeting Minutes
- b.) Approval of Planning Commission Report and Recommendation of Approval for Lot Combination, Zoning Map Amendment, and Comprehensive Plan Amendment at 1022 Wayzata Boulevard
- c.) Approval of Planning Commission Report and Recommendation of Approval for Parking Variance and Conditional Use Permit for Outdoor Sales and Service at 830 Lake Street East (Baja Haus)

Chair Parkhill read the items on the consent agenda and asked if any Commissioner wished to pull an item for questions or further discussion.

Hearing no such request, Chair Parkhill asked for a motion to approve the Consent Agenda as presented.

Commissioner Douglas made a motion, seconded by Commissioner Schwalbe, to approve the Consent Agenda, as presented. The motion carried unanimously.

AGENDA ITEM 5. Public Hearing Items

a) Consider Subdivision Application at 344 Ferndale Road North

Assistant Planner, Valerie Quarles, gave a presentation on the application submitted by Adam and Ashley Drill for a subdivision of their property at 344 Ferndale Road North. Planner Quarles reviewed the zoning and land use in the surrounding neighborhood and the existing conditions on the site and in the Ferndale Road right-of-way. She explained that the subdivision would split the lot into two lots, and the owners planned to retain the existing home, demolish the existing detached garage, and build a new home. She gave an overview of the differences between minor and major subdivisions under the Subdivision Ordinance, and noted that this application triggered the major subdivision procedures because the lots created would exceed 125% of the minimum lot size in this zoning district. She reviewed tree preservation, wetlands, stormwater treatment plans and the engineering comments on the application. She stated that notification was sent to Wayzata residents within 500 feet of this property, and that City staff had also let City of Orono staff know about this since they do not generally notify residents in other cities. She explained that the City had received one comment on the proposal from the neighbor to the north asking for the existing vegetation to remain as a buffer. Planner Quarles concluded with a review of the primary questions for the Commission to consider in looking at this request.

Chair Parkhill asked if the Commission had any questions for staff.

Commissioner Schwalbe asked if staff had received an updated survey of the property.

Planner Quarles stated that they had not received an updated survey at this point.

Commissioner Schwalbe confirmed that the thought was that the updated survey information that the City Engineer had asked for would not be anything that would affect the Commission's decision on this item.

Planner Quarles stated that this was correct, and any of the details that would be added would not be anything that would bring this application out of compliance with the subdivision ordinance.

Commissioner Schwalbe asked if the language regarding a cash donation was applicable.

Planner Quarles stated that the ordinance's parkland dedication requirement is applicable in this case, and explained that when it is not practical to dedicate land, there is typically a fee required in lieu of dedication.

Commissioner Merriam stated that she had gone by the property and it appears that there is a pretty significant slope from Ferndale Road down to the property, and asked if she was correct that part of site is the City right-of-way.

Planner Quarles stated that was correct and noted that on the southern portion of the site, quite a bit of it is not the applicant's property.

1 Commissioner Merriam expressed concern about the possible dangerous situation with sight lines
2 depending on the driveway location because it is close to the bridge. She stated that she also has
3 concerns about the steep slope to get down to the driveway. She noted that it seems like it is more
4 than what is being presented.

5
6 Planner Quarles stated that she wasn't sure that 'more than what is being presented' is how she
7 would have characterized it. She stated that staff has run this by City Engineer/Public Works
8 Director Kelly, and he is okay with the proposal, as it has been presented.

9
10 Community Development Director Goellner noted that the maximum 10% slope recommended by
11 engineering will also be applicable to the right-of-way.

12
13 Commissioner Merriam noted that there appears to be 10 feet of difference between elevations,
14 and asked about the setback of the garage off of Ferndale Road. She noted that there are trees that
15 run along the power lines and asked if any of those would need to be taken down.

16
17 Community Development Director Goellner stated that two of those trees will be removed in the
18 front yard.

19
20 Commissioner Merriam asked if City Engineer/Public Works Director Kelly had any concerns
21 about the driveway cut being so close to the bridge.

22
23 Planner Quarles stated that, as designed, he did not but thinks the applicant can speak to this in
24 greater detail. She noted that the position of the southern driveway has shifted a bit as it has moved
25 through the design process.

26
27 Commissioner Severson asked for clarification of the statements Planner Quarles made about the
28 reason that this subdivision was considered 'major'.

29
30 Planner Quarles reiterated the subdivision ordinance standards, and explained that the minimum
31 lot size for this zoning district is 15,000 square feet and if the new lots created by a subdivision
32 are larger than about 20,000 square feet, it triggers the major subdivision process, which is what
33 happened in this instance.

34
35 Commissioner Schwalbe asked about the existing driveway materials.

36
37 Planner Quarles noted that she believes the existing driveway is bituminous, but explained that
38 one of the engineering comments also questioned the driveway materials. She noted that the
39 application is compliant with their hardcover as it is proposed.

40
41 Commissioner Schwalbe noted that she had the same concerns that were shared by Commissioner
42 Merriam about the driveway proximity to the bridge.

43
44 There being no further questions for staff, Chair Parkhill invited the applicant to address the
45 Commission.

1 Applicant Adam Drill, 344 Ferndale Road North, explained that they purchased this property in
2 October of 2013. He stated that they have gone from having no children to three children, and
3 have outgrown the house. He explained that over the last eight years they have been trying to
4 figure out various ways for them to stay in the City, and reviewed some of the options that were
5 considered. He stated that he understands the concerns raised by the Commissioners regarding
6 safety but noted that this is a 30 MPH zone. He noted that is not always enforced as much as he
7 would like, and noted that his wife has mentioned that the driveway may help decrease the speed
8 in the area. He stated that they have tried to preserve as many trees as possible as part of their
9 proposal.

10
11 Commissioner Douglas asked about the willow tree mentioned in the public comment, and whether
12 it would be an issue.

13
14 Mr. Drill stated that the willow tree is not involved in this lot split, and is a separate tree on the
15 property. He stated that the willow tree has been on the property for much longer than they have
16 owned it. He explained that a branch of the tree had fallen down about 6 weeks ago but noted that
17 there are no plans to include the willow tree in these plans. He stated that he can try to answer
18 questions for the Commission but isn't sure the willow tree is relevant to this conversation.

19
20 Commissioner Schwalbe asked if he had discussed this with Ms. Veit, the person who had
21 submitted the public comment.

22
23 Mr. Drill stated that they have exchanged text messages and noted that they have a great
24 relationship with her. He stated that he believes her concerns were about the trees along her
25 property line, and explained that they would also like as much privacy as possible. He noted that
26 he believes that the plans only take out two trees on the north end, and reiterated that the willow
27 tree is not affected by the split of the new house.

28
29 Commissioner Schwalbe explained that she had driven in on the Drills' driveway and saw the large
30 willow tree. She asked how close the new house will be to the willow tree.

31
32 Mr. Drill explained that he didn't know exact distances but said that it would be behind and north
33 of the house in the backyard. He noted that the willow tree would be considered a heritage tree,
34 so he understands there are different rules than for other trees in the City.

35
36 Chair Parkhill asked if there would be a way to save the beautiful maple tree near the existing
37 detached garage.

38
39 Mr. Drill stated that if they are talking about the same tree, he believes that one needs to come
40 down in order for the driveway to go in.

41
42 Planner Quarles showed a diagram that depicted the tree and driveway location.

43
44 Chair Parkhill noted that this was a different tree than he was thinking, and explained that he was
45 glad that the one he was looking at will be saved.

1 Commissioner Severson asked how far north the new driveway would be compared to the existing
2 driveway.

3
4 Mr. Drill explained that it would not be much further north because of the trees that are north of
5 the current driveway only two will need to come down.

6
7 Commissioner Merriam noted that in the application narrative it says that the tree replacement plan
8 does not take into account the 18 caliper inches that must be replaced for the other tree removal,
9 but she assumes the plans will replace those caliper inches, as necessary, to meet the City code.

10
11 Mr. Drill stated that this was correct, and noted that he thought the tree replacement plan had
12 addressed all of that but said he will touch base with Planner Quarles following the meeting to
13 make sure she has it. He stated that they will be replacing all the required trees and even more, if
14 possible.

15
16 Chair Parkhill stated that for the new house, he sees the plans for a turnaround but asked if for the
17 old house, someone would need to back out onto Ferndale Road. He reiterated the concerns that
18 had already been raised about the safety of people traversing over the bridge in that situation.

19
20 Mr. Drill stated that was why they did the turnaround for the new driveway and noted that they did
21 not do any kind of turnaround for the new driveway for the existing house, but agreed that it may
22 be a good idea.

23
24 Chair Parkhill stated that it is not a requirement.

25
26 There being no additional questions from the Commission for the applicant, Chair Parkhill opened
27 the public hearing on the application at 7:08 pm.

28
29 Mary Lee Veit, 350 Ferndale Road North, stated that her only concern about the willow tree is that
30 there used to be a willow tree there which was knocked down in a storm years ago. She stated that
31 this willow tree was planted prior to the Drill's moving in and the main part of the tree was also
32 blown down in a storm. She stated that another branch came down about 6 weeks ago and shared
33 her concern that if it falls it may come down on her garage. She stated that she would hate to see
34 the tree go but asked if perhaps somebody could come take a look at it and ensure that it is still
35 healthy.

36
37 Chair Parkhill stated that they may need an arborist to assess the situation.

38
39 Director Goellner stated there were no people that called or logged in to the meeting that have
40 asked to speak at the public hearing.

41
42 There being no one else wishing to comment on the application, Chair Parkhill closed the public
43 hearing at 7:11 pm.

44
45 Chair Parkhill asked for the Commission to share their questions and feedback on the application.
46

1 Commissioner Douglas asked if the applicant decided to include a turnaround for the other
2 driveway, if they would still meet the impervious surface requirements. She noted that it appears
3 that there may be enough land there to accommodate that use.

4
5 Planner Quarles stated that for the southern lot, they are under 19% and they are allowed 30%
6 overall, so it would be fine from that standpoint. However, she noted that she would need to double
7 check the parking area setback requirements.

8
9 Commissioner Douglas stated that she has driven by that house for probably the last forty years.
10 She stated that she thought that at one point in time there had been a sign warning people about
11 children being present and asked if that road was a City or County road.

12
13 Community Development Director Goellner stated that her understanding is that it is operated by
14 the City, but believes there is also some shared ownership with the City of Orono.

15
16 Commissioner Douglas suggested that putting up one of those signs may be something that the
17 City would consider in this location.

18
19 Community Development Director Goellner agreed that the City could consider that but noted that
20 they also hear complaints from residents that people do not pay attention to signs. She stated that
21 she thinks a turnaround is probably a safer, more long-term solution.

22
23 Commissioner Schwalbe asked if there was a way for the City to alleviate the concerns raised by
24 Ms. Veit about the willow tree.

25
26 Community Development Director Goellner stated that the City has not had their consulting
27 arborist out there. She stated that it looks like the tree is in fair condition according to the survey,
28 and thinks that the homeowners can work together on a shared solution. She stated that for this
29 subdivision she would focus more on the trees that are within the buildable area. which the willow
30 tree is just outside of, so it is more of a property owner decision.

31
32 Commissioner Schwalbe stated that it would be ideal if they could work that out so there are no
33 problems in the future.

34
35 Commissioner Merriam asked if the Commission could make a recommendation to have a
36 turnaround for the south driveway because it is a safety issue.

37
38 Community Development Director Goellner stated that she thinks including a recommendation
39 that the Council consider having a turnaround as one of the conditions of approval, due to safety
40 implications, could be included. She noted that staff could also talk to City Engineer/Public Works
41 Director Kelly prior to the Council meeting about the effectiveness of that solution or if there are
42 more creative ideas for making the driveway any safer.

43
44 Commissioner Schwalbe stated that she doesn't see any reason not to recommend approval, but
45 noted that she likes the idea of including a turnaround for the south driveway.

1 Commissioner Douglas stated that she would agree and noted that she also likes the idea that it
2 provides another home for a young family. She stated that she thinks this proposal fits in with the
3 surrounding neighborhood. She noted that she would also urge that they include a turnaround for
4 the south driveway for safety purposes.

5
6 Commissioner Severson stated that there was nothing in this application that makes her concerned
7 about this proposal. She stated that she likes the idea of the turnaround and noted that everything
8 in the plans fall within the City code. She stated that she likes that these plans retain a home that
9 was built in the 1950s.

10
11 Commissioner Merriam stated that she would concur with what has already been stated.

12
13 There being no further discussion, Chair Parkhill asked for a motion on the application.

14
15 Commissioner Merriam made a motion, seconded by Commissioner Severson, to direct staff to
16 prepare a draft Planning Commission Report and Recommendation with appropriate findings
17 reflecting a recommendation of approval for the proposed subdivision at 344 Ferndale Road North
18 for review and adoption at the next Planning Commission meeting.

19
20 Chair Parkhill asked if the motion needed to include specifics regarding the turnaround discussion.

21
22 City Attorney Schelzel noted that he was comfortable with the motion as articulated and explained
23 that staff, based on the comments from the Commission, will work to build that into the report and
24 recommendation. He stated that there may be some variables that they will need to discuss with
25 City Engineer/Public Works Director Kelly, but explained that this information will be included
26 in the report and recommendation so the Commission will have the opportunity to review it before
27 it moves onto the City Council.

28
29 There being no further discussion, Chair Parkhill called for a vote. The motion carried
30 unanimously.

31
32 **AGENDA ITEM 6. Other Items:**

33
34 **a) Review of Development Activities**

35
36 Community Development Director Goellner stated that for the next meeting on August 15, 2022
37 there will likely be two public hearings: a revised application for 341 Ramsey Road, and review
38 of and possible amendments to the Tree Preservation Ordinance. She explained that Parks Planner
39 Kieser will be sitting in for her that evening as she has another commitment. She noted that there
40 have been quite a few other development inquiries, so Staff anticipates that there will be a steady
41 stream of applications coming into the City in the coming months.

42
43 **b) Planning Commission Meeting Schedule**

44
45 Community Development Director Goellner stated that she believes the September 7, 2022
46 Planning Commission meeting will be cancelled.

1
2 **AGENDA ITEM 7. Adjournment.**
3

4 There being no further business on the agenda, Chair Parkhill asked for a motion to adjourn.
5

6 Commissioner Severson made a motion, seconded by Commissioner Schwalbe to adjourn the
7 Planning Commission meeting.

8 The motion carried unanimously.
9

10 The meeting was adjourned at 7:21 p.m.
11

12 Respectfully submitted,

13 Kayla Atkins Rokosz

14 *TimeSaver Off Site Secretarial, Inc.*
15

DRAFT



City of Wayzata Planning Commission Agenda Report

MEETING DATE: August 15, 2022	AGENDA ITEM: 4.b
TITLE: Approval of Planning Commission Report and Recommendation of Approval for Subdivision at 344 Ferndale Road North	
PREPARED BY: Valerie Quarles, Assistant Planner	
REVIEWED BY: Emily Goellner, Community Development Director	
60 DAY DEADLINE: November 9, 2022 (extended to 120 days)	

BACKGROUND:

The owners, Adam and Ashley Drill, and their representative, Eric Zehnder with Zehnder Homes, have submitted a development application for a two-lot subdivision at 344 Ferndale Road North. The subdivision would enable the Drills to build a new home on the northern portion of their lot, a new detached garage on the southern portion, and two new driveways after removing an existing detached garage and driveway.

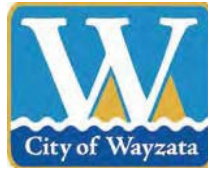
A public hearing was conducted at the Planning Commission meeting on August 1, 2022. The Planning Commission recommended that staff prepare a Report and Recommendation of approval for review at the next Planning Commission meeting with the condition that the applicant consider a turnaround on the southern driveway to mitigate potential issues associated with a vehicle backing out onto that section of Ferndale Road North.

ACTION REQUESTED:

Staff recommends approval of the Planning Commission Report and Recommendation.

ATTACHMENTS:

1. 344 Ferndale Rd N - Planning Commission Report and Recommendation



WAYZATA PLANNING COMMISSION

August 15, 2022

**REPORT AND RECOMMENDATION OF APPROVAL
OF SUBDIVISION AT 344 FERNDAL ROAD N**

SUMMARY OF RECOMMENDATION

1. Approval of Lot Split Subdivision
-

REPORT AND RECOMMENDATION

Section 1. BACKGROUND

- 1.1 Project. Eric Zehnder with Zehnder Homes on behalf of the owners of the subject property, Adam and Ashley Drill, have submitted an application for a subdivision of the property at 344 Ferndale Road North, legally described on Attachment A of this Report (the "Property"). The proposed subdivision would split the existing lot (0.99 acres) into two legally conforming lots. The existing home would remain on the south lot, while a new home would be constructed on the north lot.
- 1.2 Application Requests. The Application includes the following approval request:
- A. Subdivision: Preliminary and Final Plats under Sec. 1003.02 and 1003.03 of the Subdivision Ordinance to subdivide the single lot that comprises the Property into two new lots (the "Subdivision").
- 1.3 Property. The street address, property identification numbers and owner of the parcels that comprise the Property are:

Address	PID	Owner
344 Ferndale Road N	31-118-22-33-0048	Adam and Ashley Drill

- 1.4 Land Use. The Property is zoned R-2 Medium Density Single Family Residential and guided Low Density Residential under the 2040 Wayzata Comprehensive Plan.
- 1.5 Notice and Public Hearing. Notice of a public hearing on the Application was published in the *Sun Sailor* on July 21, 2022 and mailed to all property owners located within 500 feet of the Property on July 20, 2022. The public hearing on the Application was held at the August 1, 2022 Planning Commission meeting.

Section 2. STANDARDS

- 2.1 Subdivision / Preliminary Plat. Review and approval of lot combinations and subdivisions of property are governed by the City's Subdivision Ordinance, Part X of City Code. In reviewing such requests, the Planning Commission shall consider possible adverse effects of the preliminary plat. Its judgment shall be based upon, but not limited to, the following factors found in Section 1003.02.E:
1. The proposed subdivision or lot combination shall be consistent with the Wayzata Comprehensive Plan.
 2. Building pads that result from a subdivision or lot combination shall preserve sensitive areas such as lakes, streams, wetlands, wildlife habitat, trees and vegetation, scenic points, historical locations, or similar community assets.
 3. Building pads that result from subdivision or lot combination shall be selected and located with respect to natural topography to minimize filing or grading.
 4. Existing stands of significant trees shall be retained where possible. Building pads that result from a subdivision or lot combination shall be sensitively integrated into existing trees.
 5. The creation of a lot or lots shall not adversely impact the scale, pattern or character of the City, its neighborhoods, or its commercial areas.
 6. The design of a lot, the building pad, and the site layout shall respond to and be reflective of the surrounding lots and neighborhood character.
 7. The lot size that results from a subdivision or lot combination shall not be dissimilar from adjacent lots or lots found in the surrounding neighborhood or commercial area.
 8. The architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of a building

proposed on a lot to be divided or combined shall be similar to the characteristics and quality of existing development in the City, a neighborhood or commercial area.

9. The design, scale and massing of buildings proposed on a subdivided or combined lot shall be subject to the architectural guidelines and criteria for the Downtown Architectural District, Commercial and Institutional Architectural Districts, and Residential Architectural Districts and the Design Review Board/City Council review process outline in Section 9 of the Wayzata Zoning Ordinance.
10. The proposed lot layout and building pads shall conform with all performance standards contained herein.
11. The proposed subdivision or lot combination shall not tend to or actually depreciate the values of neighboring properties in the area in which the subdivision or lot combination is proposed.
12. The proposed subdivision or lot combination shall be accommodated with existing public services, primarily related to transportation and utility systems, and will not overburden the City's service capacity.

Section 3. FINDINGS

Based on the Application materials, additional materials submitted by the Applicant, staff reports, public comment and information presented at the public hearing, and the standards of the Wayzata Subdivision Ordinance, the Planning Commission of the City of Wayzata makes the following findings of fact:

3.1 Subdivision / Preliminary Plat.

- A. The Planning Commission finds that there would be no significant adverse effects of the Subdivision based upon the following factors found in Section 1003.02.E:
 1. The Subdivision would be consistent with the Wayzata Comprehensive Plan.
 2. The potential building pads that result from the Subdivision will not negatively impact sensitive natural, scenic, historic or community assets. The Applicant has provided sufficient information about how the plans for the Property will maintain and enhance existing conditions, including the existing residence.

3. The potential building pads that result from the Subdivision will respect natural topography and minimize filling and grading.
4. Trees will be retained where possible, and new trees planted as part of the Subdivision in accordance with the requirements of the City Tree Preservation Ordinance.
5. The Subdivision will not adversely impact the scale, pattern or character of the City, its neighborhoods, or its commercial areas, and would create an additional, conforming residential lot.
6. The design of the lots, the building pads, and the site layout will respond to and be reflective of the surrounding lots and neighborhood character, as noted elsewhere in this Report.
7. The lot sizes resulting from the Subdivision would not be dissimilar to the nearby residential lots.
8. The architectural appearance, scale, mass, construction materials, proportion and scale of roof line and functional plan of the existing building on the Property would remain unchanged, and the proposed new residence appears consistent with the Wayzata Zoning Ordinance.
10. The proposed lot layout and building pads resulting from the Subdivision would conform to all performance standards contained in the Subdivision Ordinance.
11. The Subdivision is not likely to have a negative effect on the values of neighboring properties in the area in which it is proposed.
12. The Subdivision will be accommodated with existing public services, including those related to transportation and utility systems, and will not overburden the City's service capacity.

Section 4. RECOMMENDATION

- 4.1 Planning Commission Recommendation. Based on the findings in section 3 of this Report, the Planning Commission recommends **APPROVAL** of the Subdivision, subject to the following conditions:

- A. The Applicant must provide updated plans that address, to the satisfaction of the Community Development Director, all of the comments of the City Engineering Department in the August 1, 2022 Staff Report.

- B. The Applicant must provide an area for vehicles to change direction, contiguous with the proposed driveway, on the southern lot in order to facilitate forward travel of vehicles off of the Property and onto Ferndale Road North, subject to the approval of the City Engineer.
- C. The Applicant must secure all necessary building permits for construction, and follow all laws and regulations applicable to the Project, including building codes, tree preservation and land use regulations, and City Code and policies applicable to days and times of work, and construction management.
- D. All expenses of the City of Wayzata, including consultant, expert, legal, and planning fees incurred must be fully reimbursed by the Applicant.

Adopted by the Wayzata Planning Commission this 15th day of August 2022.

Attachment:

Attachment A: Legal Description of Property

Attachment A

Legal Description and Property Information

Address	344 Ferndale Road North, Wayzata
PID	3111822330048
Legal Description	That part of the West 255 feet of the South 493 feet of the Southwest 1/4 of the Southwest 1/4 of Section 31, Township 118 North, Range 22, West of the 5th Principal Meridian, which lies Northerly of a line drawn from a point on the West line of said Southwest 1/4 of the Southwest 1/4 distant 300 feet North of the Southwest corner of said Southwest 1/4 of the Southwest 1/4, to a point on the Southwesterly right-of-way line of the Chicago Northwestern Railroad (formerly the Electric Short Line Railroad or Minnesota Western Railroad) distant 200 feet Northwesterly of the point of intersection of said Southwesterly right-of-way line with the South line of said Southwest 1/4 of the Southwest 1/4, Hennepin County, Minnesota.
Abstract or Torrens?	Abstract
Certificate No.	N/A



City of Wayzata Planning Commission Agenda Report

MEETING DATE: August 15, 2022	AGENDA ITEM: 5.a
TITLE: Consider Development Application for Lot Coverage, Impervious Surface, and Rear Yard Setback Variances at 341 Ramsey Road	
PREPARED BY: Valerie Quarles, Assistant Planner	
REVIEWED BY: Emily Goellner, Community Development Director	
60 DAY DEADLINE: September 20, 2022	

BACKGROUND:

Applicant's representative T.J. Majdecki of Murphy & Co. Design, on behalf of owners Trisha and Robert Blake, has submitted a development application to build an attached garage expansion and screened porch at 341 Ramsey Road. The project requires variances for lot coverage, impervious surface, and a rear yard setback. This application is a revision of a proposal presented at the Planning Commission's May 16, 2022 public hearing.

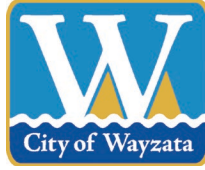
The Planning Commission unanimously recommended denial of the proposal at the May 16 public hearing, noting their view that the requested side yard setback variance was unreasonable and would have a negative impact. The revised site plan does not require a side yard setback variance.

ACTION REQUESTED:

After considering the items outlined in this report, holding the public hearing on the application, and discussing the requests of the Application, the Planning Commission should direct staff to prepare a draft *Planning Commission Report and Recommendation*, with appropriate findings, reflecting a recommendation on the lot coverage, impervious surface, and rear yard setback variances requested in the application, for review and adoption at the next Planning Commission meeting.

ATTACHMENTS:

1. 341 Ramsey Road - Staff Report
2. 341 Ramsey Road - Application Materials
3. 341 Ramsey Road - Public Comment



**Staff Report
Wayzata Planning Commission
August 15, 2022**

Project Name: Blake Residence
Approval Request: Variances (3) – Lot Coverage, Impervious Surface, Rear Yard Setback
Applicant: Trisha and Robert Blake
Applicant's Representative: T.J. Majdecki, Murphy & Co Design
Addresses of Request: 341 Ramsey Road
Prepared by: Valerie Quarles, Assistant Planner
"120 Day" Decision Deadline: November 19, 2022

Development Application Introduction

The applicant/owners, Trisha and Robert Blake, have submitted a development application requesting a rear yard setback variance, a lot coverage variance, and an impervious surface variance to support the expansion and re-orientation of an attached garage at 341 Ramsey Road.

The property identification number and owner of the property are as follows:

Address	PID	Owner
341 Ramsey Road	12-117-23-12-0036	T J Blake & R J Blake Jr

The current zoning and comprehensive plan land use designation for the property are as follows:

Current Zoning:	R-1A Low Density Single Family Estate District
Comprehensive Plan Designation:	Estate Single Family
Overlay Districts:	Shoreland Overlay District
Design District:	N/A

Project Location

The property is located on the north side of Ramsey Road, a short street accessed from Harrington Road.

Map 1: Project Location



Source: Hennepin County

Application Requests

As part of the submitted development application, the applicant is requesting approval of the following items:

- A. Variance – Rear Yard Setback (§951.06.B.1.C): The applicant is requesting a variance of 35.7 feet off the required rear yard (north) setback from the required 50 feet to 14.3 feet.
- B. Variance – Lot Coverage (§951.07.A): The applicant is requesting a variance of 4% off the required maximum lot coverage limit of 10% to 14%.
- C. Variance – Impervious Surface (§951.07.A): The applicant is requesting a variance of 3.6% off the required maximum impervious surface limit of 20% to 23.6%.

Public Hearing Notice

Notice of the public hearing on the Application was published in the *Sun Sailor* on August 4, 2022. The public hearing notice was also mailed to all property owners located within 500 feet of the subject property on August 2, 2022.

Neighborhood Notification

The applicant sent a letter about the Application to property owners located within 500 feet of the subject property on August 3, 2022.

Public Comments

One public comment was received before the packet publication deadline on August 9, 2022. The eastern neighbor stated their support for the project and noted the impractical and undersized nature of the current garage.

Existing Conditions

The existing developed lot is 43,800 square feet (approximately 1 acre) in area. The existing home was originally built in 1949. The principal structure does not conform to the current zoning code in the following ways relevant to this application:

1. The rear yard (north) setback is currently 14.3 feet instead of the required 50 feet, though a variance to reduce the setback to 14.2 feet was previously approved.
2. The impervious surface total is 24.7% of the lot instead of the required 20%.
3. The lot coverage total is approximately 12.7% instead of the required 10%.

It is not clear whether the impervious surface and lot coverage non-conformities are legal or illegal non-conformities. Legal non-conformities, like the rear yard setback, were either granted a variance or were allowed by Code at the time of construction. Illegal non-conformities were not allowed by Code at the time of construction and were not granted a variance. Additional research would be necessary to make this determination.

The existing two stall garage is accessed via a motor court that connects to a driveway on the adjacent property to the west (546 Harrington Rd). There is no direct vehicular access from Ramsey Road to the home. Staff has previously recommended that the owners of 341 Ramsey Road obtain a private driveway access easement from the owners of 546 Harrington Rd, but it is not a formal requirement of this application.

Despite vehicular access coming from the west, City Code defines the front yard of a property as the shortest frontage abutting a public road. This makes the south side of the property (next to Ramsey Road) the front yard. The west and east sides are the side yards. The north side is the rear yard.

Previous Requests

The applicants previously submitted an application for an attached garage expansion in April 2022. Following a public hearing conducted on May 16, 2022, the Planning Commission unanimously recommended denial of the application. It was noted that the side yard setback variance requested was unreasonably large and would have a negative impact on the neighbor to the west.

Before this year, the property was last subject to a planning action in 2017 (City Council Resolution No. 65-2017), when the previous owners at 341 Ramsey sold a portion of the property totaling approximately 51,626 square feet (1.18 acres) to their eastern neighbor (309 Ramsey Road) and proposed a garage expansion. The 2017 project included a preliminary and final plat to adjust the lot line between the two properties, a lot area variance to reduce the required minimum size of 80,000 square feet to approximately 43,800 square feet at 341 Ramsey under the subdivision code, a lot width variance, and

a rear yard setback variance from the required 50 feet to the proposed 14.2 feet for the proposed garage. The proposed garage expansion was not built at that time.

Zoning District

The site is zoned R-1A, Low Density Single Family Estate District. The R-1A District is intended to provide a low density residential district for existing large and estate-type properties. These properties are unique in that they are unusually large in size and frequently include accessory structures, such as guest houses and caretakers' quarters. The proposed garage is a permitted use in this zoning district.

Land Use Designation

The 2040 Comprehensive Plan land use designation for the site is Estate Single Family.

Proposed Changes

The applicant is proposing to add two stalls to the existing two-stall garage and re-orient the entrance to the motor court to the south, instead of having vehicles enter from the west. This would also include the removal of hardcover leading up to the property line on the west side. The expanded garage would be located on the existing impervious surface. A porch is also proposed on the east side of the home, which would contribute to the overall lot coverage. The project requires a rear yard (north) setback decrease from the required 50 feet to 14.3 feet, a lot coverage limit increase from 10% to 14 %, and an impervious surface limit increase from 20% to 23.6%.

Analysis of Application

Variance – Rear Yard Setback

In 2017, a variance was granted for 14.2 feet. The area that the proposed garage would occupy is currently paved driveway space. The request is considered a variance from the R-1A 50 foot requirement, though it is farther from the lot line than the previous 14.2-foot setback approval.

	City Code	2017 Approved Variance (unbuilt/for previous garage)	April 2022 Proposal	July 2022 Proposal
Rear Yard Setback	50 feet	14.2 feet	12.2 feet	14.3 feet

Variance – Lot Coverage

Lot coverage is defined as “the area of the lot occupied by the principal building or buildings and all accessory buildings (§902.02)”. The proposed addition to the garage and the proposed porch on the east side of the home contribute to the increase of this measure over the current condition of 12.7% to 14%.

A variance for lot coverage was not granted as part of the 2017 resolution. Since the overall property size was decreased as part of that approval, lot coverage has been nonconforming since 2017. It is unknown why lot coverage on the property is less than

the 2017 proposed condition, and unknown why a variance was not included in that resolution despite the overage being documented in the resolution attachments.

	City Code	2017 Condition (after approval)	2022 Existing	April 2022 Proposal	July 2022 Proposal
Lot Coverage Limit	10%	13.9%	12.7% ¹	14.85%	14%

Variance – Impervious Surface

Impervious surface is defined as “a constructed hard surface that either prevents or retards the entry of water into the soil and causes water to run off the surface in greater quantities and at an increase rate of flow than prior to development. Examples include rooftops, sidewalks, patios, driveways, parking lots, storage areas, and concrete, asphalt, or gravel roads (§902.02)”. Impervious surface includes lot coverage. The proposed addition to the garage, proposed porch, and proposed motor court changes all contribute to the impervious surface reduction from the current condition of 24.7% to 23.6%. The proposal is a decrease from the current condition because the proposed garage is not a net gain in impervious surface due to being located on the existing driveway, as well as the removal of the driveway portion at the northwestern corner of the property.

A variance is required for the decrease because it is still above the 20% impervious surface limit in R-1A. Like the lot coverage circumstances, impervious surface was over the limit as a result of the 2017 action, but a variance was not included in the requests. The impervious surface overage is also documented in the resolution attachments.

	City Code	2017 Condition (after approval)	2022 Existing	April 2022 Proposal	July 2022 Proposal
Impervious Surface Limit	20%	23.57%	24.7% ²	24%	23.6%

Shoreland Overlay District

The property is located in the Shoreland Overlay District. Impervious surface in this overlay district is limited to 25% of the lot area (§991.11.A). The proposed impervious surface does not exceed 25%. A Shoreland Impact Plan is not required as the proposal is for a permitted principal use (§991.19.B.2).

¹ The built lot coverage is less than the 2017 proposed lot coverage.

² The built impervious surface is greater than the 2017 proposed impervious surface coverage.

Department Comments

Engineering Department:

- The proposal shows adequate stormwater management for improvements.
- If approved, a formal Storm Water Facilities Maintenance Agreement is recommended.

Fire Department:

- The revised access point from the motor court is not a problem for the Fire Department (comment from previous proposal, which has the same access).

Standards of Planning Commission Review of Application Requests

Primary Questions to Consider:

1. Is the proposal consistent with the Comprehensive Plan?
2. Is each variance reasonable?
3. Is the plight of the landowner due to circumstances unique to the property, and not created by the landowner?
4. Would each variance alter the essential character of the locality?

Action Steps

After considering the items outlined in this report, holding the public hearing on the application, and discussing the requests of the Application, the Planning Commission should direct staff to prepare a draft *Planning Commission Report and Recommendation*, with appropriate findings, reflecting a recommendation on the application, for review and adoption at the next Planning Commission meeting.

Attachments

1. Narrative (Murphy & Co. Design, July 8, 2022 – 7 pages)
2. Survey (Advance Surveying & Engineering, October 5, 2020 – 1 page)
3. Site Plan (Murphy & Co. Design, July 8, 2022 – 1 page)
4. Architectural Plans (Murphy & Co. Design, July 8, 2022 – 10 pages)
5. Drainage Map (Advance Surveying & Engineering, April 21, 2022)
6. Resolution 65-2017 Proposed Survey (1 page)

The full drainage report prepared by Advance Surveying and Engineering is available for viewing at City Hall.

Applicable Code Provisions for Review

Staff has analyzed the facts provided by the applicant in comparison with the criteria for approval. Staff has highlighted in **bold** the criteria that may require additional discussion with the Planning Commission.

2040 Comprehensive Plan – Residential Goals

- **Maintain and enhance the character, diversity, and livability of all residential neighborhoods.**

Variance Standards – City Code Chapter 905

The purpose of this Section is to provide for deviations from the literal provisions of this Ordinance in instances where strict enforcement of the provisions of this Ordinance would cause practical difficulties because of circumstances unique to the individual property under consideration, and to grant such variances only when the variances are harmony with the general purposes and intent of this Ordinance, and the variances are consistent with the Comprehensive Plan.

Criteria for Granting. Conditions governing considerations of variance requests.

1. Variances shall only be permitted when they are:
 - a) In harmony with the general purposes and intent of this Ordinance; and
 - b) Consistent with the Comprehensive Plan.
2. Variances may be granted when the Applicant for the variance establishes that there are practical difficulties in complying with this Ordinance.
3. "Practical difficulties," as used in connection with the granting of a variance, means that:
 - a) **The property owner's proposal for the property is reasonable but not permitted by this Ordinance;**
 - b) **The plight of the landowner is due to circumstances unique to the property, and not created by the landowner; and**
 - c) **The variance, if granted, will not alter the essential character of the locality.**
4. 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.
5. Variances shall be granted for earth sheltered construction as defined in Minn. Stats. § 216C.06, Subd. 14, when in harmony with this Ordinance.
6. The City Council shall not permit as a variance any use that is not allowed under this Ordinance for property in the zoning district where the affected person's land is located, except the City Council may permit as a variance the temporary use of a one family dwelling as a two family dwelling.
7. The City Council 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.
8. An application for a variance shall set forth reasons that the variance is justified under the criteria of this section in order to make reasonable use of the land, structure or building.

MURPHY & CO

— DISTINCTIVE RESIDENTIAL ARCHITECTURE —

Meeting Date: July 8, 2022
Project: Blake Residence
Project Address: 341 Ramsey Road, Wayzata MN 55391
Re: City of Wayzata Land Use Application
Supplemental Project Summary

PARCEL LEGAL DESCRIPTION

Parcel Identification Number (PID)

1211723120036

Meeting Date: July 8, 2022
Project: Blake Residence
Project Address: 341 Ramsey Road, Wayzata MN 55391
Re: City of Wayzata Land Use Application
Supplemental Project Summary

VARIANCE REQUEST SUMMARY

Project Summary

The proposed project is for a renovation / addition to an existing single-family residence located at 341 Ramsey Road.

To coincide with a general update to the façade and integration of new windows for the home, the homeowners would like to address the non-conforming nature of the driveway and access point to the current garage, as well as increase the amount of off-street parking for the home.

The home currently offers two attached and enclosed vehicle stalls, as well as a parking pad for two vehicles at the exterior of the garage. However, this parking pad currently sits over the property line (this was installed by a previous owner, not the current homeowner) and could be lost should the neighbor choose to enforce their property rights.

The goal of the homeowner is to turn the entrance point into the garage 90 degrees for easier access off the existing motor court, attach two more enclosed parking spaces for a total of 4 vehicles within the garage, and vacate the current hardcover that resides on the property line and into the neighbor's yard.

To do so, three variances will be required to address the existing and non-conforming rear yard setbacks, as well as the total hardcover percentage of the lot, though the result is a reduction in overall hardcover.

The proposed design and site plan meet the intent of the ordinances, as the site demonstrates some existing practical challenges with the original placement of the lot, the 2017 approved reduction of this property / lot size, as well as the required rear yard setback that is already non-conforming with the main home and garage area.

The existing lot is undersized for the R-1A Low-Density Single-Family Estate District in both area (only 43,800 sq. ft. where the minimum lot requirement is closer to double at 80,000 sq. ft.) and width on the designated front yard (172.62 linear feet where 200 linear feet is required).

Please note that this is a revised application and design to the previous application and hearing held on May 16, 2022. After hearing the feedback from the Commission, as well as adjoining neighbors, we have updated the design to no longer require or impact the side yard setback on this property.

During this process we also found that a 2017 Commission and City Council review and approval of a proposed lot division and sale of a large portion of this property is what is leading to the current lot coverage and hardcover variance requests. The current owner of this property was not a part of this sale or approved lot split. We feel that the current and undersized lot size for this property is a direct result of this previous process, and now creates an existing practical challenge for this property.

Requested Variances

Variance 1: Request for a variance to the required rear yard setback minimum of 50'-0".

Variance 2: Request for a variance to exceed the 20% impervious surface area on a lot.

Variance 3: Request for a variance to exceed the 10% lot coverage

Meeting Date: July 8, 2022
Project: Blake Residence
Project Address: 341 Ramsey Road, Wayzata MN 55391
Re: City of Wayzata Land Use Application
Supplemental Variance Requests

VARIANCE REQUESTS

Property Zoning District(s)

R-1A Low-Density Single-Family Estate
Shoreland Overlay

Requested Variance 1:

Request for a variance to the required rear yard setback minimum of 50'-0".

Per Wayzata's Code of Ordinances, Chapter 951.06 – Lot Area and Setback Requirements, Sub-Section B.1.c for Principal Structure Setbacks a rear yard setback of 50 feet is required.

We are requesting a variance for a rear yard setback of 14.3' at the narrowest point of the proposed garage addition, to match the existing and previously approved (2017) rear yard setback of 14.2'.

The proposed project is in harmony with the general purposed and intent of this ordinance:

The proposed location of the garage addition is driven by the placement of the existing structure and is an effort to rectify a non-conforming access point that sits on the neighboring property (546 Harrington Road). The removal of the two additional outdoor parking spots that sit on the neighboring property are being replaced with an attached garage that will be accessed off the existing motor court, thus creating a proper delineation of property lines at that location. The two additional garage stalls align with the existing garage location and entry point into the home, thus extending the non-conforming rear yard setback of the existing home and garage to capture the two additional stalls.

The proposed project is consistent with the Comprehensive Plan:

The proposed project is consistent with the Comprehensive plan as the proposed structure continues to maintain and enhance the character, diversity, and livability of the R-1A district and identifies and corrects a current non-conforming aspect of the property.

The proposed project is a reasonable use of this property:

The proposed garage addition replaces the two exterior parking areas that currently sit on the neighboring property, while also addressing the access point into the garage space by turning the garage doors from facing the neighboring home to face Ramsey Road.

The variance request is due to circumstances unique to the property, not created by the landowner:

The current home and siting on the property is non-conforming in several aspects. The new design works with these existing conditions and placement of the home to remove hardcover from the neighboring property, while also addressing the parking function and garage access for this property in the best way possible.

The variance, if granted, will not alter the essential character of the locality:

The design and addition maintain the character of the existing home and fits the lot in the best way possible. It also addresses a non-conforming hardcover impact on the neighboring property. The reduced rear yard setback abuts the driveway access point for the adjacent property at 532 Harrington Road, thus not impacting any significant view corridors from that property's main structure given the unique boundaries of the lots.

Requested Variance 2:

Request for a variance to the required 20% impervious surface area on the lot.

Per Wayzata's Code of Ordinances, Chapter 951.07 – Lot Coverage and Height, Sub-Section A Impervious surfaces on a lot shall not exceed 20 percent of the lot area.

We are requesting a variance a hardcover percentage of 23.6%, which is a reduction from the current non-conforming 24.7% hardcover of the property.

The proposed project is in harmony with the general purposed and intent of this ordinance:

The proposed project eliminates a substantial amount of hardcover and paving that currently serves as an access point to the side load garage of the home. The new garage addition provides two additional parking stalls for the home (total of a 4-car attached garage versus the current 2-car) and shifts the entry point to the garage stalls to the existing motor court on the property. The additional hardcover to the west would be removed, including the portion on the neighbor's property (546 Harrington Road) and replaced with grass and grading for stormwater control.

The proposed project is consistent with the Comprehensive Plan:

The proposed project is consistent with the Comprehensive plan as the proposed structure continues to maintain and enhance the character, diversity, and livability of the R-1A district and identifies and corrects a current non-conforming aspect of the property.

The proposed project is a reasonable use of this property:

The proposed garage addition replaces the two exterior parking areas that currently sit on the neighboring property, while also addressing the access point into the garage space by turning the garage doors from facing the neighboring home to face Ramsey Road.

The variance request is due to circumstances unique to the property, not created by the landowner:

The current lot is undersized for the R-1A district. Minimum lot size for this district is 80,000 square feet (per Section 951.06, subsection A.1). The property area is only 43,800 square feet, approximately 53% of the minimum size required. The current design on a lot size that meets the minimum area requirement would be less than the required 20%:

Proposed Hardcover: 10,333 sq. ft.

Area of Lot (341 Ramsey Road): 43,800 sq. ft. = 23.6% hardcover

Minimum lot area (R-1A district): 80,000 sq. ft. = 13% hardcover

We feel the intent of the hardcover percentage is still met with this request, given the undersized nature of the property, which was a result of the 2017 City of Wayzata approval of the lot size reduction.

The variance, if granted, will not alter the essential character of the locality:

The design and addition maintain the character of the existing home and fits the lot in the best way possible. It also addresses a non-conforming hardcover impact on the neighboring property. The hardcover percentage, relative to the undersized nature of the property, meets the intent of the zoning requirement. It also reduces the current non-conforming hardcover percentage, while also eliminating hardcover on the neighboring property for a greater reduction than illustrated by the numbers contained only to this lot.

Requested Variance 4:

Request for a variance to the required 10% lot coverage.

Per Wayzata's Code of Ordinances, Chapter 951.07 – Lot Coverage and Height, Sub-Section A Lot coverage shall not exceed ten percent of lot area.

We are requesting a variance to allow for a lot coverage ratio of 14%, 4% above the allowed lot coverage.

The proposed project is in harmony with the general purposed and intent of this ordinance:

The proposed home is relative in size and scale to those surrounding homes within the Harrington Lane corridor. The existing site is undersized for the R-1A district, containing only 43,800 square feet of area where the minimum lot size should be 80,000 square feet. The scale and massing of the home is comparable to the surrounding and adjacent properties and fits the intent of the ordinance in this manner, with the discrepancy in the lot coverage due to the undersized nature of this site.

The proposed project is consistent with the Comprehensive Plan:

The proposed project is consistent with the Comprehensive plan as the proposed structure continues to maintain and enhance the character, diversity, and livability of the R-1A district and identifies and corrects a current non-conforming aspect of the property.

The proposed project is a reasonable use of this property:

The proposed garage addition replaces the two exterior parking areas that currently sit on the neighboring property, while also addressing the access point into the garage space by turning the garage doors from facing the neighboring home to face Ramsey Road.

The variance request is due to circumstances unique to the property, not created by the landowner:

The current lot is undersized for the R-1A district. Minimum lot size for this district is 80,000 square feet (per Section 951.06, subsection A.1). The property area is only 43,800 square feet, approximately 53% of the minimum size required. The current design on a lot size that meets the minimum area requirement would be less than the required 10%:

Proposed Lot Coverage: 6,247 sq. ft.

Area of Lot (341 Ramsey Road): 43,800 sq. ft. = 14% lot coverage

Minimum lot area (R-1A district): 80,000 sq. ft. = 7.8% lot coverage

We feel the intent of the lot coverage percentage is still met with this request, given the undersized nature of the property, which was a result of the 2017 City of Wayzata approval of the lot size reduction.

The variance, if granted, will not alter the essential character of the locality:

The design and addition maintain the character of the existing home and fits the lot in the best way possible. Four car attached garage are not outside of the normal for the R-1A district.

LEGAL DESCRIPTION:

Lot 1, Block 1, HARRINGTON GATES, Hennepin County, Minnesota.

SCOPE OF WORK & LIMITATIONS:

- Showing the length and direction of boundary lines of the legal description listed above. The scope of our services does not include determining what you own, which is a legal matter. Please check the legal description with your records or consult with competent legal counsel, if necessary, to make sure that it is correct and that any matters of record, such as easements, that you wish to be included on the survey have been shown.
- Showing the location of observed existing improvements we deem necessary for the survey.
- Setting survey markers or verifying existing survey markers to establish the corners of the property.
- This survey has been completed without the benefit of a current title commitment. There may be existing easements or other encumbrances that would be revealed by a current title commitment. Therefore, this survey does not purport to show any easements or encumbrances other than the ones shown hereon.
- Showing and tabulating impervious surface coverage of the lot for your review and for the review of such governmental agencies that may have jurisdiction over these requirements to verify they are correctly shown before proceeding with construction.
- Showing elevations on the site at selected locations to give some indication of the topography of the site. We have also provided a benchmark for your use in determining elevations for construction on this site. The elevations shown relate only to the benchmark provided on this survey. Use that benchmark and check at least one other feature shown on the survey when determining other elevations for use on this site or before beginning construction.
- Note that all building dimensions and building tie dimensions to the property lines, are taken from the siding and or stucco of the building.

STANDARD SYMBOLS & CONVENTIONS:

"●" Denotes iron survey marker, set, unless otherwise noted.

LEGEND

	= CATCH BASIN
	= GAS METER
	= FIRE HYDRANT
	= POWER POLE
	= MANHOLE
	= TELEPHONE PED.
	= ELEC. TRANSFORMER
	= WELL
	= GATE VALVE
	= LIGHT POLE
	= TREE
	= FENCE LINE
	= SANITARY SEWER LINE
	= WATER LINE
	= GAS LINE
	= STORM DRAIN LINE
	= OVERHEAD UTILITY LINE
	= CONCRETE SURFACE

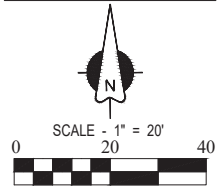
EXISTING HARDCOVER

House	5,532 Sq. Ft.
Bituminous Driveway	3,148 Sq. Ft.
Concrete Surfaces	88 Sq. Ft.
Stone Areas	2,040 Sq. Ft.

TOTAL EXISTING HARDCOVER	10,808 Sq. Ft.
AREA OF LOT	43,800 Sq. Ft.

PERCENTAGE OF HARDCOVER TO LOT 24.7%

DRAWING ORIENTATION & SCALE



CLIENT NAME / JOB ADDRESS

MURPHY & CO. DEIGN

341 RAMSEY ROAD
WAYZATA, MN

Advance
Surveying & Engineering, Co.

17917 Highway 7
Minnetonka, Minnesota 55345
Phone (952) 474-7964
Web: www.advsur.com

I HEREBY CERTIFY THAT THIS PLAN, SURVEY OR REPORT
WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION
AND THAT I AM A DULY REGISTERED LAND SURVEYOR
UNDER THE LAWS OF THE STATE OF MINNESOTA.

Thomas M. Bloom
42379
LICENSE NO.
OCTOBER 5, 2020
DATE

DATE SURVEYED: OCTOBER 2, 2020

DATE DRAFTED: OCTOBER 5, 2020

SHEET TITLE

EXISTING CONDITIONS
SURVEY

DRAWING NUMBER

201603 TB

SHEET SIZE 22 X 34

SHEET NO.

S1

LEGAL DESCRIPTION:
Lot 1, Block 1, HARRINGTON GATES, Hennepin County, Minnesota.

SCOPE OF WORK & LIMITATIONS:

- Showing the length and direction of boundary lines of the legal description listed above. The scope of our services does not include determining what you own, which is a legal matter. Please check the legal description with your records or consult with competent legal counsel, if necessary, to make sure that it is correct and that any matters of record, such as easements, that you wish to be included on the survey have been shown.
- Showing the location of observed existing improvements we deem necessary for the survey.
- Setting survey markers or verifying existing survey markers to establish the corners of the property.
- This survey has been completed without the benefit of a current title commitment. There may be existing easements or other encumbrances that would be revealed by a current title commitment. Therefore, this survey does not purport to show any easements or encumbrances other than the ones shown hereon.
- Showing and tabulating impervious surface coverage of the lot for your review and for the review of such governmental agencies that may have jurisdiction over these requirements to verify they are correctly shown before proceeding with construction.
- Showing elevations on the site at selected locations to give some indication of the topography of the site. We have also provided a benchmark for your use in determining elevations for construction on this site. The elevations shown relate only to the benchmark provided on this survey. Use that benchmark and check at least one other feature shown on the survey when determining other elevations for use on this site or before beginning construction.
- Note that all building dimensions and building tie dimensions to the property lines, are taken from the siding and or stucco of the building.
- While we show a proposed location for this home or addition, we are not as familiar with your proposed plans as you, your architect, or the builder are. Review our proposed location of the improvements and proposed yard grades carefully to verify that they match your plans before construction begins. Also, we are not as familiar with local codes and minimum requirements as the local building and zoning officials in this community are. Be sure to show this survey to said officials, or any other officials that may have jurisdiction over the proposed improvements and obtain their approvals before beginning construction or planning improvements to the property.

STANDARD SYMBOLS & CONVENTIONS:

"●" Denotes iron survey marker, set, unless otherwise noted.

GRADING & EROSION CONTROL NOTES:

BEFORE DEMOLITION AND GRADING BEGIN

- Install silt fence/bio roll around the perimeter of the construction area.
- Sediment control measures must remain in place until final stabilization has been established and then shall be removed. Sediment controls may be removed to accommodate short term construction activity but must be replaced before the next rain.
- A temporary rock construction entrance shall be established at each access point to the site and a 6 inch layer of 1 to 2 inch rock extending at least 50 feet from the street into the site and shall be underlain with permeable geotextile fabric. The entrance shall be maintained during construction by top dressing or washing to prevent tracking or flow of sediments onto public streets, walks or alleys. Potential entrances that are not so protected shall be closed by fencing to prevent unprotected exit from the site.
- Contractor shall install inlet protection on all existing storm sewer inlets in accordance with the city standard details. Inlet protection shall also be provided on all proposed storm sewer inlets immediately following construction of the inlet. Inlet protection must be installed in a manner that will not impound water for extended periods of time or in a manner that presents a hazard to vehicular or pedestrian traffic.

DURING CONSTRUCTION:

- When dirt stockpiles have been created, a double row of silt fence shall be placed to prevent escape of sediment laden runoff and if the piles or other disturbed areas are to remain in place for more than 14 days, they shall be seeded with Minnesota Department of Transportation Seed Mixture 22-111 at 100 lb/acre followed by covering with spray mulch.
- A dumpster shall be placed on the site for prompt disposal of construction debris. These dumpsters shall be serviced regularly to prevent overflowing and blowing onto adjacent properties. Disposal of solid wastes from the site shall in accordance with Minnesota Pollution Control Agency requirements.
- A separate container shall be placed for disposal of hazardous waste. Hazardous wastes shall be disposed of in accordance with MPCA requirements.
- Concrete truck washout shall be in the plastic lined ditch and dispose of washings as solid waste.

- Sediment control devices shall be regularly inspected and after major rainfall events and shall be cleaned and repaired as necessary to provide downstream protection.
- Streets and other public ways shall be inspected daily and if litter or soils has been deposited it shall promptly be removed.
- If necessary, vehicles, that have mud on their wheels, shall be cleaned before exiting the site in the rock entrance areas.
- Moisture shall be applied to disturbed areas to control dust as needed.
- Portable toilet facilities shall be placed on site for use by workers and shall be properly maintained.
- If it becomes necessary to pump the excavation during construction, pump discharge shall be into the stockpile areas so that the double silt fence around these areas can filter the water before it leaves the site.
- Temporary erosion control shall be installed no later than 14 days after the site is first disturbed and shall consist of broadcast seeding with Minnesota Department of Transportation Seed Mixture 22-111 at 100 lb/acre followed by covering with spray mulch.
- Erosion control measures shown on the erosion control plan are the absolute minimum. The contractor shall install temporary earth dikes, sediment traps or basins and additional silt fencing as deemed necessary to control erosion.

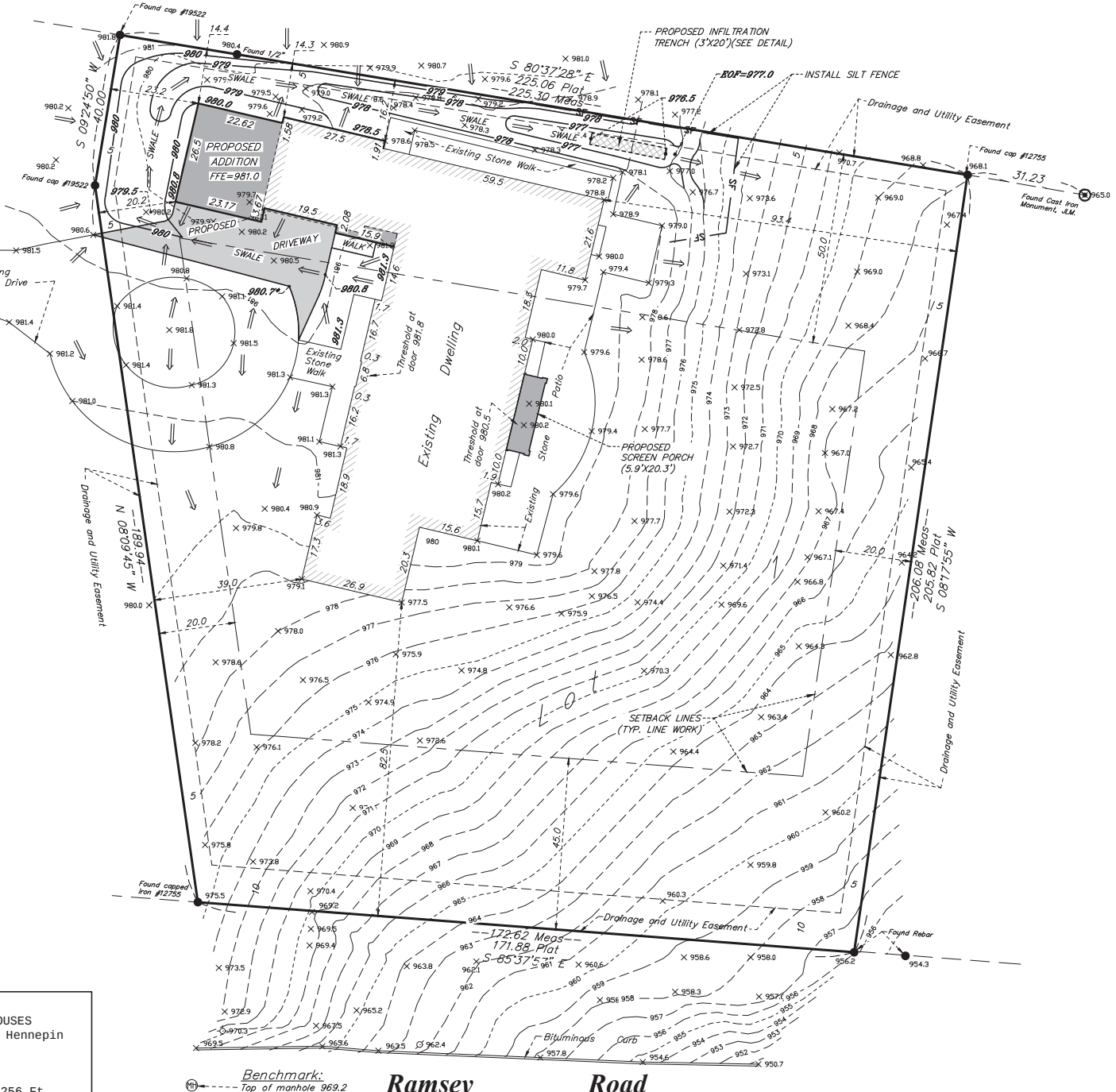
SITE WORK COMPLETION:

- City of Wayzata requirements to insure that grading was properly done.
- When any remedial grading has been completed, sod or seeding shall be completed including any erosion control blankets for steep areas.
- When turf is established, silt fence and inlet protection and other erosion control devices shall be disposed of and adjacent streets, alleys and walks shall be cleaned as needed to deliver a site that is erosion resistant and clean.
- Contractor shall maintain positive drainage of a minimum 2% slope away from proposed building.

LEGEND

EXISTING CONTOUR	--- 980 ---
EXISTING SPOT ELEVATION	X 980.5
PROPOSED CONTOUR	--- 980 ---
PROPOSED SPOT ELEVATION	980.5
DRAINAGE ARROW - FLOW	⇒
SILT FENCE	— SF —

EXISTING HARDCOVER		PROPOSED HARDCOVER		DISTANCES TO NEIGHBOR'S HOUSES (Per scaled distances from the Hennepin County GIS Map.)	
House	5,532 Sq. Ft.	House	6,127 Sq. Ft.	39 Ramsey SW building	256 Ft.
Bituminous Driveway	3,148 Sq. Ft.	Bituminous Driveway	2,181 Sq. Ft.	546 Harrington	194 Ft.
Concrete Surfaces	88 Sq. Ft.	Stone Areas	1,861 Sq. Ft.	532 Harrington	217 Ft.
Stone Areas	2,040 Sq. Ft.	Screen Porch	120 Sq. Ft.	PID #1211723120038 S. Bldg.	124 Ft.
		Walk	44 Sq. Ft.		
TOTAL EXISTING HARDCOVER 10,808 Sq. Ft.		TOTAL PROPOSED HARDCOVER 10,333 Sq. Ft.			
AREA OF LOT 43,800 Sq. Ft.		AREA OF LOT 43,800 Sq. Ft.			
PERCENTAGE OF HARDCOVER TO LOT 24.7%		PERCENTAGE OF HARDCOVER TO LOT 23.6%			



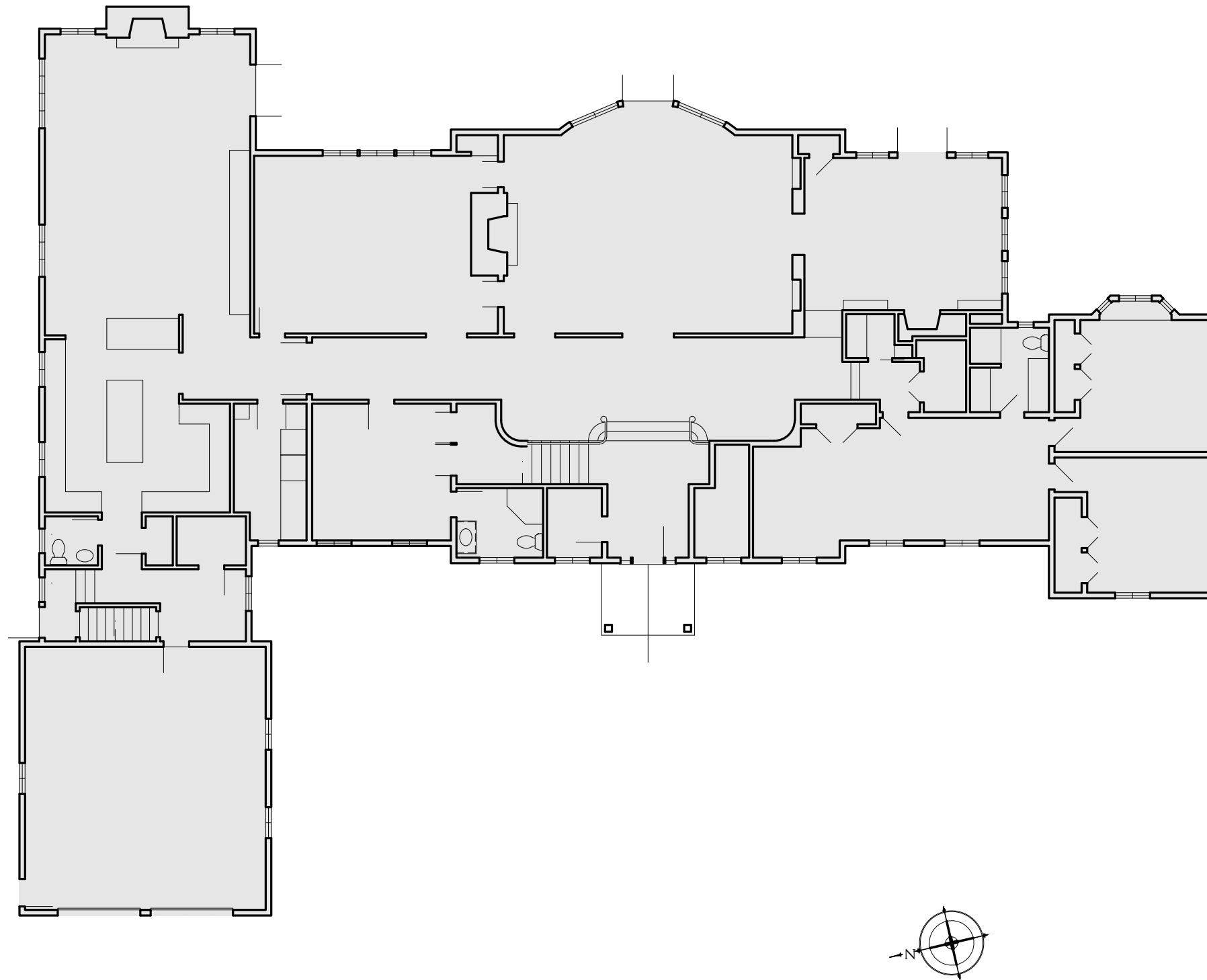
DATE	REVISION DESCRIPTION
4-21-22	ADDED STORMWATER MANAGEMENT
7-8-22	REVISED PROPOSED ADDITION, DRIVEWAY, HC, STORMWATER MGMT.

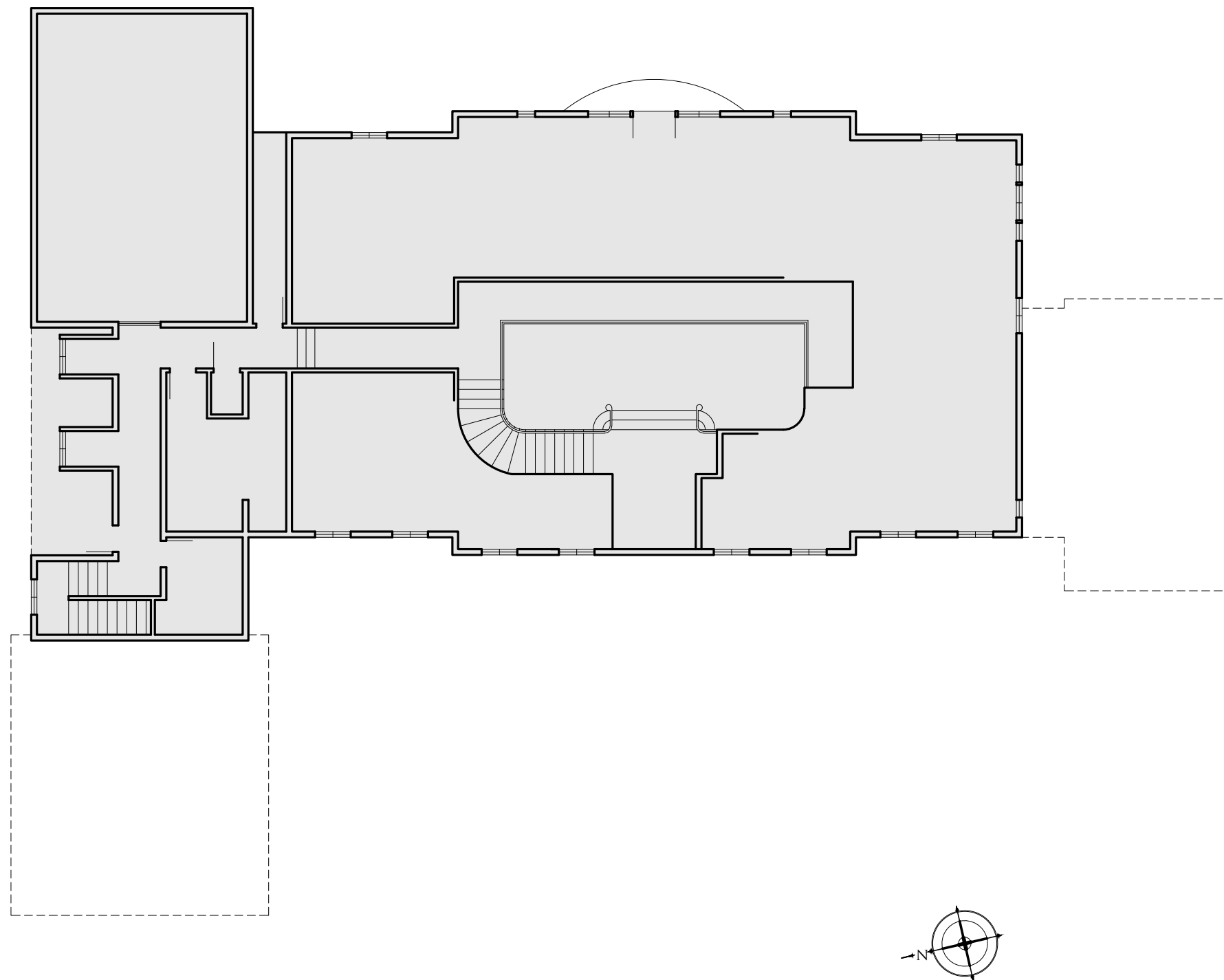
DRAWING ORIENTATION & SCALE

CLIENT NAME / JOB ADDRESS
MURPHY & CO. DEIGN
341 RAMSEY ROAD
WAYZATA, MN

Advance Surveying & Engineering, Co.
17917 Highway 7 Minnetonka, Minnesota 55345 Phone (952) 474-7964 Web: www.advsur.com

I HEREBY CERTIFY THAT THIS PLAN, SURVEY OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA. Thomas M. Bloom # 42379 LICENSE NO. MARCH 16, 2022 DATE	DATE SURVEYED: OCT. 2, 2020 SURVEYED BY: THOMAS M. BLOOM, PLS. #42379 ADVANCE SURVEYING. & ENG., CO. DATE DRAFTED: MARCH 16, 2022	SHEET TITLE PROPOSED SITE PLAN DRAWING NUMBER 220216 JR	SHEET SIZE 22 X 34 SHEET NO. S1 SHEET 1 OF 2
--	---	--	---







{house side elevation}



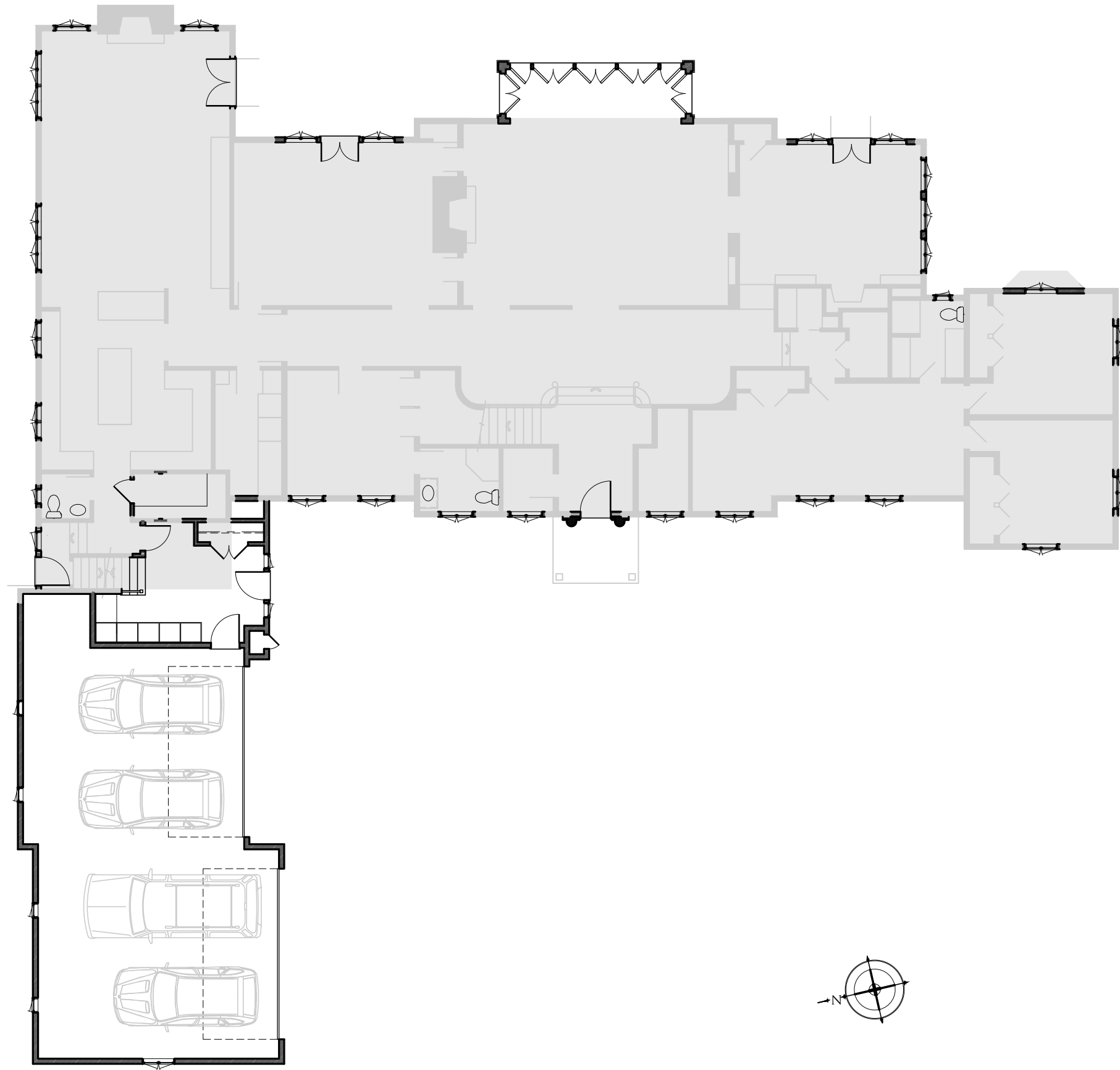
{front elevation}

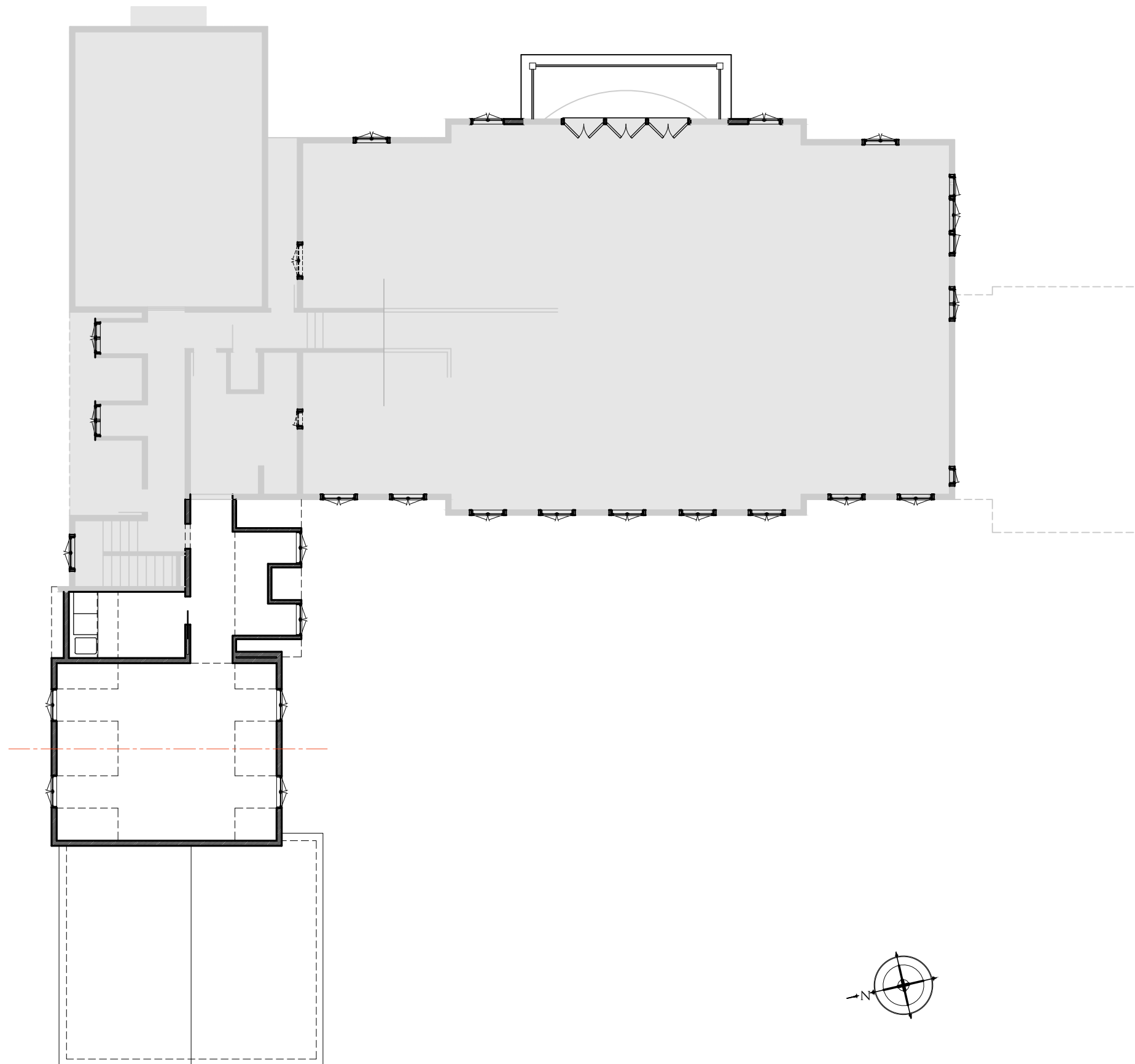


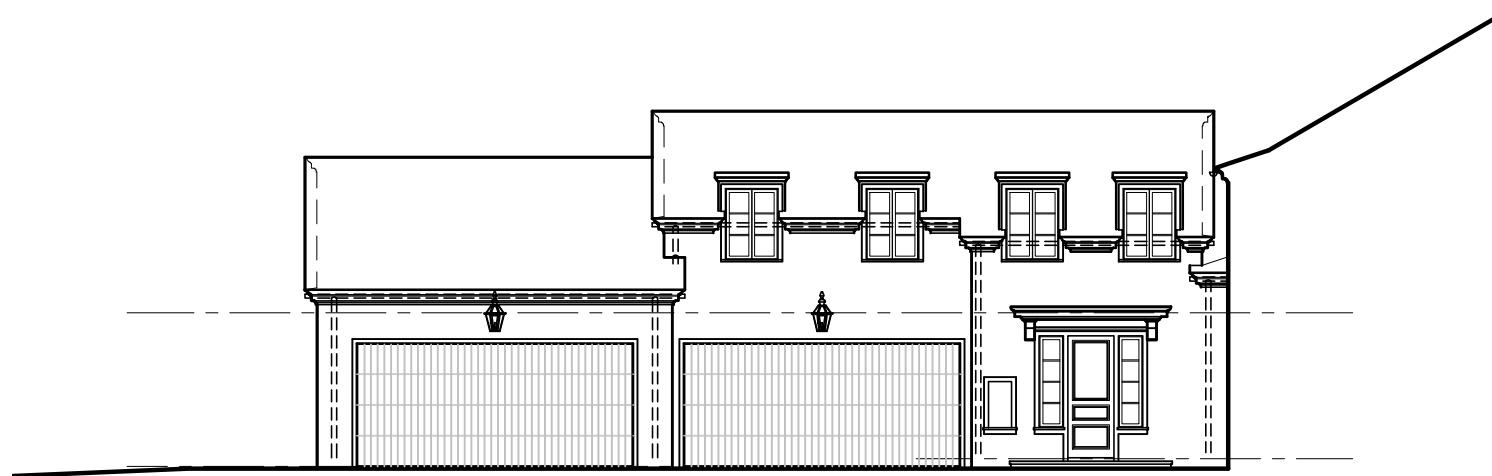
{garage side elevation}



{rear elevation}







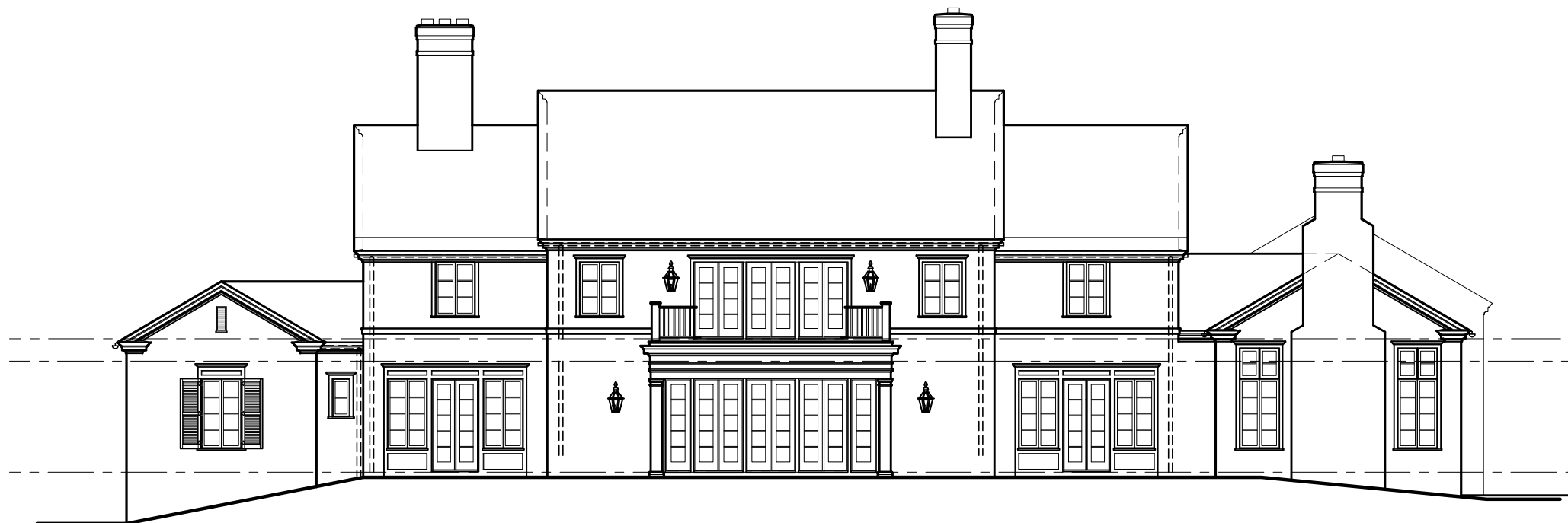
{proposed garage elevation}



{proposed front elevation}



{proposed garage elevation}



{proposed rear elevation}





[illegible]

This topographic map shows a property with a proposed addition labeled 'P1'. The map includes contour lines, spot elevations, and various features such as a driveway, existing stone wall, and a proposed infiltration trench. The addition is located on the left side of the map, and the driveway runs along its right side. The existing stone wall is located along the bottom edge of the property. The proposed infiltration trench is located along the top edge of the property. The map also shows a proposed silt fence and a drainage and utility easement. The property is bounded by a road on the left and a driveway on the right. The map includes a north arrow and a scale bar.

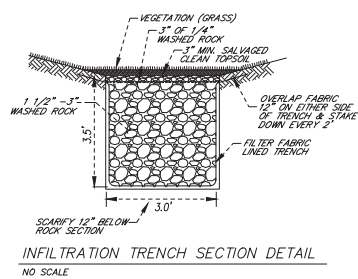
1. VOLUME CONTROL - ONSITE RETENTION OF MIDS 1.1-INCH STORM EVENT ON PROPOSED IMPERVIOUS SURFACES OVER 20K MAX HAVARD REQUIREMENT.

MAX ALLOWED HARDCOVER = 43,800 SF $\times 0.2 = 8,760$ SF
PROPOSED IMPERVIOUS AREA = 10,333 SF
PROPOSED IMPERVIOUS AREA OVER MAX = 10,333 SF - 8,760 SF = 1,573 CF

REQUIRED VOLUME TO RETAIN = $1,573 \times (1/1/12) = 145$ CF
VOLUME OF RETENTION PROVIDED (NFL TRENCH) = 159 CF
2. RATE CONTROL - NO NET INCREASE IN RUNOFF RATE FROM EXISTING TO PROPOSED SITE CONDITIONS FOR THE ATLAS 14, 1, 10, 100-YEAR STORM EVENT.
REFER TO STORMWATER RUNOFF RATE SUMMARY TABLE.

STORM EVENT	EXISTING DISCHARGE EAST (CFS)	PROPOSED DISCHARGE EAST (CFS)
1-YEAR	0.38	0.20
10-YEAR	0.99	0.84
100-YEAR	1.85	1.67

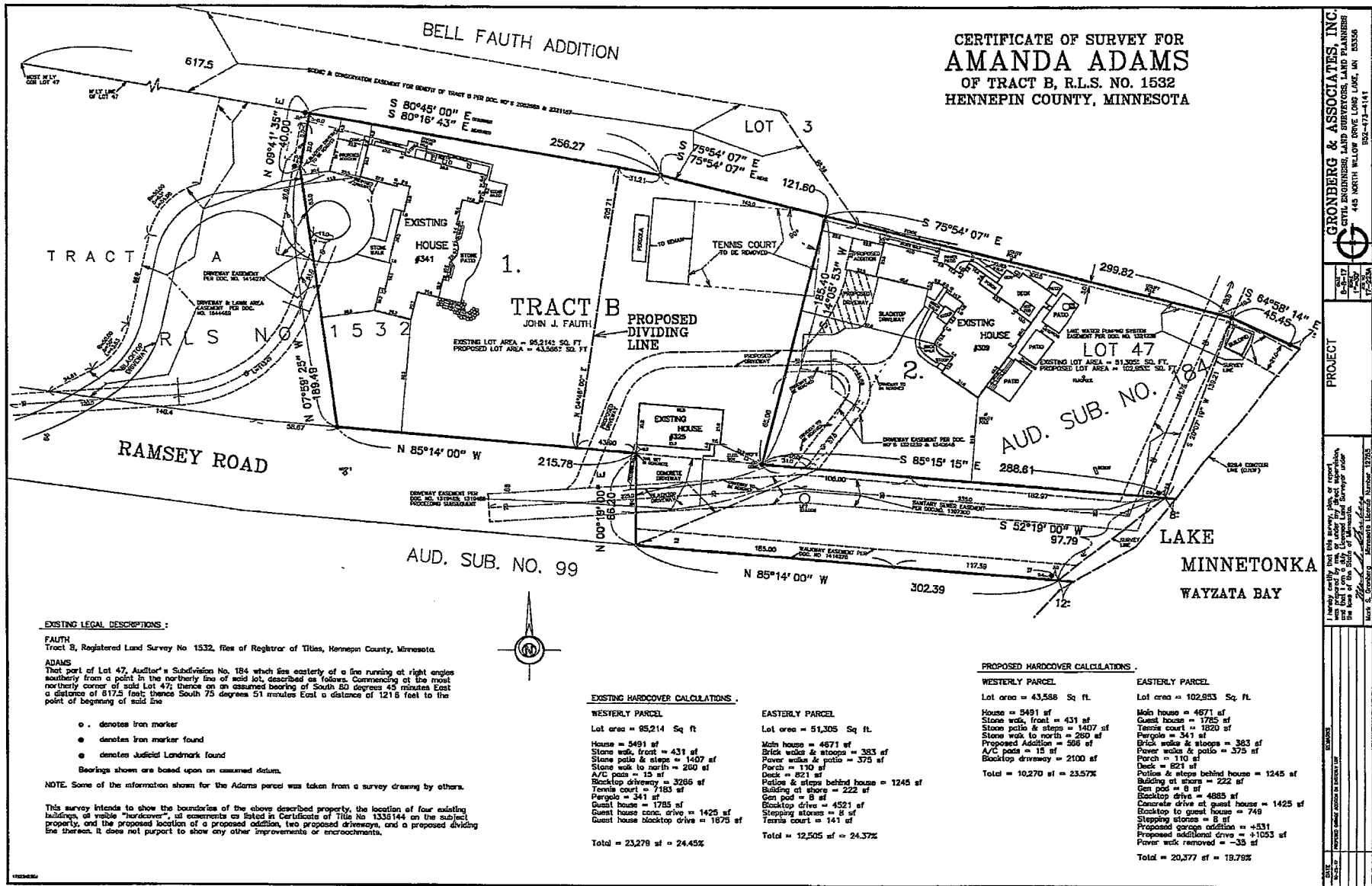
1. RESULTS ARE DERIVED FROM HYDROCAD MODELING SOFTWARE UTILIZING ATLAS 14 STORM DATA.
2. TYPE A/B SOILS PER WEB SOILS SURVEY. B SOILS ARE USED FOR DESIGN.
3. RESULTS CONFIRM THAT THE RATE CONTROL REQUIREMENTS HAVE BEEN MET.



INFILTRATION TRENCH SECTION DETAIL
NO SCALE

EXISTING CONTOUR	-- 980 --
EXISTING SPOT ELEVATION	X 980.5
PROPOSED CONTOUR	<u>980</u>
DRAINAGE ARROW - FLOW	⇒
SILT FENCE/HIO ROLL	— SF —
EXISTING DRAINAGE AREA ID	E1
PROPOSED DRAINAGE AREA ID	P1

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17-223A

GRONBERG & ASSOCIATES, INC.
CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS
445 NORTH WILLOW DRIVE LONG LAKE, MN 55356
952-473-1141

PROJECT

DATE

BY

FOR

REVISIONS

NO.

DATE

DESCRIPTION

Valerie Quarles

From: Amanda Adams <adlonadams64@gmail.com>
Sent: Monday, August 8, 2022 10:02 PM
To: Valerie Quarles
Subject: 341 Ramsey Road

Kent and Mandy Adams

309 Ramsey Road W

Wayzata, MN 55391

August 7, 2022

Valerie Quarles
Assistant City Planner
City of Wayzata
600 Rice Street
Wayzata, MN 55391

Re: 341 Ramsey Road W

Ms. Quarles,

Kent and I live at 309 Ramsey Road W sharing our front yard with the backyard of 341 Ramsey Road. We know the workings of the garage at 341 Ramsey having owned it prior to the Blakes ownership. Currently the garage is restricted to the size/style of car(s) because the house was originally built when homeowners only had 1 car. We were able to park one larger vehicle in the garage at 341 or 2 smaller/sporty cars with no room to spare.

Our home at 309 Ramsey Road was built in 1905 and a garage was created sometime later in the 50s with a garage style and size similar to 341 (both 341 and 309 were owned by the same family at the time that the garages were built). We were only able to park one car inside our garage and we had to park at an angle. Our home at 309 Ramsey sits within the side yard setback and, at the time, was a non-conforming lot. With that said, we requested and were granted variances to construct a 3 car garage.

We support the Blakes in their request in seeking the variances associated with the replacement and redesign of the garage at 341 Ramsey Road.

Sincerely,

Kent and Mandy Adams



City of Wayzata Planning Commission Agenda Report

MEETING DATE: August 15, 2022	AGENDA ITEM: 5.b
TITLE: Consider Zoning Text Amendments to Chapter 936 - Tree Preservation Ordinance	
PREPARED BY: Nick Kieser, Parks Planner	
REVIEWED BY: Emily Goellner, Community Development Director	
60 DAY DEADLINE: N/A	

BACKGROUND:

Based on community input and Council direction, staff has proposed text amendments to the Tree Preservation Ordinance (TPO) as part of a multi-year Zoning Study. The goals of the amendments are to ensure protection, preservation, and enhancement of the natural environment of the community.

The proposed changes to Chapter 936 require a public hearing and review by the Planning Commission. Additional documents have been included for reference, but do not require a public hearing or formal recommendation by the Planning Commission. Additional documents include amendments to Chapter 710 and 519 of the Wayzata Code of Ordinances, a tree removal permit application, Tree Fee-in-Lieu Fund Policy, and a tree removal application checklist. These documents, in addition to Chapter 936, require approval by the City Council.

ACTION REQUESTED:

Consider Zoning Text Amendments to Chapter 936 - Tree Preservation Ordinance

ATTACHMENTS:

1. Staff Report and Attachments - Tree Preservation Ordinance Amendment



**Staff Report
Wayzata Planning Commission
August 15, 2022**

Project Name: Tree Preservation Ordinance
Request: Zoning Text Amendment
Applicant: City of Wayzata
Location of Request: City of Wayzata
Prepared by: Nick Kieser, Parks Planner

Development Application Introduction

Based on community input and Council direction, staff proposes text amendments to the Tree Preservation Ordinance (TPO) as part of a multi-year Zoning Study. The goal of these amendments to the TPO is to ensure protection, preservation, and enhancement of the natural environment of the community.

The main proposed changes are incorporated into the language of the TPO, but the changes also require the creation of a tree removal permit application, Tree Fee-in-Lieu Fund Policy, and a tree removal application checklist.

Project Location

The Tree Preservation Ordinance (TPO) is applicable to all properties within the City of Wayzata and not specific to any particular Zoning District. Applicability of the requirements outlined in the TPO are dependent on the proposed plans or activities for a property.

Application Requests

As part of the submitted development application, the applicant is requesting approval of the following items:

- A. Zoning Text Amendment (§ 936): Staff proposes amendments to Chapter 936 Tree Preservation Ordinance (TPO).

Proposed changes to Chapters 710 and 519 are also attached, but these Chapters are not in the Zoning Code so they do not require a public hearing and formal recommendation at the Planning Commission meeting.

Public Hearing Notice

Notice of the public hearing on the Application was published in the *Sun Sailor* on August 5, 2022.

Community Input

Community Meetings/Survey

Staff held community meetings on July 12, 2021 and October 28, 2021. A survey was also open to the public from August 26, 2021 to October 5, 2021, which garnered 69 responses. The following items were primary themes that came up in the community meetings and survey:

- The majority of survey participants noted there should be more restrictions on tree removal and that the environmental and aesthetics of trees are the main benefits
- The main goal of the review of the TPO should be to reduce tree removal
- Lake Street, Wayzata Blvd, and the central core neighborhood were listed as areas with a lack of a tree canopy
- Diversity of trees should be required to be planted
- Larger fines should be adopted when plans are not implemented as approved by the City
- Additional education efforts on the importance of trees should be pursued

Zoning Task Force (ZTF)

The ZTF discussed this item at the following meetings:

- May 10, 2021
- October 25, 2021
- November 22, 2021
- February 28, 2022
- March 28, 2022
- May 23, 2022
- July 25, 2022 (recommended approval)

On July 25, the Zoning Task Force recommended approval unanimously of the proposed amendments. Through many thorough discussions, the Task Force acknowledged that the proposed ordinance amendments are a compromise between strong community desires to protect the tree canopy, individual property rights, and the capacity of local government to manage enforcement.

Council Workshops

The City Council discussed the TPO on the November 16, 2021 and May 17, 2022 workshops. From the Council discussions, the following items were the top priorities:

- Protect Heritage trees
- Tree health after construction
- Ash tree/diseased tree plan
- Larger fines
- Detailed policy for fee-in-lieu funds

- Incorporate a tree removal permit
- Stay practical on staff resources to implement TPO with existing City budget
- Utilize existing staff members through further education and training to become a certified arborist
- Add diversity of tree requirement

Proposed Changes

Based on the feedback received from the City Council, Zoning Task Force, community, and consultants, staff proposes the following updates to the TPO (§ 936) and staff work plans:

1. Create plan/schedule to review tree health 2-3 years after completion
2. Prioritize collecting escrow consistently as currently outlined in the Ordinance
3. Create a plan to review and enforce tree protection measurements
4. Require and enforce a Tree Removal Permit for any significant or heritage tree removal
5. Require and enforce tree tagging to show what trees are to be removed/saved
6. Update the City's list of recommended tree species to match Hennepin County's list
7. Add a formula for how many tree inches a coniferous tree accounts for
8. Allow developers to plant trees on adjacent sites when on-site options are exhausted
9. Allow for the possibility to plant smaller trees based on Arborist recommendation
10. Requirement that no more than 20% of one genus of trees can be planted on site
11. Research appropriate fine amounts for ordinance violations
12. Create clear-cutting regulations

Proposed Changes to § 710 and § 519:

The proposed changes to these Chapters are minimal. Chapter 710 has the most proposed changes that are mainly clarifying language changes that are focused on what the role of City Forester is. Additional language was added to 710 to incorporate Emerald Ash Borer and how to dispose of the infested trees.

The proposed changes in Chapters 710 and 519 do not require a public hearing. The Tree Removal Permit Application, Fee-in-Lieu Policy, and Tree Removal Permit Application Checklist were also attached to the packet for review, but do not require a public hearing or recommendation from the Planning Commission. The City Council will review and vote on these additional attached documents.

Staff Recommendation

Staff recommends approval of the Zoning Text Amendment for the proposed changes to Chapter 936 (Tree Preservation Ordinance). Staff believes that the proposed changes will help to protect, preserve, and enhance the natural environment of the community, specifically the tree canopy. The proposed changes will also improve the current enforcement of the TPO with better knowledge of staff resources and more efficient staff systems.

Standards of Planning Commission Review of Application Requests Primary Questions to Consider

- Does this text amendment fit with the City's 2040 Comprehensive Plan?
- Do the proposed changes conform to the present and future land uses of the area?
- Do the proposed changes help protect, preserve, and enhance the natural environment of the community?

Action Steps

After considering the items outlined in this report, holding the public hearing on the application, and discussing the requests of the Application, the Planning Commission can should direct staff to prepare a draft *Planning Commission Report and Recommendation for review and adoption at the next Planning Commission meeting*.

Attachments

- Proposed Language for Chapter 936 – Tree Preservation Ordinance
- Proposed Language for Chapter 710 – Maintenance and Removal of Trees (Authority and Duties of City Forester)
- Proposed Language for Chapter 519 – Tree Removal and Treatment
- Proposed Tree Fee-in-Lieu Policy
- Proposed Tree Removal Permit Application
- Proposed Tree Removal Permit Application Checklist

Applicable Code Provisions for Review

Staff has analyzed the facts provided by the applicant in comparison with the criteria for approval. While several criteria appear to be met, **staff has highlighted in bold** the criteria that may require additional discussion with the Planning Commission.

2040 Comprehensive Plan

Guiding Principles of the Comprehensive Plan

Charming

- **Fostering charm in a community known for its small-town character requires intentionality and purpose.** A stronger focus on design – sending developers back to the proverbial drawing table to bring a more tasteful proposal – is a check that would go a long way. City residents want to connect to the City’s shared spaces. City spaces can be plain, or they can be charming – it is just a question of thoughtfulness. **Visitors and residents connect to places that evoke a sense of belonging, and a sense of nostalgia.** Wayzata – by nature, as it is located on the shore of Lake Minnetonka – evokes these feelings. **The challenge for the City is to make charm an utmost priority not only in new developments but in every aspect of the City’s lifecycle.** Placing emphasis on the arts, for example, is something that allows passers-by and visitors to slow down and enjoy the City. Development should be small and intimate, creating room for “randomness.”

Vibrant Parks and City Spaces

- **Vibrant City parks and City spaces are essential to Wayzata’s future. Parks provide mental health benefits to residents, opportunities for physical activity, and bring the important nature connection to daily routines.** City spaces allow residents and visitors to come together, create a sense of belonging, and encourage walkability. Wayzata, through the upcoming robust Parks and Trails System Master Plan, can revive its park spaces and transform them into inter-generational centers with opportunities and spaces from young families to older generations. Connecting the parks and city spaces are also crucial for Wayzata’s vitality. While Wayzata has plenty of park land, some spaces feel forgotten. The Nature Center is the key example of a place that could be reinvented to further connect residents and visitors with nature, and provide opportunities for physical activity.
- Recreation opportunities can be further enhanced by improved Wayzata parks and recreation. The work currently being carried out through partnerships fostered by the Lake Effect Conservancy (with the YMCA, Wayzata Sailing School, Wayzata School District, Interfaith Outreach, and Science Museum of Minnesota) is a fantastic step in that direction, so the focus should be on enhancing those partnerships and centralizing them at the City level so as to enhance access and grow the number of programs offered.

Environmental Sustainability

- As a prosperous and renowned destination suburb, Wayzata has an opportunity to take the lead on sustainability goals and objectives. In the Vision Survey, 68 percent of respondents believe that Wayzata should ‘Aggressively pursue new sustainability actions and focus.’ The health of Lake Minnetonka’s ecosystem, a City free of visual and noise pollution, and **a City that cares about fostering a healthy, vibrant, and sustainable environment should be Wayzata’s priorities.** A process to streamline the permitting application of green energy sources such as residential solar systems and the encouragement of the use of green sources of energy in large developments was highlighted by stakeholders as a key step in achieving a more sustainable Wayzata. Wayzata could also reduce the number of City landscapes that have high consumption of water and instead opt for more sustainable options. The establishment and operation of a City of Wayzata commission on energy and environment creates an opportunity for Wayzata to determine its sustainability goals and take steps to achieve them. Stakeholders agreed on a balanced but progressive agenda in Wayzata’s sustainability efforts

Zoning Text Amendment (§936)

The Planning Commission shall consider possible adverse effects of the proposed amendment. Its judgment shall be based upon (but not limited to) the following factors:

- 1. The proposed action in relation to the specific policies and provisions of the official City Comprehensive Plan.**
- 2. The proposed use's conformity with present and future land uses of the area.**
3. The proposed use's conformity with all performance standards contained herein (i.e., parking, loading, noise, etc.).
4. The proposed use's effect on the area in which it is proposed.
5. The proposed use's impact upon property value in the area in which it is proposed.
6. Traffic generation by the proposed use in relation to capabilities of streets serving the property.
- 7. The proposed use's impact upon existing public services and facilities including parks, schools, streets, and utilities, and the City's service capacity.**

CHAPTER 936 TREE PRESERVATION

936.01 Purpose and Intent.

The Wayzata City Council finds it is in the best interest of the City to protect, preserve, and enhance the natural environment of the ~~community~~ City, and to encourage a ~~resourceful and prudent~~ balanced approach to the development and alteration of wooded areas. In the interest of achieving these objectives, the City has established the comprehensive tree preservation regulations ~~herein of this Chapter~~ herein to promote ~~the furtherance of~~ the following:

- A. Protection and preservation of the environment and natural beauty of the City;
- B. Assurance of orderly development within wooded areas to minimize tree and habitat loss;
- C. Evaluation of the impacts to trees and wooded areas resulting from development;
- D. Establishment of minimal standards for tree preservation and the mitigation of environmental impacts resulting from tree removal;
- E. Provision of incentives for creative land use and environmentally compatible site design which preserves trees and minimizes tree removal and clear cutting during development; and
- F. Enforcement of tree preservation standards to promote and protect the public health, safety and welfare of the community.

936.02 Definitions.

For purposes of this section, the following definitions shall apply:

- A. **"City Forester"** means that person appointed as City Forester in Section 710.02~~(b)~~.
- B. **"Clear-Cutting"** means the removal of 60% or more of the Tree Inches on a property over one (1) year.
- C. **"Coniferous Tree"** means a woody plant bearing seeds and cones oftentimes, but not always, retaining foliage throughout the year.
- ~~D~~**C**. **"Construction Area"** means any area in which movement of earth, alteration in topography, soil compaction, disruption of vegetation, change in soil chemistry, or any other change in the natural character of the land occurs as a result of site preparation, grading, building construction or any other construction activity.
- ~~E~~**D**. **"Critical Root Zone"** means the area around a tree measured from the trunk of the tree with a radius that is equal to 1.5 feet for each one inch of DBH of the tree. For example, if a tree's DBH is ten inches, then its critical root zone radius is 15 feet (10 x 1.5 = 15).
- ~~F~~**E**. **"Deciduous Tree"** means a woody plant which has a defined crown, and which loses leaves annually.
- ~~G~~**F**. **"Diameter of Tree at Breast Height" or "DBH"** means the diameter of a tree as measured 4½ feet 54 inches above the ground. Trees that branch near or below 4½ feet from the ground will be measured at the narrowest point below 4½ feet. Trunks that originate from the ground shall be considered separate trees. ~~The City Forester shall have the final determination in the DBH calculation, if there is a question of how it is to be measured.~~
- ~~G~~. **"Hardwood Deciduous Tree"** means a Deciduous Tree recognized as hardwoods by the City Forester, including ironwood, catalpa, oak, maple (hard), walnut, ash, hickory, birch, black cherry, hackberry, locust and basswood.

-
- ~~HH.~~ **"Healthy Tree"** means ~~a tree that is in the~~ average or better condition and vitality for the area, as determined by the City Forester.
- ~~I.~~ **"Heritage Tree"** means a ~~Healthy Softwood Deciduous Rapid-Growth~~ Tree that is 30 inches or greater in DBH, a ~~Healthy Hardwood Deciduous Standard-Growth~~ Tree that is 25 inches or greater in DBH, or a Healthy Coniferous Tree that is 25 inches or greater in DBH.
- ~~J.~~ **"Landscape Architect"** means a person licensed by the State of Minnesota as a landscape architect.
- ~~K.~~ **"Nursery Stock Dealer" or "Nursery Stock Grower"** means a person licensed by the State of Minnesota as a nursery stock dealer or a nursery stock grower.
- ~~L.~~ **"Public Infrastructure"** means the construction or maintenance of:
1. Collector or arterial roads as defined by the City Transportation Plan;
 2. Public recreational trails;
 3. Stormwater infrastructure;
 4. Installation or maintenance of trunk utility infrastructure as described in the Comprehensive Sewer or Water Plans; or
 5. Any essential service or public improvement.
- ~~M.~~ **"Rapid-Growth Tree Species"** means ~~a species of tree recognized as rapid-growth tree by the City Forester, including cottonwood, poplar/aspen, box elder, willow, silver maple, elm, mulberry, and ash.~~
- ~~NA.~~ **"Removal" or "Tree Removal"** means:
1. Manual, mechanical, chemical, or abiotic or biotic (fire, water, insects or inoculation) methods which results in the physical removal of a tree;
 2. Grading impact, compaction, or other damage up to 40 percent of a tree's Critical Root Zone;
 3. Excessive pruning that severely impacts the long term survivability of the tree; or
 4. Any other impact to a tree that comprises the long term health or structural stability of a tree.
- ~~ON.~~ **"Significant Tree"** means a Healthy ~~Deciduous Hardwood Standard-Growth~~ Tree that is six inches or greater in DBH, a Healthy ~~Rapid-Growth Softwood Deciduous~~ Tree that is 12 inches or greater in DBH, or a Healthy Coniferous Tree that is 12 feet or greater in height or 12 inches or greater in DBH.
- ~~PO.~~ **"Site Plan"** means the site plan established and described in this Chapter.
- ~~P.~~ ~~**"Softwood Deciduous Tree"** means a Deciduous Tree recognized as softwoods by the City Forester, including cottonwood, poplar/aspen, box elder, willow, silver maple and elm.~~ **"Standard-Growth Tree Species"** means ~~a tree recognized as standard-growth trees by the City Forester.~~
- ~~Q.~~ **"Tree Inch(es)"** means ~~the DBH of a tree or trees on the site.~~
- ~~QR.~~ **"Tree Preservation Plan"** means the tree preservation plan established and described in this Chapter.
- ~~SR.~~ **"Tree Preservation Zone"** means the tree preservation zone established and described in this Chapter.
- ~~T.~~ **"Tree Removal Permit"** means ~~a permit that is required under this Chapter for tree removal.~~

936.03 Establishment of Tree Preservation Zone.

A Tree Preservation Zone is hereby established in order to aid in the stabilization of soil by the prevention of erosion and sedimentation; reduce stormwater runoff and the costs associated therewith and replenish ground water supplies; aid in the removal of carbon dioxide and generation of oxygen in the atmosphere; provide a buffer

and screen against noise pollution; provide shade and the significant environmental benefit of counteracting the so-called "heat-island" effect; provide protection against severe weather; aid in the control of drainage and restoration of denuded soil subsequent to construction or grading; protect and increase property values; conserve and enhance the City's physical and aesthetic environment; provide a haven for ~~birds~~, animals and flora to thrive; and generally protect and enhance the quality of life and the general welfare of the City.

The Tree Preservation Zone shall be applied to and superimposed upon all property within the City of Wayzata. The regulations and requirements imposed within the Tree Preservation Zone shall be in addition to the zoning districts within the existing and amended text and map of the Wayzata Zoning Ordinance, and the Floodplain, Shoreland, and Wetland regulations and requirements. In cases where there is a conflict between regulations applicable within such zones, the more restrictive requirements shall apply.

936.04 City Forester Role

The City Forester has the authority to make final determinations on calculations, measurements, and interpretations under this Chapter.

936.05 Permit for Tree Removal.

A Tree Removal Permit is required prior to the removal of any Significant or Heritage Tree. All the requirements of this Chapter be met for the issuance of any Tree Removal Permit, along with the informational requirements listed in the Permit Application. An application for a Tree Removal Permit shall be prepared by the City and made available on the City's website and at City Hall.

Submittals for a Tree Removal Permit Application shall include:

- A. Completed Tree Removal Permit Application
- B. Tree Preservation Plan, if applicable, as provided in Sec. 936.07

The process for submitting and reviewing a Tree Removal Permit Application shall be as follows:

- A. Submission of a completed Tree Removal Permit Application and other required submittals to the City
- B. Review by City staff of the Application to determine if it is complete
- C. Submission of escrow payment to cover tree replacement, if applicable
- D. Staff approval or denial the Tree Removal Permit
- E. If approved, the Trees covered by the Permit can then be removed by the property owner or a tree contractor licensed under City Code Ch. 519

936.064 Applicability.

The tree permit application and tree replacement requirements~~provisions~~ of this ~~Section~~Chapter shall apply to the following types of land uses and activities:

- A. **Subdivision, Public Infrastructure, Construction of Single-Family Home.** The following tree removal thresholds apply to Subdivision applications, Public Infrastructure projects, and construction of a single-family home ~~on a vacant lot~~.
 - 1. **Heritage Trees.** Heritage Trees are valued and special trees for the City of Wayzata due to their size and age. All possible measures must be taken to preserve Heritage Trees. Heritage Tree removal may occur only when there is not a practical alternative. There shall be a zero percent removal threshold of Heritage Trees, meaning every DBH inch of Heritage Tree removed requires full replacement in accordance with the standards within Section 936.~~1008~~, in addition to any other requirements hereunder.

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2. Significant Trees ~~Removal by Developers~~. Although the City encourages preservation of the maximum amount of trees possible, the City recognizes that a certain amount of Significant Trees removal is sometimes necessary during development. Accordingly, 25 percent (25%) of the existing DBH inches of Significant Trees can be removed pursuant to a Tree Preservation Plan without obligation of replacement. Any tree removal beyond 25 percent will require replacement in accordance with the standards of Section 936.1008.
 3. Public Infrastructure. The City Council may waive the tree replacement requirements of this Section for Public Infrastructure projects if the City Council makes a finding that the tree replacement requirements hereof would create an undue financial or other burden on the project, and the public benefits of the Public Infrastructure project outweigh the benefits of the required tree replacement hereof.
- B. **Land Disturbance Permits, Design Review, and Expansions to Single-Family Homes.** The following tree removal thresholds apply to projects that require a Land Disturbance Permit under City Code Section 409.05, projects that require Design Review under City Code Section 909.04.B, and expansions or additions to an existing single-family home:
1. Heritage Trees. Heritage Trees are valued and special trees for the City of Wayzata due to their size and age. All possible measures must be taken to preserve Heritage Trees. Heritage Tree removal may occur only when there is not a practical alternative. There shall be a zero percent removal threshold of Heritage Trees, meaning every DBH inch of Heritage Tree removed requires full replacement in accordance with the standards within Section 936.1008 in addition to any other requirements hereunder.
 2. Significant Trees ~~Removal~~. The City recognizes that additional tree removal may occur after the construction of new houses or commercial developments, or the expansion of existing homes or commercial developments, but to a lesser degree than the original development. Therefore, ten percent (10%) of the existing DBH inches of trees can be removed without obligation of replacement. Any removal beyond ten percent will require replacement in accordance with the standards within Section 936.1008.
- ~~DE.~~ **Trees Exempt From Replacement Requirements.** The following types of trees shall not be included as part of the tally of tree removals for purposes of calculating replacement in accordance with the standards within Section 936.1008:
1. Dead, Diseased, Dying, or Hazard Trees as determined by the City Forester. These trees must be reviewed and confirmed by the City Forester prior to removal; or
 2. Trees that are transplanted from the site to another appropriate location within the City as approved by the City Forester; or
 3. Trees that were planted as part of a commercial business such as a tree farm or nursery; or
 4. Trees that are structurally unstable and pose a risk to people or permanent structures, as deemed by a certified arborist with a Tree Risk Assessment Qualification and the City Forester.
 5. For any project not listed in 936.06.A or 936.06.B, there are no tree replacement requirements. A Tree Removal Permit is still required if removing a significant or heritage tree.

~~936.05-Process.~~

- A. ~~**Construction of or Expansion to Single-Family Homes and Land Disturbance Permits.**~~ For construction of a single-family home, expansion to an existing single-family home, or a project that requires a Land

~~Disturbance Permit, a Site Plan must be submitted to the City prior to any proposed tree removal. The Site Plan must include the following information:~~

- ~~1. Identify the Significant and Heritage Trees on the property.~~
- ~~2. Identify the Significant and Heritage Trees removed due to grading or construction.~~
- ~~3. Identify the Mandatory Protection measures in Section 936.06 that will be used to protect the preserved trees during grading or construction.~~
- ~~4. Comply with the City's tree replacement procedure and requirements set forth in this section.~~

~~The Site Plan must receive the approval of the City Forester. Any denial of a Site Plan by the City Forester may be appealed to the City Council.~~

~~B. **Subdivision, Public Infrastructure, and Design Review.** Unless otherwise determined by the City Council, the following process for preserving trees shall be required for Subdivision applications, Public Infrastructure projects, and projects that require Design Review:~~

- ~~1. Prepare a Tree Preservation Plan that is incorporated on the grading plan, which meets the requirements of Section 936.05.~~
- ~~2. Implement the Tree Preservation Plan prior to and during site development.~~
- ~~3. Submit a financial guarantee for compliance with the approved Tree Preservation Plan in accordance with Section 936.09.~~
- ~~4. Comply with the City's tree replacement procedure and requirements set forth in this section.~~
- ~~5. The Tree Preservation Plan must be certified by a Forester, Landscape Architect, Nursery Stock Dealer or a Nursery Stock Grower.~~

936.076 Tree Preservation Plan.

When a Tree Preservation Plan is required with a Tree Removal Permit, an applicant is responsible for implementing the approved Tree Preservation Plan prior to and during site grading and plan development. A Tree Preservation Plan is required for any land use approval or activity mentioned in Section 936.06. The Tree Preservation Plan will be reviewed by the City Forester and any other relevant City staff to assess the best overall tree design for the project involved, taking into account the preservation, renewal and health of Significant and Heritage Trees, and ways to enhance the efforts to mitigate damage to the trees on the property and the natural environment. The applicant is encouraged to meet with City staff prior to submission of a Subdivision application, Public Infrastructure project, or Design Review application to determine the placement of buildings, parking, driveways, streets, storage and other physical features which result in the fewest Significant and Heritage Trees being destroyed or damaged. The Tree Preservation Plan must include the following items:

- A. The name(s) and address(es) of property owners and applicants.
- B. Delineation of the buildings, structures, impervious surfaces, utilities, and other site improvements situated thereon or contemplated to be constructed thereon.
- C. Delineation of all areas to be graded and limits of land disturbance, including the contouring of all areas to be graded.
- D. Size, species, location and condition of all Significant and Heritage Trees located on the property as well as on adjacent properties where the Critical Root Zones of the trees are within the proposed Construction Area. The size of Deciduous Trees must be recorded in DBH and the size of Coniferous Trees must be recorded both in DBH and approximate height.
- E. Identification of all Dead, Diseased, Dying and Hazard Trees.

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- F. The Critical Root Zone of all Significant and Heritage Trees proposed to be preserved.
 - G. Identification of all Significant and Heritage Trees proposed to be removed within the Construction Area.
 - H. Identification of all Significant and Heritage Trees on all individual lots. The Developer must submit a list of all lot and block numbers identifying those lots.
 - I. Measures to protect Heritage and Significant Trees as outlined in Section 936.06-8
 - J. Size, species, and location of all replacement trees to be planted on the property in accordance with the tree replacement requirements.
 - K. Total calculations for the amount of tree removal proposed with the allowed removal percentage and tree replacement calculations included.
 - ~~K~~L. Signature of the person preparing the plan and statement which includes acknowledgment of the fact the trees to be used as replacements are appropriate species with respect to survival of the replacement trees.

936.087 Tree Protection.

The following tree protection measures are required with any Tree Removal Permit:

- A. **Mandatory Protection.** Measures to protect Significant and Heritage Trees must include:
 - 1. Installation of snow fencing, silt fence, or polyethylene laminate safety netting placed at the Critical Root Zone. Placement is also based on -the City Forester's discretion of Significant and Heritage Trees to be preserved on or adjacent to the property being developed.
 - 2. Aluminum tags or nails trees to clearly mark which trees are proposed to be removed on the site. Trees must be tagged at least one week before they are removed.
 - ~~2~~3. Identification of any oak trees requiring pruning between April 1 and July 15; any oak trees so pruned are required to have any cut areas sealed with an appropriate, non-petroleum based tree wound sealant, such as shellac.
- B. **Discretionary Protection.** Measures to preserve or protect Significant and Heritage Trees which may be required by the City include, but are not limited to:
 - 1. Installation of retaining walls or tree wells to preserve trees by eliminating the filling or cutting of soil within Critical Root Zones of Significant and Heritage Trees on or adjacent to the lot being developed.
 - 2. Placement of utilities in common trenches outside of the Critical Root Zone of Significant and Heritage Trees, or use of tunneled installation.
 - 3. Prevention of change in soil chemistry due to concrete washout and leakage or spillage of toxic materials, such as fuels or paints.
 - 4. Use of tree root aeration, fertilization, and irrigation systems when appropriate.
 - 5. Transplanting of Significant Trees into a protected area for later moving into permanent location within the Construction Area.
 - 6. Safety pruning for people working within the construction limits and for the trees involved.
- C. **Construction Protection.** The City Forester has the authority to inspect trees on a project site five (5) years after construction has been completed to ensure the health of the trees. If the trees are determined to be in dead, dying, or in general poor health because of the construction on the site the same number of tree inches must be replaced on site.

936.09 Clear Cutting.

Clear Cutting is prohibited on all properties in the City unless the removal on a property amounts to less than five (5) trees per year.

936.1098 Tree Replacement.

A. **Tree Replacement Formula.** Replacement of removed or disturbed trees in excess of the percentage allowed by this section shall be according to the following ratios.

1. For any removal that exceeds the percentage of allowable removal of Significant Trees as set in Section 936.047, all Significant Trees shall be replaced at the ratio of one caliper inch per one inch of DBH removed.
2. All Heritage Trees must be replaced at the ratio of two caliper inches per one inch of DBH removed.
3. The coniferous tree height shall count towards the caliper inches for tree replacement or tree removal listed below:

a. 4-6 foot tall coniferous tree is equivalent to 2 caliper inches of tree replacement. For every two feet in additional tree height, one additional caliper inch is counted (i.e. a 15 foot coniferous tree = 7 caliper inches of replacement).

B. **Size, Types and Diversification of Replacement Trees.** ~~Unless an approved Tree Preservation Plan sets forth a different requirement, all replacement trees must be of a similar species to those that are removed.~~ A Tree Replacement plan must include a diversity of tree species that are suitable for the property given soil conditions, hydrology, topography, and tree pathogens. No more than 20% of the trees planted can be of the same genus. The recommended tree replacement species can be found on the Hennepin County Recommended Tree List. ~~Replacement trees must be no less than the following sizes.~~

- ~~1. Deciduous Trees shall be no less than 2½ caliper inches; and~~
- ~~2. Coniferous Trees shall be no less than six feet in height.~~

~~‘sC. Recommended Tree Replacement Species.~~ In order to encourage a diverse tree canopy in the City, the following list of tree species are recommended for planting as part of a tree replacement plan:

~~Arborvitae.~~
~~Black cherry.~~
~~Butternut.~~
~~Cedar.~~
~~Elm (disease resistant).~~
~~Fir.~~
~~Hackberry.~~
~~Hickory.~~
~~Hemlock.~~
~~Kentucky Coffee.~~
~~Linden/Basswood.~~
~~Maple (except Silver Maples).~~

~~Oak.~~

~~Pine.~~

~~Spruce (except Colorado Blue).~~

~~Tamarack.~~

~~Walnut.~~

D. **Prohibited Tree Replacement Species.** The tree replacement plan may not include any tree species included in the Minnesota Department of Natural Resources Terrestrial Invasive Species-Plants List.

E. **Tree Replacement Location.** The trees shall be located only on the project property. Staff and Council have the discretion to allow tree replacement on neighboring properties if the neighboring property owner agrees. The main reasons to allow tree replacement on neighboring properties is if tree replacement on the property site is impractical and to allow additional screening from the neighboring property. Planting trees on neighboring properties shall only be allowed if all the options for planting trees on the project site are exhausted.

EF. **Other Replacement Tree Requirements.** Choice of replacement trees species and location of the trees should also take into account the following information:

1. Soil Composition. Comparisons should be made between soil conditions and the ecology of the proposed species to make sure they are compatible. This is particularly important for the existing and proposed soil composition for the root balls of spaded and B&B trees.
2. Spatial Requirements. The potential height and crown spread of the proposed replacement trees should be known. Generally, half of the adult tree crown diameter is the amount of distance a tree should be planted from any aboveground objects.
3. Pathogen Problems. Appropriate replacement choices shall also consider insect and disease problems that may be common with particular species in the part of the state in which the City of Wayzata is located.

GF. **Fee-In-Lieu of Tree Replacement or Replacement Trees Planted in Public Areas.** The City recognizes that there may be instances where the total amount of tree replacement required under this section cannot occur on site. In those instances, the City may, at its option, accept a fee-in-lieu of tree replacement or allow the planting of replacement trees in public areas. Tree replacement is encouraged to happen on site as much as possible and fee in lieu-of-tree replacement should be used only when replacement on site is not feasible. The amount of fee-in-lieu of tree replacement will be determined annually by the City Council through the City fee schedule.

936.11 Past Tree Removal

If trees have been removed on a property within in the last two years of the date of a Tree Removal Permit application, then those tree inches removed must be incorporated into the tree removal/replacement calculations of the current Tree Removal Permit.

936.1209 Financial Guarantee.

A. **Financial Guarantee.** The City may, at its option, withhold a certificate of occupancy or require cash escrow or a letter of credit satisfactory to the City in the amount of 110 percent of the value of the tree removal and/or replacement, securing the full performance of Tree Preservation Plan and the tree replacement plan. The amount of such security shall be calculated by the fee-in-lieu of tree replacement schedules. The

financial security shall be sufficient to cover the costs of the tree removal and/or replacement trees planted, including any needed replacement of the trees over a three-year period.

- B. **Use of Financial Guarantee.** If the property owner does not implement the approved Tree Preservation Plan or Site Plan, including the tree replacement plan, in accordance with the City Council or City Forester approval, the City may use the financial guarantee to correct or complete the work.
- C. **Release of Financial Guarantee.** At least once annually, the City Forester shall review the financial securities, inspect the applicable trees, and release the financial securities as necessary. The financial security shall be released based on the following schedule:
 - 1. Upon installation of a healthy tree: 50 percent of the financial guarantee for that tree shall be released.
 - 2. First year inspection determining the installed tree is still healthy: 15 percent of the financial guarantee for that tree shall be released.
 - 3. Second year inspection determining the installed tree is still healthy: 15 percent of the financial guarantee for that tree shall be released.
 - 4. Third year inspection determining the installed tree is still healthy: 20 percent of the financial guarantee for that tree shall be released.

936.130 Penalties.

- A. **Intentional or Deliberate Damage.** It shall be unlawful for any person(s) to intentionally damage, destroy or adversely alter any living tree, deciduous or coniferous, on private land within the limits of the City of Wayzata in violation of this ~~Section~~Chapter. Minn. Stats. § 561.04 strictly prohibits intentional damage to trees on public property in any form and provides that whoever willfully and without lawful authority injures any tree, timber or shrub on City property is liable for treble the amount of damages which may be assessed therefore. The City Forester and other City Staff ~~should~~shall not make any claims related to the structural integrity of any tree, and any assessments made related to a tree may not be relied upon by the property owner.
- B. **Violation.** Unless expressly provided otherwise, it shall be a misdemeanor for any person to violate any provision of the City Code including this Section, any rule or regulation adopted in pursuance of any such provision, or any order lawfully enforcing the City Code or this Section. The term "misdemeanor" shall be as defined in Minn. Stats. § 609.02, Subd. 3.

It shall also be a misdemeanor for any person to attempt to commit a misdemeanor or to cause, aid, assist, counsel or advise another to commit misdemeanor. Any person who commits a misdemeanor, upon conviction, shall be subject to the penalties therefore established by State Statute. Unless expressly provided otherwise, each act in violation of the City Code, including this Chapter, shall constitute a separate offense, and each and every day that such a violation occurs or continues shall constitute a separate offense.

- C. **Fines.** A person or property in violation of this Chapter may also incur fines- in -accordance with the City's Fee Schedule.

CHAPTER 710 MAINTENANCE AND REMOVAL OF TREES AUTHORITY AND DUTIES OF CITY FORESTER

710.01. Purpose.

The Wayzata City Council has determined the preservation of trees growing on public and private property are necessary to maintain the general welfare of the public and has established regulations for the appropriate preservations of trees in Chapter 936 and is set forth more fully in Section 710.13 of this Chapter, and Section 801.36 of the Zoning Ordinance. In order to administer those regulations, and to maintain and enhance the quantity and quality of trees growing within the City, this Chapter is adopted to regulate the maintenance and removal of trees within the City of Wayzata by: (1) Defining-Define the duties and responsibilities of the City Forester as the agent administering and enforcing regulations relating to the planning, maintenance and removal of trees within the City of Wayzata; (2) Providing for the issuing of permits and/or licenses for any maintenance and/or removal of trees within the City of Wayzata; (3) Providing-Provide for the pruning and removal of trees on private property that endanger public safety; (34) Providing-Provide for standards and specifications of all policy concerning trees on public property; and (55) Providing-Provide for standards and specifications for care protection policy concerning trees within project construction limitsareas.

(Ord. 614 [5-27-1999])

710.02. Duties and Qualifications of the City Forester.

- A. Duties. The City Forester, as shall be appointed by the City Manager, for the purposes of this Chapter shall to identify diseased and hazardous trees that threaten the health and safety of the public and coordinate all activities of the City relating to the control and prevention of tree pathogens. It shall further be the duty of the City Forester and the City Manager and/or his/her designee to review identified and describe-Heritage and Significant Trees in any proposed subdivision or development project and to assist planners, developers, and architects in the development of a tree preservation plan for each construction or development project.
- B. Qualifications of the City Forester. The qualifications of the City Forester shall be, at a minimum, those qualifications prescribed for certified arborists by the International Society of Arboriculture, or such other appropriate qualifications as determined by the City Manager.

(Ord. 614 [5-27-1999])

710.03. Pathogen Control Program.

It is the intent of the City to conduct a program of plant pest control pursuant to the authority granted by Minn. Stat. §18.022. This Chapter provides full power and authority over all trees, plants and shrubs located within the street rights-of-way, parks and public places of the City; and to trees located on private property that constitute a hazard or threat as described herein; and trees that fall under the tree protection and preservation policy as regulations described in Section 710.17 of this Chapter elsewhere in City Code.

(Ord. 614 [5-27-1999])

710.04. Nuisances Declared.

The following things hereby are declared to be public nuisances whenever they may be found within the City:

-
- A. Any living or standing elm tree or part thereof infected to any degree with the Dutch Elm disease fungus (as defined by the Minnesota Department of Agriculture) or which harbors any of the elm bark beetles known by the Minnesota Department of Agriculture to transmit the disease.
- B. Any dead elm tree or part thereof, including logs, branches, stumps, firewood or other elm material from which the bark has not been removed ~~or sprayed with an effective Dutch Elm insecticide,~~ or disposed of in a manner prescribed by the Commissioner of Agriculture.
- C. Any living or standing oak tree or part thereof infected to any degree with the Oak Wilt disease fungus, as defined by the Minnesota Department of Agriculture.
- D. Any infected oak tree or part thereof, including logs, branches, stumps, firewood or other oak material unless all bark material is removed and disposed of in a manner prescribed by the Commissioner of Agriculture.
- E. Any ash ~~tree at risk of infestation~~ infested with the Emerald Ash Borer (EAB) as determined by the City Forester after considering Minnesota Department of Agriculture guidance.
- F. Any infested ash tree or part thereof, including logs, branches, stumps, firewood or other ash material unless all bark material is removed and disposed of in a manner prescribed by the Commissioner of Agriculture.
- GF. Any living or standing tree or shrub or part thereof infected to any degree by any organism to be controlled as set forth and described by the Commissioner of Agriculture.
- HG. Any dead, dying, decaying or living tree, shrub or parts thereof that interferes with the public use of any public thoroughfare or right-of-way.

It shall be unlawful for any person to permit any public nuisance as defined in this Section to remain on any property owned or controlled by him within the City. Such a nuisance shall be abated in the manner prescribed by this Chapter. Abatement shall be at the discretion of the City Forester in accordance with all State Law and City Code.

(Ord. 614 [5-27-1999])

710.05. Inspection and Investigation.

The City Forester shall inspect all premises and places within the City as often as practicable to determine whether any nuisances as described in this Chapter exist thereon. The Forester shall investigate all reported incidents of diseased trees within the City. The Forester or duly authorized representative(s) may enter upon private premises at any reasonable time for the purpose of carrying out any of the duties assigned under this Chapter. Except for cases of emergencies or the imminent threat of personal or property damage, the City shall notify the property owner at least five days prior to the inspection through certified mail to the address listed on the Hennepin County tax records. The inspection may occur after five days even if the certified letter is undeliverable or returned. The City Forester may, upon finding conditions indicating disease infestation is suspected and unconfirmed by a field diagnosis, immediately send appropriate specimens or samples to the Commissioner of Agriculture for analysis or take such other steps for diagnosis as may be recommended by the Commissioner. Except as provided in Section 710.08, or in the case of a positive field diagnosis, no action to remove infected -trees or wood shall be taken until positive diagnosis of the disease has been made.

(Ord. 614 [5-27-1999])

710.06. Abatement of Nuisances.

In abating the nuisances defined in Section 710.05, the City Forester shall cause the infected and/or infested tree or wood to be ~~sprayed~~, removed, burned or otherwise effectively treated so as to destroy and prevent as fully as possible spread of the disease or insects. Such abatement shall be carried out in accordance with current technical and expert opinions and plans as may be designated by the Commissioner of Agriculture.

(Ord. 614 [5-27-1999])

710.07. Abatement Procedure.

Whenever the City Forester finds with reasonable certainty that an infestation defined in this Chapter exists in any tree or wood on any public or private property within the City, ~~he the City Forester~~ shall proceed to abate said nuisance as follows:

- A. If the City Forester finds that the danger of infestation of other trees is not imminent the Forester shall notify in writing the person(s) owning or controlling the property upon which the nuisance is located that the nuisance must be abated within 21 days from the date of the mailing. If no action to abate the nuisance is taken within this period the City Forester then shall make a written report of findings to the City Council. The Council shall take action to abate the nuisance, and it may proceed to recover the costs of such abatement as provided in Section 710.09-8
- B. If the City Forester finds that the danger of infestation of other trees is imminent the Forester shall notify in writing the person(s) owning or controlling the property upon which the nuisance is located that the nuisance must be abated within seven days from the date of the mailing, and shall report findings to the City Manager. If no action to abate the nuisance is taken within this period the Forester then shall make a written report of actions to the City Council, which may proceed to recover the costs of such abatement as provided in Section 710.09.
- C. If the City Forester finds that the danger of infestation of other trees is imminent the Forester shall notify in writing all persons owning or controlling property upon which is located trees in danger of becoming infested. Within this notice the City Forester shall state that action, if any, which should be taken to protect the trees in danger of becoming infested and the period within which such action must be taken. If no such action is taken within this period the City Forester then shall take appropriate action to protect these trees as an emergency measure and shall make a written report of this action to the City Council, which may proceed to recover the costs of such action as provided in Section 710.09-8

(Ord. 614 [5-27-1999])

710.08. Special Assessment Procedure.

Upon receipt of a report from the City Forester required by Section 710.078, subsections a. through c., the City Council may pass a resolution to provide for recovering the costs of abatement of a nuisance and/or for recovering the costs of protecting threatened trees by a special assessment procedure. Before such a resolution may be approved, the City Manager shall notify all affected property owners by mail that such a procedure is under consideration prior to the meeting thereon. This notice shall state the time and place of the meeting, the abatement action proposed to be taken or already taken, the estimated or actual cost of such abatement and the proposed basis of assessing such cost. At this meeting all affected property owners shall have the right to be heard with reference to the proposed assessments and assessment procedure. The Council thereafter by resolution may approve such special assessments for the purposes specified herein.

The City Forester shall keep a record of all abatement activities and all abatement costs for which special assessments are to be made or may be made, stating the description of the properties involved and the amounts chargeable to each property. On or before October 10th of each year the City Manager shall list the total unpaid charges for such abatement activities against each separate property to which they are attributable under this Chapter. The City Council then may spread the charges or any portion thereof against the property involved as a special assessment for certification to the Hennepin County Auditor and for collection the following year along with current taxes.

(Ord. 614 [5-27-1999])

710.9. Transporting Diseased Wood.

~~It shall be unlawful for any person to transport within the City any diseased wood without first having obtained a permit therefore from the Forester. The Forester may grant such a permit only when the purposes of this Chapter will be served thereby.~~ The transporting of diseased wood out of the City shall be governed by current State Statutes MDA quarantine notifications related to transportation of diseased and/or infested ~~infected~~ material and any other applicable State Statutes.

(Ord. 614 [5-27-1999])

710.10. Interference Prohibited.

It shall be unlawful for any person to prevent, delay or interfere with the City Forester or duly authorized representative(s) while they are engaged in the performance of duties imposed by this Chapter.

(Ord. 614 [5-27-1999])

710.11. License Required.

No person shall conduct as a business, the cutting, trimming, pruning, removal, spraying or other treatment of trees within the City without first having been issued a license therefore pursuant ~~Refer~~ to Chapter 519, Section .01 and Chapter 936. of the City Code.

(Ord. 614 [5-27-1999])

710.12. Intentional or Deliberate Damage.

It shall be unlawful for any person(s) to intentionally damage, destroy or adversely alter any living tree, deciduous or coniferous, on private land within the limits of the City of Wayzata in violation of this Section. Minn. Stat. §561.04 strictly prohibits intentional damage to trees on public property in any form and provides that whoever willfully and without lawful authority injures any tree, timber or shrub on City property is liable for ~~treble~~ ~~triple~~ treble the amount of damages which may be assessed therefore. The City Forester and other City Staff ~~should~~ not make any claims related to the structural integrity of any tree, and any assessments made related to a tree may not be relied upon by the property owner.

(Ord. 614 [5-27-1999])

710.13. Violation.

Unless expressly provided otherwise, it shall be a misdemeanor for any person to violate any provision of the City Code including this Section, any rule or regulation adopted in pursuance of any such provision, or any order lawfully enforcing the City Code or this Section. The term "misdemeanor" shall be as defined in Minn. Stat. §609.02, Subd. 3.

It shall also be a misdemeanor for any person to attempt to commit a misdemeanor or to cause, aid, assist, counsel or advise another to commit misdemeanor. Any person who commits a misdemeanor, upon conviction, shall be subject to the penalties therefore established by State Statute. Unless expressly provided otherwise, each act in violation of the City Code, including this Chapter, shall constitute a separate offense, and each and every day that such a violation occurs or continues shall constitute a separate offense.

(Ord. 614 [5-27-1999])

710.14. Severability.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of the City Code, including this Chapter are severable, and if any phrase, clause, sentence, paragraph, or section of the City Code, including this Chapter, shall be declared unconstitutional, invalid or unenforceable, such unconstitutionality, invalidity, or unenforceability shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of the City Code, including this Chapter.

(Ord. 614 [5-27-1999])

(7-21-81 Code; Chapter repealed and replaced by Ord. 574 [2-21-1995]; Ord. 588 [2-27-1997]; Chapter repealed and replaced by Ord. 614 [5-27-1999]; Ord. xxxx [xx-xx-2016])

CHAPTER 519 TREE REMOVAL AND TREATMENT

519.01 License Required.

No person shall conduct as a business, the cutting, trimming, pruning, removal, spraying or other treatment of trees within the City without first having been issued a license therefor [as provided in this Chapter](#).

519.02 License Fee.

The annual license fee which shall be charged for licenses issued under this Chapter shall be as established by City Council resolution.

(Ord. 449 [1-7-1986])

519.03 Surety Bond Required.

All persons licensed under this Chapter shall maintain and file with the City a bond in the amount and form approved by the City Manager payable to the City and executed by a surety company authorized to do business in the State of Minnesota. Said bond shall be drawn on a form furnished by the City and shall be conditioned to require that the licensee will in all respects well and faithfully perform all things undertaken by him for which a license is required hereunder, and it shall save the City, its property owners and residents harmless from all accidents and damages consequent thereto.

(7-21-81 Code; Ord. 449 [1-7-1985])

519.04 Required Insurance.

All persons licensed under this Chapter shall maintain and file with the City public liability insurance coverage covering all operations of the licensee with minimum bodily injury limits of \$100,000.00 per person and \$300,000.00 per occurrence and with minimum property damage limits of \$50,000.00 per occurrence. Said insurance shall include the City as an additional party insured and shall provide that the coverage may be cancelled only after ten days' written notice to the City. If a licensee's coverage is cancelled and not replaced with coverage meeting the requirements of this Section, said License immediately shall be suspended until said coverage is provided. All persons licensed under this Chapter also shall maintain and file with the City a Certificate of Worker's Compensation Insurance, as such coverage is required by State Statute.

519.05 Chemical Treatment Requirements.

All persons licensed under this Chapter who propose to use chemical substances in any activity related to treatment or disease control of trees shall file with the City evidence that the licensee or the employee of the licensee administering the treatment has been certified by the ~~Agronomy Division of the~~ Minnesota Department of Agriculture as a "commercial pesticide applicator." Said certification shall include the knowledge of tree disease chemical treatment.



City Council
Mayor Johanna Mouton
Jeff Buchanan
Cathy Iverson
Molly MacDonald
Alex Plechash

City Manager
Jeffrey Dahl

City of Wayzata Tree Replacement Fee-in-Lieu Fund Policy Proposed August 15, 2022

The fee-in-lieu funds received by the City for the purpose of tree replacement as required in §936.10.G shall be used in accordance with the policy outlined below. Any tree removal required to submit fee-in-lieu funds must also meet the requirements of the overall Tree Preservation Ordinance - §936.

Purpose and Intent:

The Wayzata City Council finds it is in the best interest of the City to protect, preserve, and enhance the natural environment of the City, and to encourage a balanced approach to the development and alteration of wooded areas. In the interest of achieving these objectives, the City has established a comprehensive Tree Preservation Ordinance and this proposed Tree Replacement Fee-in-Lieu Fund Policy to promote the following:

- A. Protection and preservation of the environment and natural beauty of the City;
- B. Assurance of orderly development within wooded areas to minimize tree and habitat loss;
- C. Evaluation of the impacts to trees and wooded areas resulting from development;
- D. Establishment of minimal standards for tree preservation and the mitigation of environmental impacts resulting from tree removal;
- E. Provision of incentives for creative land use and environmentally compatible site design which preserves trees and minimizes tree removal and clear cutting during development; and
- F. Enforcement of tree preservation standards to promote and protect the public health, safety and welfare of the community.

Fee-in-Lieu Funds:

The City recognizes that there may be instances where the total amount of tree replacement required under the Tree Preservation Ordinance cannot occur on site. In those instances, the City may, at its option, accept a fee-in-lieu of tree replacement or allow the planting of replacement trees in public areas. Tree replacement is encouraged to happen on site as much as possible and fee in lieu-of-tree replacement should be used only when replacement on site is not feasible. The amount of fee-in-lieu of tree replacement will be determined by the City Council and authorized by the City Fee Schedule.

Priorities for Funds:

If tree replacement cannot occur on site then the fee-in-lieu funds are collected by the City and held in an account restricted for the following eligible tree preservation activities. Eligible activities are listed in order of priority:

1. Planting of new trees on adjacent or nearby public properties or right-of-way
2. Maintenance or removal of trees on adjacent or nearby public properties or right-of-way
3. Planting or maintenance of trees on public property or right-of-way farther from the subject property and within the City of Wayzata
4. Planting or maintenance of plants/shrubbery on adjacent or nearby properties or right-of-way
5. Other similar activities that mitigate the impacts of tree removal on the subject property and fulfill the purpose and intent of the Wayzata Tree Preservation Ordinance, the Wayzata Comprehensive Plan, and this Policy, as determined by the City of Wayzata Public Works Director or his/her designee.



Tree Removal Permit Application

600 Rice Street East Wayzata, MN 55391

952-404-5300

permits@wayzata.org

2022 FEE:

\$58.00

Property Information				
SITE ADDRESS Wayzata, MN		Is this a new home? ☐ Yes ☐ No		
NAME OF BUSINESS (if applicable):				
Applicant Information				
Applicant: ☐ Licensed Tree Contractor ☐ Property Owner ☐ Tenant ☐ Other			DATE	
APPLICANT NAME		PHONE NUMBER		
APPLICANT ADDRESS		CITY	STATE ZIP	
TREE REMOVAL COMPANY NAME		STATE LICENSE #		
Send Approved Permit Via:				
☐ Emailed: _____ ☐ Mail or ☐ In Person				
Property Type:				
Residential ☐ Single-Family ☐ Two-Family ☐ Townhouse ☐ Multi-Family		Non-Residential ☐ Commercial ☐ Institutional ☐ Other: _____ ☐ Church ☐ Public		
Type of Project				
☐ Subdivision ☐ Home Addition ☐ New Single-Family Home ☐ No Associated Project ☐ Grading ☐ Other: _____ ☐ Design Review		Call Gopher State One before you dig. (651) 454-0002		
Project Information:				
Has a tree inventory of the site been completed?		☐ Yes ☐ No		
Have the tree replacment calculations been completed, if applicable?		☐ Yes ☐ No		
Are all the other requirements in the Tree Preservation Ordinance been met?		☐ Yes ☐ No		
Acknowledgment and Signature				
I hereby apply for a Tree Removal Permit and acknowledge that the information above is complete and accurate; that the work will be in conformance with the ordinances and codes of the City of Wayzata.				
Applicant Signature:		Date Signed:		
<i>By electronically signing (or typing) your name, you acknowledge that all information provided is true and correct.</i>				
OFFICE USE ONLY				
Staff Comment:				
Date Received:	Authorization to Issue: ☐ Approved ☐ Denied	Permit#	Permit Fee: _____ Escrow Required: _____	
Address Verified: ☐ Yes ☐ No Future Inspection Needed ☐ Yes ☐ No		Date Issued:		Processed by:
Zoning District:		Permit Sent Via:		
		Date:		

Tree Removal Permit Requirements

Under Wayzata City Code, a Tree Removal Permit is required for the removal of any tree that is over six inches in diameter measured at a height of 4.5 feet from the ground (§936.05). Overall, a Tree Removal Permit is required for any Significant or Heritage tree removal. All the requirements listed in the Tree Preservation Ordinance shall be met with any Permit along with the requirements listed in the Permit itself. The Tree Removal Permit can be found on the City's website or at City Hall.

Process:

1. Submit Tree Removal Permit Application and other required submittals to city staff
2. City staff reviews the Application and determines if it is complete
3. Submit tree escrow payment to cover tree replacement, if applicable (§936.12)
4. Staff approves or denies the Tree Removal Permit
5. If approved, the Trees cover by the Permit can then be removed by a tree removal business licensed under § 519.

Application Requirements:

- Tree Removal Permit Application
- Tree Preservation Plan if applicable. A Tree Preservation Plan is required for any project listed in §936.06. Mainly, if the tree removal is associated with a building permit, land disturbance permit, or a development application then a Plan is required. The list below are the required items to be in the Plan:
 - o The name(s) and address(es) of property owners and applicants.
 - o Delineation of the buildings, structures, impervious surfaces, utilities, and other site improvements on the property.
 - o Delineation of all areas on the property to be graded and limits of land disturbance, including the contouring of all areas to be graded.
 - o Size, species, location and condition of all Significant and Heritage Trees located on the property as well as on adjacent properties where the Critical Root Zones of the trees are within the proposed Construction Area. The size of Deciduous Trees must be recorded in DBH and the size of Coniferous Trees must be recorded both in DBH and approximate height.
 - o Identification of all Dead, Diseased, Dying and Hazard Trees.
 - o Identification of all Significant and Heritage Trees proposed to be removed within the Construction Area.

- Measures to protect Heritage and Significant Trees as outlined in §936.08.
 - Size, species, and location of all replacement trees to be planted on the property in accordance with the tree replacement requirements (§936.10).
 - Total calculations for the amount of tree removal proposed with the removal percentage allowed incorporated and the tree replacement calculations.
 - Signature of the person preparing the plan and statement which includes acknowledgment of the fact the trees to be used as replacements are appropriate species with respect to survival of the replacement trees.
- Escrow amount (if applicable in §936.12).

Allowed Tree Removal:

- Property that is the subject of a subdivision, public infrastructure installation or improvement, or the construction of single-family homes are allowed to remove up to 25% of existing trees on the property before tree replacement is required (§936.06.A).
- Property that is the subject of land disturbance permits, design review, or expansions to single-family homes are allowed to remove up to 10% of existing trees on the property before tree replacement is required (§936.06.B).
- Heritage trees are an exception. Any heritage tree that is removed in connection with any of the land use approvals and activities listed above must be replaced at a 2:1 ratio (§936.10.A).
- Property that is not the subject of any of the land use approvals and activities listed above is not required to replace any trees, even heritage trees.

Required Calculations Template:

Total Significant Tree Inches On Site	DBH inches
Total Significant Tree Inches to be Removed	DBH inches
Percent of Significant Tree Inches to be Removed	Percentage
Allowed Tree Inches to be Removed before Replacement (10% or 25%)	DBH inches
Required Significant Tree Inches to be Replaced after Allowed Removal	DBH inches

Total Heritage Tree Inches to be Removed	DBH Inches
Required Heritage Tree Inches to be Replaced (2:1 ratio)	DBH Inches
Total Tree Inches Required to be Replaced	DBH
Total Tree Inches to be Planted	DBH
Total Remaining Tree Inches not Planted	DBH
Total Fee-in-Lieu to be Paid (\$160 per inch)	\$

Recommended Replacement Trees :

Permit holders are encouraged but not required to follow the recommendations listed in the Hennepin County list of recommended trees on the County website for new tree plantings found [here](#). No more than 20% of the trees planted can be of the same genus.



City of Wayzata Planning Commission Agenda Report

MEETING DATE: August 15, 2022	AGENDA ITEM: 6.a
TITLE: Review of Development Activities	
PREPARED BY: Valerie Quarles, Assistant Planner	
REVIEWED BY: Emily Goellner, Community Development Director	
60 DAY DEADLINE: N/A	

BACKGROUND:

A verbal update will be provided at the meeting.

ACTION REQUESTED:

N/A

ATTACHMENTS:

None



City of Wayzata Planning Commission Agenda Report

MEETING DATE: August 15, 2022	AGENDA ITEM: 6.b
TITLE: Planning Commission Meeting Schedule	
PREPARED BY: Valerie Quarles, Assistant Planner	
REVIEWED BY: Emily Goellner, Community Development Director	
60 DAY DEADLINE: N/A	

BACKGROUND:

The next Planning Commission meeting is on Monday, September 19, 2022. The September 7 meeting will be cancelled. The 2022 City Meeting Calendar and Liaison Schedule are attached.

ACTION REQUESTED:

N/A

ATTACHMENTS:

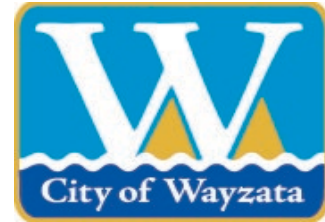
1. 2022 Wayzata City Calendar
2. 2022 Planning Commission Liaison Schedule

City of Wayzata

2022 Meeting Calendar

January 2022						
S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

February 2022						
S	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28					



March 2022						
S	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

April 2022						
S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

May 2022						
S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

June 2022						
S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

July 2022						
S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

August 2022						
S	M	T	W	Th	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

September 2022						
S	M	T	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

October 2022						
S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

November 2022						
S	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

December 2022						
S	M	T	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

- Energy & Environment 5:00 PM
- Planning Commission - 6:30 PM
- City Council - 7:00 PM
- Wayzata School Board
- Lake Minnetonka Conservation District (LMCD)
- Heritage Preservation Board (HPB) - 5:00 PM
- Housing & Redevelopment Authority (HRA) - 7:30 AM
- Parks & Trails Board - 6:00 PM
- Charter Commission - 9:00 AM
- Elections (see below)
- Night to Unite

Meeting dates and times are subject to change. Dates can be confirmed by calling City Hall.

Holiday Observed
City Offices Closed

Precinct Caucuses - Feb 1, 2022

Primary Election - August 9, 2022

General Election - November 8, 2022

Revised
9/29/2021

2022 Planning Commission Assignments at Council Meetings

	<u>Meeting Date</u>	<u>Commission Representative</u>
Tuesday	January 4, 2022	Ken Sorensen
Tuesday	January 18, 2022	Peggy Douglas
Tuesday	February 8, 2022	Laura Merriam
Tuesday	February 22, 2022	Jeffrey Parkhill
Tuesday	March 8, 2022	Bonnie Schwalbe
Tuesday	March 22, 2022	Jennifer Severson
Tuesday	April 5, 2022	Larissa Stockton
Tuesday	April 19, 2022	Ken Sorensen
Tuesday	May 3, 2022	Peggy Douglas
Tuesday	May 17, 2022	Laura Merriam
Tuesday	June 7, 2022	Jeffrey Parkhill
Tuesday	June 21, 2022	Bonnie Schwalbe
Tuesday	July 5, 2022	Jennifer Severson
Tuesday	July 19, 2022	Larissa Stockton
Wednesday	August 3, 2022	Ken Sorensen
Tuesday	August 16, 2022	Peggy Douglas
Tuesday	September 6, 2022	Laura Merriam
Tuesday	September 20, 2022	Jeffrey Parkhill
Tuesday	October 4, 2022	Bonnie Schwalbe
Tuesday	October 18, 2022	Jennifer Severson
Tuesday	November 1, 2022	Larissa Stockton
Tuesday	November 15, 2022	Ken Sorensen
Tuesday	December 6, 2022	Peggy Douglas
Tuesday	December 20, 2022	Laura Merriam