

WAYZATA PLANNING COMMISSION
Meeting Agenda
HYBRID MEETING INFORMATION

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Meeting ID: 860 5697 2077 Passcode: 901046

Members of the public may attend this Planning Commission meeting in person, or 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).

Monday, January 8, 2024
6:30 PM

1. **Call to Order**
2. **Roll Call**
3. **Approval of Agenda**
4. **Consent Agenda**
 - a. Approval of Meeting Minutes of November 20, 2023
 - b. Approval of Planning Commission Report and Recommendation of Denial for Fence Variances at 728 Wayzata Blvd E
5. **Other Items**
 - a. Welcome Commissioner Plantan
 - b. Election of Officers
 - c. Review of Development Activities
 - d. Planning Commission Meeting Schedule
6. **Adjournment**
7. **Workshop**
 - a. Annual Commissioner Training & Code of Conduct Review

Upcoming Meetings:

City Council - January 9, 2024
Planning Commission - January 22, 2024

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: January 8, 2024	AGENDA ITEM: 4.a
TITLE: Approval of Meeting Minutes of November 20, 2023	
PREPARED BY: Valerie Quarles, Assistant Planner	
REVIEWED BY: Emily Goellner, Community Development Director	
60 DAY DEADLINE: N/A	

BACKGROUND:

N/A

ACTION REQUESTED:

Staff recommends approval of the regular meeting minutes of November 20, 2023.

ATTACHMENTS:

1. Planning Commission Meeting Minutes of November 20, 2023

**WAYZATA PLANNING COMMISSION
MEETING MINUTES
NOVEMBER 20, 2023**

AGENDA ITEM 1. Call to Order

Chair Stockton called the meeting to order at 6:30 p.m.

Chair Stockton read a prepared statement outlining multiple options for joining remotely or submitting comments and questions in advance.

AGENDA ITEM 2. Roll Call

Chair Stockton asked Community Development Director Goellner to take roll call.

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

Absent at roll call was: Commissioner Merriam

AGENDA ITEM 3. Approval of Agenda

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

Commissioner Sorensen made a motion, seconded by Commissioner Elg, to approve the November 20, 2023 agenda as presented. The motion carried unanimously.

AGENDA ITEM 4. Consent Agenda

a.) Approval of the November 6, 2023 Planning Commission Meeting Minutes

**b.) Approval and Adoption of Planning Commission Report and Recommendation of
Approval for PUD Amendment and Shoreland Residential PUD/CUP at 825 Mill
Street E**

Chair Stockton read the items on the consent agenda and asked if any Commissioner wished to pull an item for further discussion. She noted page 14, line 45 of the meeting minutes and explained that she thinks the word 'livable' was intended to be 'shoppable' and asked for that change to be made to approved November 6 meeting minutes.

Hearing no objections and no request to pull either item, Chair Stockton asked for a motion to approve the Consent Agenda as amended.

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

1 **AGENDA ITEM 5. Public Hearing Item**

2
3 **a) Application for Fence Variances at 728 Wayzata Boulevard E**

4
5 Assistant Planner, Valerie Quarles, gave an overview of the application for an existing fence at
6 728 Wayzata Boulevard E and reviewed the project location, the applicable and surrounding
7 neighborhood zoning and land use, and the existing conditions. She noted that the fence was
8 constructed in 2022 without a required City permit, and is too tall in the front and side yards. She
9 further noted that rather than modifying the fence to comply, the owner has chosen to apply for a
10 variance. She reviewed details of the variance requests and noted that if approved, the owner has
11 proposed to add some additional landscaping. She explained that the City had received one public
12 comment earlier in the day from a neighbor to the west who expressed that he was opposed to the
13 request. He stated that he appreciated the many improvements the applicants had made to the
14 property overall, but felt that this fence detracted from the improvements.

15
16 At the conclusion of the staff presentation, Chair Stockton asked if the Commission had any
17 questions for staff.

18
19 Commissioner Schwalbe asked when the guidelines for fence height and other details were made
20 in the City.

21
22 Planner Quarles stated that the original standards for height and opacity are a few decades old.
23 She noted that the City had modified the zoning regulations earlier this year which did allow fences
24 in the front yard to be a bit taller and a bit more solid.

25
26 Commissioner Schwalbe asked how they had decided that those modifications would be in the
27 best interests of the community.

28
29 Planner Quarles explained that the Commission had discussed this extensively, and noted that she
30 thinks a large part of it was related to the character of neighborhoods and that it was fairly rare to
31 have tall fencing in the front yard that blocks the view of the home.

32
33 Commissioner Severson asked if she was correct in her assumption that the Applicant's fence
34 never would have been compliant even under the older regulations.

35
36 Planner Quarles stated that was correct.

37
38 Commissioner Douglas asked if there was a possibility to have landscaping along the west side of
39 the fence or if it would be on the neighbor's property.

40
41 Planner Quarles stated that she thinks there may be some room to add some landscaping, but not
42 on the exterior of the fence as it gets closer to the rear.

43
44 Chair Stockton stated that this fence is 6 feet tall, and asked how tall it is on top of the retaining
45 wall from the sidewalk level.

1 Planner Quarles stated that she believed the retaining wall was probably around 3-4 feet in height.

2
3 Chair Stockton stated that would then be about 10 feet high from the sidewalk level. She asked
4 about the distance between the retaining wall and the fence.

5
6 Planner Quarles stated that she believed that was about 3-4 feet.

7
8 Commissioner Severson asked about the location of the fence along the property line.

9
10 Planner Quarles explained that the City did not have any regulations on how close the fence should
11 be to the property line but noted it is good practice to keep it a bit off the property line. She stated
12 that the applicant submitted a survey, so they have been able to confirm that the fence is not on the
13 neighbor's property.

14
15 There being no further questions from the Commission for staff, Chair Stockton invited the
16 applicant to address the Commission.

17
18 Applicant Lacey Bickel, 728 Wayzata Boulevard E, explained that she was the wife of the property
19 and homeowner, Stuart Bickel, and noted that they had just recently gotten married. She expressed
20 her appreciation to Planner Quarles for helping them work through this issue, and apologized that
21 they had not initially pulled a permit for the fencing. She stated that they had a contractor put in
22 the fence who has done a lot of business out of state, and explained that they had relied on the
23 contractor to lead them through the process and had not double checked on what permits may have
24 been required. She stated that they want the fencing to be aesthetically pleasing for the
25 neighborhood, and explained that they had wanted to put in the fencing for safety and privacy
26 reasons because Wayzata Boulevard is a pretty busy street for both vehicles and foot traffic. She
27 stated that there is also a large 3 story office building on Chicago Avenue that is opposite their
28 property. She explained that the way the lot curves down, the home sits very high, which means
29 when they are in their yard, they are on display to everyone, which was why they had installed this
30 fence for privacy and safety reasons. She stated that they have no intention of selling and very
31 specifically purchased a home in Wayzata because they love the area and this neighborhood. She
32 stated that landscaping has always been part of their plans, and they had not intended it to be the
33 large blocked off fence look.

34
35 Chair asked if the commissioners had any questions for the applicant.

36
37 Commissioner Elg asked whether the timbers in the retaining wall are currently there or if there
38 were planned for part of the overall landscaping.

39
40 Ms. Bickel stated that the wood retaining wall is currently there and was there when they purchased
41 the home.

42
43 Commissioner Schwalbe asked if there was any fencing when they had purchased the home.

44
45 Ms. Bickel stated that she has seen old photos of the property where there was a fence on a portion
46 of the property, but when they purchased it there was no fencing.

1
2 Chair Stockton asked if when her contractor had put in the fence, if they had put in footings.

3
4 Ms. Bickel confirmed that they had put in concrete footings.

5
6 There being no additional questions from the Commission for the applicant, Chair Stockton opened
7 the public hearing on the application at 6:54 pm.

8
9 There was no one present in City Hall that wished to speak, and Community Development Director
10 Goellner stated there were no people that called in to the meeting that have asked to speak at the
11 public hearing.

12
13 There being no member of the public wishing to comment on the application, Chair Stockton
14 closed the public hearing at 6:55 pm.

15
16 Chair Stockton asked for the Commission to share their questions and feedback on the application.

17
18 Commissioner Severson asked Ms. Bickel what they would have done if they had pulled the
19 permits at the start of this process. She asked if they would have built a compliant fence and if so,
20 what it would have looked like.

21
22 Ms. Bickel stated that she believes that she would still have come to the Commission and asked
23 for these same variances in order to put in a fence the way it is styled currently.

24
25 Commissioner Elg stated that he understands the applicant's plight, and noted that he has looked
26 at photos and driven by the property. He noted that he did not think it was particularly unattractive,
27 and noted that because of the location of the lot there really isn't a true back yard. He stated that
28 children will have to have a place to play and understands the concern for safety and the issue of
29 traffic in the area. He stated that he feels this fencing will help provide some reduction of traffic
30 noise, as well as block some of the visual access to the yard. He stated that he thinks the proposed
31 landscaping does a nice job of softening the appearance of the fencing. He stated that he does not
32 have any objections with the fencing where it is, and noted that he feels this appears to be a pretty
33 well-designed way to approach fencing on this property. He stated that the shape of the property
34 is challenging, and noted that they are not able to do anything about the traffic on Wayzata
35 Boulevard and have to live with it. He explained that he was in favor of the two variance requests.

36
37 Commissioner Schwalbe stated that she drives down Wayzata Boulevard E quite often and every
38 time she comes down the street she is a bit shocked by all this fencing that creates such a huge
39 barrier. She stated that, to her, it is distracting and thinks that when the City has rules and
40 regulations, she thinks it is very important to stick with them. She stated that she thinks it would
41 be just as beautiful of a fence if it were 2 feet shorter and less opaque, because it would fit in better
42 with the community. She stated that the existing fencing is jarring, and she has noticed it prior to
43 this application coming before the Commission.

44
45 Commissioner Sorensen noted that when he initially read the application, he felt this request
46 seemed reasonable and had enough unique circumstances that warranted granting the requests. He

1 stated that he appreciates the concerns raised by Ms. Bickel related to noise and safety. He stated
2 that he thinks the fact the house and yard sit above the street a bit is a good thing for noise and
3 safety, and noted that he also felt this was a good example of why the City has a fence ordinance.
4 He stated that the existing fence does catch your eye as you go by, and is the only one along
5 Wayzata Boulevard that looks this way. He stated that he feels the City needs to be careful about
6 setting a precedent and while he is empathetic to the Bickels' situation, the Commission's job is
7 to look at what is best for the community and the neighborhood. He stated that if the fencing is
8 changed so it is in compliance, he believes that there are a lot of opportunities with greenery to
9 deal with some of the issues that Ms. Bickel shared concerns about. He stated that he was inclined
10 to recommend enforcing the fence standards of the ordinance that are in place in this situation and
11 not grant the variances.

12
13 Commissioner Douglas stated that she has never noticed this fence when she was been driving by
14 until someone mentioned something at a meeting last week. She stated that she has mixed feelings
15 about these requests, and gave the example of a fence that was approved on Bushaway Road and
16 at the time, she had said to herself, 'no more fences'. However, she noted that there was a variance
17 on the north side of Wayzata Boulevard about 2 blocks west where there is a large retaining wall,
18 and they allowed a 6 foot fence in addition. She stated that there is also a row of solid arbor vitae
19 in front of it for a side yard which was approved about 3 or 4 years ago. She stated that she drove
20 by that fence today and noted you cannot even see the fence because of the greenery and
21 landscaping. She further noted that it is similar to what is shown in the renderings for this
22 application. She stated that she drove by the property tonight prior to the meeting and just as she
23 was pulling into the neighbor's driveway, a big bus stopped right in front of the home, so she can
24 understand how that would factor in Ms. Bickel's concerns. She stated that if she were to
25 recommend approval, she would ask that they do some landscaping to help appease the neighbor's
26 concerns. She stated that she has not yet made up her mind which way she will vote on this request.

27
28 Commissioner Severson stated that she also has mixed feelings on this request. She stated that she
29 is on a frontage road that faces Wayzata Boulevard, so she understands the concerns raised
30 regarding noise, traffic, and the 'public-ness' of their location. She stated that this is a jarring
31 fence and the City had just spent a lot of time over the last year working on the fence ordinance,
32 and noted that it had been done for a reason and she would like to honor that work. She stated that
33 she feels that they need to be in compliance and does not like that the contractor put the fence in
34 without checking on City rules and regulations. She concluded that she was inclined to follow the
35 standards of the fence ordinance.

36
37 Commissioner Elg stated that the City has created the variance process so people can make their
38 case to do things outside of being compliant. He stated that he thinks that it would be wrong of
39 the City to flatly say that every fence has to be in compliance. He stated that the variance process
40 allows the applicant to make their case and explain the uniqueness of their property and other
41 details, such as traffic that make the fence desirable. He stated that the City is allowed to bestow
42 the ability to do something outside of the ordinance in certain conditions. He stated that he agrees
43 that the fence may be a little jarring right now, but believes with the landscaping it will look a lot
44 softer. He stated that because of the slope of the yard, he noted that a 4 foot fence may not allow
45 most individuals walking by to be able to see into the yard, which could also be an option. But, he
46 reiterated his support for the case raised by the applicant.

1
2 Chair Stockton noted that she lives on County Road 101 and has a fence in her back yard. She
3 stated that the fence was designed within the regulations in place at the time and one of the ways
4 to contend with a large wall surface was to sort of undulate the fence in and out, which is what her
5 fence has done in order to allow for deeper plantings in different areas. She stated that there is
6 some uniqueness to this site, such as the 3 story office building nearby, but didn't really think any
7 height of fence would help with privacy. She noted that safety is also a concern, but felt that the
8 height of the retaining wall would add to that aspect. She stated that as the fence stands now, it is
9 pretty dominant. She stated that the Commission had put a lot of thought into how fences should
10 be in the City, and why there should be opacity, when they had made the recent changes to the
11 ordinance. She stated that she walked through the area recently, and did feel this tall fence structure
12 was off-putting which is not the vibe they want in the City. She stated that she understands
13 Commissioner Douglas referencing the other fence project, but noted it precedes the recent efforts
14 that have been made to draw a consensus about how the City wants to address fences and the
15 reality is that this fence feels, in her opinion, a bit ominous. She stated that she also has concerns
16 about wind with the large, long, tall structure. She stated that she feels the variance request would
17 be more reasonable if this was a flat lot or did not have the retaining wall. She stated that if the
18 plantings were done as shown in the renderings, it would definitely help with the aesthetics. She
19 stated that the contractor the applicants used for this work should have checked with the City, and
20 noted that they may be able to go back to them if the City determines that some sort of alteration
21 is required to the fencing. She agreed that this is a busy road and understands the concerns related
22 to safety.

23
24 Commissioner Schwalbe stated that she appreciates what the applicants have done to clean up this
25 property, believes they will be very good Wayzata residents and was glad that they have chosen
26 Wayzata, but she thinks that for the community and the City, it would be better if the fence were
27 2 feet lower. She explained that she would prefer that the City stay within their ordinance in this
28 particular instance.

29
30 Chair Stockton stated that she can think of a time when she lived abroad and had a fence on a very
31 busy road and they were required to have complete green coverage on any type of a solid fence.
32 She stated that in order to get to the height they wanted, they ended up putting plantings on the
33 interior of the fence. She stated that she believes there are other ways to get around some of the
34 height restrictions. She stated that she does not want to see this set any kind of precedent for others
35 who want this type of fencing because she feels that it would become a pretty unfriendly boulevard.
36 She stated that one of the objectives in the Comprehensive Plan is to create a walkable, friendly
37 atmosphere, but noted that she was sympathetic to the situation.

38
39 Commissioner Severson asked that the Commission imagine if there was a fence like this all the
40 way along Wayzata Boulevard. She stated that even though she is sympathetic to the applicant,
41 she would not want to see fence after fence after fence along the roadway. She stated that natural
42 fencing such as trees and shrubs is a much more appealing look.

43
44 Commissioner Elg asked to see the images that show the front, side, and back yard areas. He
45 stated that if this fence were in compliance in all three areas, the pink area in the diagram would
46 have to be no taller than 48 inches and 75% solid; the yellow area in the diagram would be 48

1 inches and 100% solid; and the green area, could be 6 feet tall and solid. He stated that if the
2 Commission denies these requests, that is what the homeowner would be left with and explained
3 that it would not just be taking it down to 4 feet in the front because there will also be the opacity
4 issue. He stated that he feels that this fence, if you are down on the street, will still look pretty tall
5 at 48 inches. He stated that like others on the Commission, he is certainly sympathetic to the
6 applicants, but stated that he has been somewhat persuaded by other Commissioners opinions. He
7 explained that he wished there was a happy in between, such as 4 feet tall fence that is solid in the
8 pink area of the diagram that staff showed in their presentation of the application.

9
10 Commissioner Severson stated that may be a variance that the Commission would approve.

11
12 Commissioner Elg stated that he feels that compromise could give the applicants the privacy that
13 they are looking for.

14
15 Commissioner Douglas asked why the area behind the house depicted in pink is considered the
16 front yard.

17
18 Planner Quarles explained that the way the fence code defines it is if you stand on Wayzata
19 Boulevard and look at the house, there is one front of the house and if you stand on Chicago and
20 look at the house, there is another front of the house because the front yard is always adjacent to
21 the right of way.

22
23 Commissioner Douglas asked if the perceived side of the house on the east side was also
24 considered the front of the house.

25
26 Planner Quarles stated that was correct.

27
28 Commissioner Elg stated that it is because it is a corner lot, which contributes to the uniqueness.

29
30 Commissioner Douglas shared a possible example of a way to fence in the yard with solid fencing.

31
32 Planner Quarles stated that they could do it that way, but noted that once they get to the yellow
33 and pink areas in the diagram, it will have to get shorter and less opaque.

34
35 Commissioner Douglas stated that this is an unusual lot.

36
37 Commissioner Schwalbe suggested that the idea raised by Commissioner Elg was interesting, with
38 the thought of enforcing the height but allowing for a variance in relation to the opacity.

39
40 Commissioner Douglas stated that she wishes some of the other Commissioners could have the
41 seen the fence she referenced earlier. She noted that she agreed with the statement made by
42 Commissioner Severson that she did not want Wayzata Boulevard to be all fenced in, but in the
43 example she referenced, there is such solid landscaping, you don't even realize that there is a fence
44 behind it.

45
46 Commissioner Schwalbe stated that they cannot control that type of thing for future plantings.

Chair Stockton stated that this fence does stand out as unique on this road because there is not another fence like it.

Commissioner Douglas questioned whether there was another lot like this one.

Chair Stockton stated that she is concerned about allowing something to be permitted related to something that the City has spent a lot of time and effort to not have happen.

Commissioner Elg stated that it sounds like this variance is not likely to move forward with a recommendation for approval, he would suggest the applicant come back with another request asking for a 4 foot tall, solid fence, for the front yards. He stated that they could still plant the arborvitae trees which will give them the height and could be a good middle ground.

There being no further discussion, Chair Stockton asked for a motion on the application.

Commissioner Schwalbe made a motion, seconded by Commissioner Sorensen, to direct staff to prepare a draft Planning Commission Report and Recommendation with appropriate findings reflecting a recommendation of denial for Fence Variances at 728 Wayzata Boulevard E, for review and adoption at the next Planning Commission meeting. The motion carried unanimously.

AGENDA ITEM 6. Other Items:

a) Review of Development Activities

b) Planning Commission Meeting Schedule

Community Development Director Goellner stated that she intends to cancel the Planning Commission meeting scheduled for December 4, 2023 and may also cancel the December 18, 2023 meeting due to lack of agenda items. She noted that the 2024 calendar was included in the meeting packet and recommended that Commissioners look at those meetings closely because there are quite a few oddities within the schedule due to elections and holidays.

AGENDA ITEM 7. Adjournment.

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

Commissioner Severson made a motion, seconded by Commissioner Schwalbe, to adjourn the Planning Commission meeting. The motion carried unanimously.

The Planning Commission meeting was adjourned at 7:31 p.m.

Respectfully submitted,
Kayla Atkins Rokosz
TimeSaver Off Site Secretarial, Inc.



City of Wayzata Planning Commission Agenda Report

MEETING DATE: January 8, 2024	AGENDA ITEM: 4.b
TITLE: Approval of Planning Commission Report and Recommendation of Denial for Fence Variances at 728 Wayzata Blvd E	
PREPARED BY: Valerie Quarles, Assistant Planner	
REVIEWED BY: Emily Goellner, Community Development Director	
60 DAY DEADLINE: February 24, 2024 (extended to 120 days)	

BACKGROUND:

Representative of the property owner Lacey Bickel has submitted a variance application to retain an unpermitted fence at 728 Wayzata Blvd E. The fence is taller and more opaque in the front and side yards than what the City's fence regulations allow.

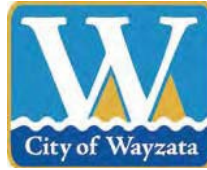
The Planning Commission reviewed the application at their November 20 meeting and recommended denial of the application by a vote of 6-0, citing neighborhood look and feel, an absence of a practical difficulty as it relates to uniqueness of the property, and recent changes to the fence code. One new written public comment has been received since the November 20 meeting and is attached.

ACTION REQUESTED:

Staff recommends approval of the Planning Commission Report and Recommendation.

ATTACHMENTS:

1. 728 Wayzata Blvd E - Planning Commission Report and Recommendation of Denial
2. 728 Wayzata Blvd E - Public Comment



WAYZATA PLANNING COMMISSION

January 9, 2024

REPORT AND RECOMMENDATION OF DENIAL OF FRONT AND SIDE YARD FENCE VARIANCES AT 728 WAYZATA BLVD E

DRAFT

SUMMARY OF RECOMMENDATION

DENIAL of Variances for Fence Height and Opacity in Front and Side Yards

REPORT AND RECOMMENDATION

Section 1. BACKGROUND

- 1.1 Application. Lacey Bickel, representing owner Stuart Bickel, (the “Applicant”) has submitted an application (the “Application”) for approval of front and side yard fence variances for a non-compliant fence that was constructed in 2022 on the property at 728 Wayzata Blvd E, legally described on Attachment A (the “Property”). The existing non-compliant fence is 2 feet taller and 25% more solid than allowed in the front yard, and is either too tall or too solid in the side yard, depending on the permitted standard chosen.
- 1.2 Approvals Requested. The Applicant is requesting approval of the following variances:
- A. Variance – Front Yard Fence Height and Opacity (§918.01.E.2): A variance of 2 feet over the maximum height of 4 feet permitted, and a 25% increase in opacity over the allowed 75% maximum for the portion of the fence in the front yard (the “Front Yard Fence Variance”).
 - B. Variance – Side Yard Fence Height and Opacity (§918.01.E.3): A variance for a 6 foot tall, 100% solid fence instead of a permitted 6 foot tall, 75%

solid fence or 4 foot tall, 100% solid fence permitted in the side yard (the "Side Yard Fence Variance").

- 1.3 Property. The address, property identification number, and owner of the Property are:

Address	PID	Owner
728 Wayzata Blvd E	06-117-22-13-0044	Stuart Bickel

- 1.4 Land Use Designations. The Property is zoned and guided as follows:

Zoning:	R-3A Single and Two Family Residential District
Comp Plan:	Central Core Residential
Overlay districts:	N/A

- 1.5 Notice and Public Hearing. Notice of the public hearing on the Application was published in the *Sun Sailor* on November 9, 2023 and mailed to all property owners located within 350 feet of the Property on November 7, 2023. The public hearing on the Application was held at the November 20, 2023 Planning Commission meeting.

Section 2. STANDARDS

- 2.1 Fence Height and Opacity. Under Sec. 918.01.E.2. of the Zoning Ordinance, residential fences in the front yard, defined as the area between the front of the home and the street, are limited to 4 feet in height and may be no more than 75% solid. Because this is a corner lot, the areas of the property between the home and both streets are considered front yards. Under Sec. 918.01.E.3., residential fences in the side yard, defined as the area between the front wall of a home, the rear wall of a home, and the property line, may be either one of two options: (i) 4 feet tall and 100% solid; or (ii) 6 feet tall and 75% solid.
- 2.2 Variances. The applicable criteria for granting a variance from the standards of the Zoning Ordinance under Sec. 905.1.C. are:
- A. Variances shall only be permitted when they are:
 - (i) in harmony with the general purposes and intent of the Zoning Ordinance; and
 - (ii) consistent with the Comprehensive Plan.
 - B. Variances may be granted when the Applicant establishes that there are practical difficulties in complying with the Zoning Ordinance.
 - C. "Practical difficulties," as used in connection with the granting of a variance, means that:

- (i) the property owner's proposal for the property is reasonable but not permitted by the Zoning Ordinance;
 - (ii) the plight of the landowner is due to circumstances unique to the property, and not created by the landowner; and
 - (iii) the variance, if granted, will not alter the essential character of the locality.
- D. 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.
- E. The City Council shall not permit as a variance any use that is not allowed under the Zoning 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.
- F. 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.

Section 3. FINDINGS

Based on the Application materials, staff report, public comment presented at the public hearing, and Wayzata's Zoning Ordinance, the Planning Commission of the City of Wayzata makes the following findings of fact:

- 3.1 Variances. The Front and Side Yard Fence Variances (the "Fence Variances") requested are not in harmony with the general purposes and intent of the Zoning Ordinance and are not consistent with relevant standards of the Comprehensive Plan, including to maintain and enhance small town character, diversity, and livability of all residential neighborhoods. In addition, the Commission finds:
- A. The Applicant has not established that there are practical difficulties in complying with the applicable fence height and opacity standards for fencing on the Property.
 - B. The Applicant's non-compliant fence and the Fence Variances requested are not reasonable in that size, scope and impact of the non-compliant fence negatively affects surrounding properties and the neighborhood, and is noticeably visible to pedestrian and vehicular traffic along Wayzata Boulevard. The Applicant could achieve many of the privacy and safety objectives of the existing non-compliant fence with a combination of redesigned compliant fence and landscaping that are more consistent with the residential character of the neighborhood.

- C. The Fence Variances are not due to circumstances related to the unique conditions of the Property and have been created by the Applicant in that there are many corner and similar properties along Wayzata Blvd, and the Applicant had the fence installed without following the standards of the recently adopted fence ordinance.
- D. The Fence Variances would alter the essential residential character of the locality as noted above.
- E. The Applicant has not provided sufficient reasons that the Fence Variances are justified under applicable criteria of the ordinance in order to make reasonable use of the land, structures and building on the Property, as noted above.

Section 4. RECOMMENDATION

- 4.1 Planning Commission Recommendation. Based on the findings in section 3 of this Report, the Planning Commission recommends **DENIAL** of the Front and Side Yard Fence Variances.

Adopted by the Wayzata Planning Commission the 9th day of January 2024.

Attachment A: Legal Description and Information on Property

Attachment A
Legal Description and Information on Property

Address	728 Wayzata Blvd E, Wayzata, MN 55391
PID	06-117-22-13-0044
Legal Description	The Northeasterly 1/2 of Lots 7 and 8, Block 11, Wayzata "Revised", Hennepin County, Minnesota.
Abstract or Torrens?	Abstract
Certificate No.	N/A

Public Comment

From: Catherine Robinson <catherinemrobinson@hotmail.com>
Sent: Tuesday, December 12, 2023 10:31 AM
To: Public Comment
Subject: Public Comment regarding Denial of Fence Variances: 728 Wayzata Blvd E

Wayzata City Hall,

I watched the entire 57-minute Wayzata Planning Commission public meeting November 20th via Zoom regarding the request for Fence Variances at 728 Wayzata Blvd E. I wholeheartedly endorse the unanimous decision by the Planning Commission; "recommendation of denial for the variance application".

I live in a new development one block off Lake Street in downtown Wayzata and drive past 728 Wayzata Blvd to get to my house. I completely agree with commissioner Bonnie Schwalbe comments, "every time I drive down Wayzata Blvd E which is often, as I come down the street I'm shocked when I see all that fencing. It is distracting and startling. It's important to stick to the regulations." As commissioner Ken Sorensen said, "we have to be careful about a precedent and being in compliance, as no other homes on the street have this barrier." Commissioner Jennifer Severson, "imagine if many of the homes had this type of fence on the street."

The applicant, Lacey Bickel, stated in her live comments that they did not pull a permit. Adding they hired a contractor that does a lot of business out-of-state, and she relied on that person who did not double check permit requirements. I believe this is a cop-out, you are in this situation because you intentionally did not obtain a fence permit because you knew the fence height restrictions are 4 feet. I Googled fence height restrictions in MN, it's crystal clear regarding the permit requirements and height restrictions. As the homeowner, you are responsible that the work is properly performed in accordance with governing laws. I have dealt with many fences on our properties through the years, in and out of Minnesota, as I have a winter home in Dallas that currently has a fence. Any legitimate ethical contractor would pull a permit. Every homeowner knows there are permit requirements for anything being constructed. Normally, for any permit pulled after the work is done, you'll face a sizeable fine that doubles what would have been your initial cost had the contractor pulled it before construction started. The situation is obvious, the intentional negligence to not pull a permit has completely wasted the time of the planning commission, Valeria and Emily's. You should be grateful for the goodwill and time given to you by our government officials. The cost of the rework for a new fence is nothing compared to the cost and time you've incurred for the City of Wayzata.

Regarding the applicants concern of safety and traffic, being on display was obvious when you purchased a home on Wayzata Blvd and a 6 ft fence over a 4 ft fence will not deter anyone from getting onto your property. I suggest some cameras on the outside of your home, which we have had on all our homes through the years, this is a helpful deterrent.

Please let me know my comment on this important matter has been received.

Regards,

Catherine Robinson



City of Wayzata Planning Commission Agenda Report

MEETING DATE: January 8, 2024	AGENDA ITEM: 5.b
TITLE: Election of Officers	
PREPARED BY: Valerie Quarles, Assistant Planner	
REVIEWED BY:	
60 DAY DEADLINE: N/A	

BACKGROUND:

Every calendar year, in accordance with Commission bylaws, an election of officers is held. Commissioners are asked to make nominations for the Chair and Vice Chair positions. Descriptions of each position are attached. At the meeting, staff will ask for any other nominations. Any Commissioner may then make a motion to elect a Chair and Vice Chair. Staff will be available for any questions.

ACTION REQUESTED:

Staff recommends that a Commissioner may make a motion to elect a Chair and Vice Chair for the 2024 calendar year.

ATTACHMENTS:

1. Wayzata Planning Commission Elected Leadership Position Descriptions



Wayzata Planning Commission
Descriptions of Elected Leadership Positions
2024 Election Scheduled for January 8, 2024

Chair

Position Duties:

- **Lead Meetings.** Though still a commissioner, the primary role of the Chair at meetings is to lead the commission through the agenda, following rules of procedure, allowing everyone to speak, facilitating discussion, maintaining decorum, and ensuring the commission fulfills its role and makes decisions.
- **Follow and Maintain Rules of Order.** Meetings should generally follow Robert's Rules. This includes:
 - Opening and closing the meeting
 - Adopting and following the agenda
 - Introducing each agenda item and leading discussion
 - Observe rules of public hearings
 - Leading Commission through action on items
 - Consulting City Attorney on procedural and legal questions
- **Rely on Staff for Information on Application, Procedure, Legal Issues**
 - If there are any anticipated issues or questions with an agenda item, check in with the Community Development Director or the planner who drafted the staff report ahead of the meeting
 - Though the public and applicant may provide helpful information, check with staff and confirm facts, ask questions, etc.
 - Encourage Commissioners to send questions to staff ahead of the meeting so that the most thorough answers can be prepared
- **Model and Manage Decorum**
 - Allowing all Commissioners, applicants, and members of the public to speak and finish their thoughts while still being mindful of the general time limits
 - Facilitate participation by all members and discourage interruptions, arguments, and rude or counterproductive behavior
- **Focus Discussion on Applicable Facts and Rules**
 - Assist the Commission in focusing on the land use requests being made in its discussion and decision, and matters reasonably related to those requests.
 - Bring the commission back to the subject at hand when the commission, applicants, public stray from the topic.
 - Be sure the commission discusses the applicable rules and standards for the application that are outlined in the staff report. These are generally provisions of the Zoning Ordinance (inc. Design Standards), Subdivision Ordinance, and/or Comp Plan excerpts.
- **Serve as Liaison or Manage Liaisons to the Heritage Preservation Board (HPB)**
 - The Planning Commission Liaison to the HPB attends the four scheduled meetings of HPB in the calendar year. If the Chair is unable to attend, the Chair may appointment one or several Commissioners to attend and report back to the Commission at a regular meeting.

Vice Chair

Position Duties:

- **Serve as Chair in Chair's Absence.** If the Chair is unable to attend a meeting, the Vice Chair will fill the role of Chair before and during the meeting. Please refer to the position description for the Chair for details.



City of Wayzata Planning Commission Agenda Report

MEETING DATE: January 8, 2024	AGENDA ITEM: 5.d
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 2024 City Meeting Calendar and Liaison Schedule are attached. Commissioners should review both documents and email staff about any conflicts they may have.

ACTION REQUESTED:

N/A

ATTACHMENTS:

1. 2024 Wayzata City Calendar
2. 2024 City Council Liaison Schedule

City of Wayzata 2024 Meeting Calendar



January 2024						
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 2024						
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		

March 2024						
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 2024						
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 2024						
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 2024						
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 2024						
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 2024						
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 2024						
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 2024						
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 2024						
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 2024						
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
- Charter Commission - 9:00 AM
- Lake Minnetonka Conservation District (LMCD)
- Heritage Preservation Board (HPB) - 11:30 AM
- Housing & Redevelopment Authority (HRA) - 7:30 AM
- Parks & Trails Board - 6:00 PM
- 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

2024 Election Dates

February 27—Precinct Caucus
March 5—Presidential Nomination Primary
April 30—Special Primary Election (Hennepin Co Commissioner)
May 14, 2024—Special Election (Hennepin Co Commissioner)
August 13—State General Primary Election
November 5—State General Election

Revised
10/24/2023

2024 Planning Commission Assignments at Council Meetings

	<u>Meeting Date</u>	<u>Commission Representative</u>
Tuesday	January 9	Peggy Douglas
Tuesday	January 23	Adam Elg
Tuesday	February 6	Chris Plantan
Tuesday	February 20	Bonnie Schwalbe
Tuesday	March 12	Jen Severson
Tuesday	March 26	Ken Sorensen
Tuesday	April 2	Larissa Stockton
Tuesday	April 16	Peggy Douglas
Tuesday	May 7	Adam Elg
Tuesday	May 21	Chris Plantan
Tuesday	June 4	Bonnie Schwalbe
Tuesday	June 18	Jen Severson
Tuesday	July 9	Ken Sorensen
Tuesday	July 23	Larissa Stockton
Wednesday	August 7	Peggy Douglas
Tuesday	August 20	Adam Elg
Tuesday	September 3	Chris Plantan
Tuesday	September 17	Bonnie Schwalbe
Tuesday	October 8	Jen Severson
Tuesday	October 22	Ken Sorensen
Tuesday	November 12	Larissa Stockton
N/A	No meeting November 26th	
Tuesday	December 3	Peggy Douglas
Tuesday	December 17	Adam Elg



City of Wayzata Planning Commission Agenda Report

MEETING DATE: January 8, 2024	AGENDA ITEM: 7.a
TITLE: Annual Commissioner Training & Code of Conduct Review	
PREPARED BY: Emily Goellner, Community Development Director	
REVIEWED BY:	
60 DAY DEADLINE: N/A	

BACKGROUND:

City Attorney Schelzel will provide annual training for Planning Commissioners immediately following the adjournment of the regular meeting. This will include a review of the City's Code of Conduct for Boards and Commissions and the City's Code of Conduct for Public Meetings.

ACTION REQUESTED:

N/A

ATTACHMENTS:

1. PC Training 2024
2. Code of Conduct Policy For Boards and Commissions
3. Code of Conduct for the Public at Meetings

Wayzata Planning Commission

2024 Annual Training and Q&A with City Attorney



Topics



Roles of Commissioners, Chair and Staff



Evaluating Applications



Flow of Meetings



Conduct and Policies



First Topic



Roles of Commissioners, the Chair and Staff



1. Role of Planning Commissioners

- *Advisory* – The Planning Commission does not approve or deny applications, or enforce rules; it *advises* Council on land use applications and changes to land use ordinances and Comp Plan.
- *Legal Role* – The Commission is a key part of a *legal process* that includes: holding public hearings; making factual findings; applying the “law to facts”; reviewing policy; reporting recommendations to Council.



1. Role of Planning Commissioners

- *Act as Body* – Individual commissioners work with each other to take action *together as a body*; they do not act individually.
- *Provide Report and Recommendation* – Commission adopts formal Reports to Council on what it has reviewed that include factual findings and recommendations.



2. Role of the Chair

- *Runs Meetings and Public Hearings, acting as point person, managing the flow of the meeting and taking the Commission through the agenda*
- *Manages Decorum and Rules of Procedure*



3. Role of Staff

- *Supports the Commission and the City*
- *Works with Applicants to assist them with the process*
- *Analyzes the Facts and Standards for Applications (Staff Report)*
- *Identifies Key Issues for Commission (Staff Report)*
- *Helps Meetings run smoothly*
- *Provides Professional, Technical, and Legal advice*



3. Role of Staff

KEY STAFF

- Community Development Director – staff liaison to Commission; manages agendas; manages workflow of department
- Assistant Planner – lead planner on most applications; responds to daily zoning inquiries
- Consultant Planner – lead planner on some applications on an as-needed basis



3. Role of Staff

- City Engineer – technical and compliance advisor for stormwater, utilities, grading, right of way, wetland, and other regulations relevant to Engineering and Public Works divisions
- City Attorney – legal advisor to City; helps with rules and process for meetings; helps prepare reports and resolutions



Second Topic



Roles of Commissioners, Chair and Staff



Evaluating Applications

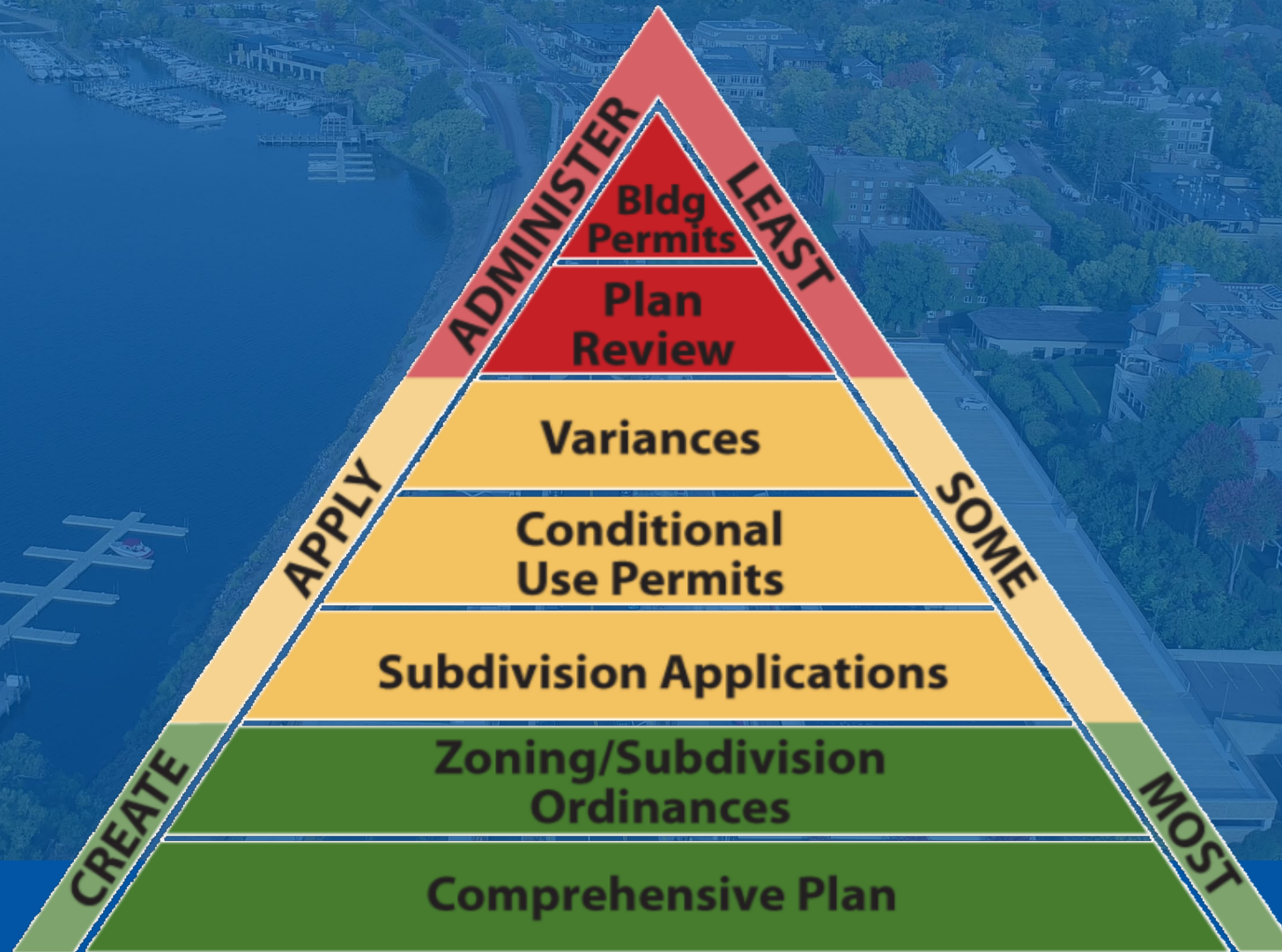


1. Types of Applications

- ✓ *Variances* ◇
 - ✓ *CUPs (Conditional Use Permits)* ◇
 - ✓ *PUDs (Planned Unit Developments)* ○
 - ✓ *Rezoning (map of ZO)* ○
 - ✓ *Zoning Amendments (text of ZO)* ○
 - ✓ *Design Standards Deviations*
 - ✓ *Subdivisions (plats for lot divisions and combinations)* ◇
 - ✓ *Comprehensive Plan Updates and Amendments* ○
- Legislative vs. ◇ Quasi Judicial (“pyramid of discretion”) ◇



Legislative vs. ♦ Quasi Judicial (“pyramid of discretion”)



2. Standards and Criteria

- *Standards and criteria for each type of Application are found in the Zoning Ordinance (Part IX of City Code), the Subdivision Ordinance (Part X of City Code), and the Comp Plan.*
- *They will be highlighted in the Staff Report.*
- *Full versions of the ZO and SO are Accessible on City Website.*
- *Be sure to use the correct criteria for each type of Application, not something for another type of Application.*



3. Avoiding Standards and Criteria that Don't Apply

- *Be careful not to use something that may feel right or be driven by a legitimate concern, but that isn't relevant criteria.*
- *In such cases, ask whether there are relevant criteria that address a concern, or another process that addresses it (e.g., staff review, licensing process, building permit, state regulators)*
- *Be careful not to assume the Applicant, Neighbors, Lawyers for Groups, etc. are accurately representing the relevant criteria, and legal and historical precedent.*



4. Facts

- *Facts should be relevant – i.e., go to one of the legal criteria for evaluating the Application.*
- *Facts should be accurate and objectively verified by City staff or Consultants – expert studies, reports, testimony may be needed.*
- *Key facts will be highlighted in Staff Report and Presentation.*



5. “Nuances” of Facts

- *Note that some “facts” are “defined terms” and “terms of art” (e.g., “building height” is a defined term in the Ordinance and a somewhat complicated calculation).*
- *Be careful not to assume the Applicant, Neighbors, Lawyers, other parties, etc. are accurately representing all of the facts, history, precedent.*



Third Topic



Roles of Commissioners, Chair and Staff



Evaluating Applications



Flow of the Meeting



1. Agenda

Meeting agendas map out the meeting and generally consist of:

- 1. Call to Order*
- 2. Roll Call*
- 3. Approval of Agenda*
- 4. Consent Agenda*
- 5. New Business / Public Hearing Items*
- 6. Other Items*



2. Chair Runs Meeting - Commissioners Contribute

- *Chair (working with Comm. Dev. Director) moves the meeting through the agenda*
- *Commissioners:*
 - ❖ *Follow Chair's lead and speak only when acknowledged by Chair*
 - ❖ *Listen, ask questions, discuss at appropriate times during the meeting*
 - ❖ *Help maintain decorum and rules of procedure*



3. Presentation of Applications and Public Hearings

1. *Staff Presentation of the Application*
2. *Questions from the Commission for Staff*
3. *Applicant Presentation*
4. *Questions from the Commission for Applicant*
5. *Public Hearing Opens - members of the public have 3 minutes to speak about the application; not a Q&A*
6. *Public Hearing Closes*



4. Discussion and Moving Towards Action

7. *After presentations and Public Hearing, ask Staff or Applicant to address questions raised during the Public Hearing*
8. *Chair leads a discussion among Commissioners on Application; Commissioners shares thoughts and views on the Application*
9. *Chair brings discussion to conclusion and asks for a motion on the Application (“May I have a motion to direct Staff to Prepare a draft Report and Recommendation...”)*
10. *Chair manages action on motion, announces the result, and notes that the draft Report will be on the next Consent Agenda*



5. How Action is Taken

1. Chair: *"May I have a Motion to..."*
2. Commissioner: *"So moved"*
3. Other Commissioner: *"Seconded"*
4. Chair: *"Further discussion?"*
5. Chair: *"Hearing none, All those in favor say "aye"*
6. Chair: *"Opposed "nay"*
7. Chair: *"The ayes/nays have it, motion passes/fails"*

**Some close items may be roll call votes*



Fourth Topic



Roles of Commissioners, Chair and Staff



Evaluating Applications



Flow of the Meeting



Conduct and Policies



1. Mindset and Conduct

- *Stay objective, keep an “open mind”, and treat all applicants fairly/equally.*
- *Reserve judgment on applications until after public hearings.*
- *Don’t advocate for/against projects that may come before you.*
- *Avoid meetings and communications with Applicants or advocates for/against projects.*



2. Laws, Bylaws and Policies

- *Don't discuss (or email/post about) projects that are/may come before you with a "quorum" of each other (Open Meeting Law)*
- *Review and follow the PC Bylaws and City Policies on Conduct (be kind and respectful of others)*
- *Attendance (don't miss more than 3 meetings w/o excuse)*
- *Technology (you'll get a City-issued device)*
- *Gifts (don't take them)*
- *Conflicts of Interest (Disclose and Recuse)*



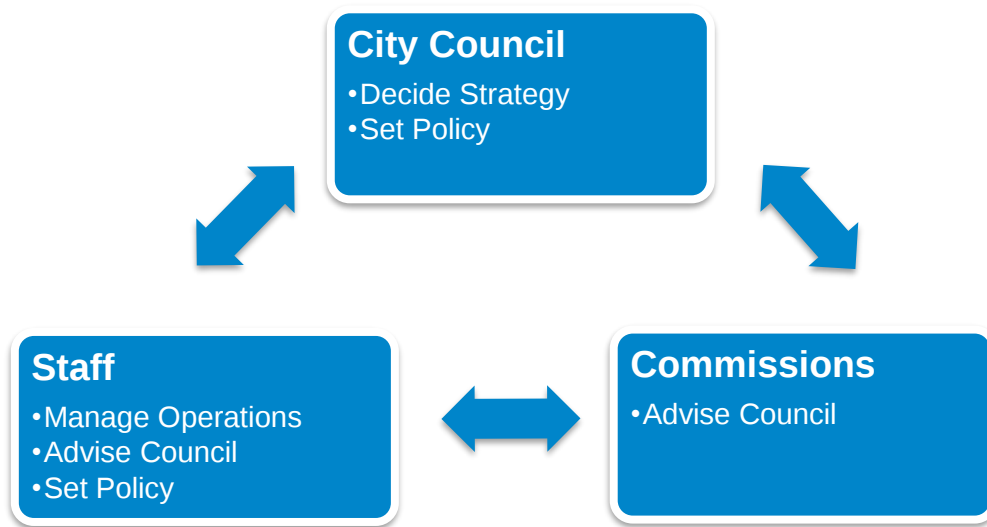
QUESTIONS?





Code of Conduct for Boards and Commissions

This Code of Conduct policy has been adopted by the City Council to both (i) highlight the roles and responsibilities of Council members, City staff, and Boards and Commissions, and (ii) establish respectful behavior guidelines for working with each other, staff, and boards and commissions.



City Council	City Manager & Staff	Boards and Commissions
- Adopts City policies - Makes policy-level decisions - Hires & supervise City Manager - Reviews and Approves - City Budget, CIPs, and related work plans - Ordinances - Developments and Land Use applications - City's Strategic Plan - Other requests/proposals under City Code - Appoints members of advisory boards and commissions	- Carries out Council policies and decisions - Manages City operations and staff - Provides advice to Council - Proposes budget and policies - Delivers City services - Enforces City codes & policies	- Advises Council on areas within their purview as established in City Code, Council directive, or Work Plan - Helps gather and provide community perspective - Propose Work Plan items and recommended Council action - Hold hearings as directed by Council and required by City Code

Working with Each Other and the Public

Our expectation is that we, and all those who participate in our proceedings, will be respectful of each other, members of the public, visitors, and City staff.

Members Should <u>Strive To</u> ...	Members Should <u>Avoid</u> ...
• Treat people with respect, courtesy, and kindness • Adhere to “Rules of Order” for all Meetings • Respect and support the Chair’s role in leading meetings and Staff’s supportive and advisory role • Encourage others to express their opinions and ideas and actively listen to what others have to say • Consider the ideas of others to improve decisions and outcomes • Recognize and respect differences • Prepare in advance for meetings and the items on the agenda • Focus on the business of the Board and Commission and the items on the agenda • Consider only factual, impartial, and relevant factors in decisions • Accept decisions of the majority once made while also respecting the opinions of the minority • Identifying your role as a Board member if presenting at a public meeting	• Speaking over or cutting off another person • Insulting, disparaging ideas, or putting down Staff, other Board members, Applicants, or members of the public • Belittling, demeaning, or patronizing comments or body language • Questioning motivations of others • Speaking for writing for other Board members, the Board as a whole, or the City unless specifically authorized to do so • Take on topics that are outside of the scope of the board • Making promises to applicants or community members • Violence or the threat of violence

Working with Staff

Board and Commission Members pledge to City Staff that they will:

- Respect staff as professionals and valued resources and members of the City’s team and not direct their work
- Support a positive and constructive workplace environment for City employees where staff are encouraged to work to their full potential
- When possible, notify the staff liaison in advance of a Board Meeting of any new information related to an agenda item, as well as anticipated questions and requests to pull agenda items from the consent agenda, so the appropriate staff can compile the information needed
- Acknowledge and understand their role as public officials, and the need for transparency and openness in conducting the City’s business and in communication with each other and with staff



Code of Conduct Policy for the Public at City Meetings

This Code of Conduct policy has been adopted by the City Council to establish respectful behavior guidelines for all who attend and participate in public meetings.

Respectful Behavior Guidelines for All Public Meetings

Our expectation is that we, and all those who participate in our proceedings, will be respectful of each other, including Council Members, board members and commissioners, other members of the public, applicants, guests, and City staff.

Persons Participating in Meetings Should Strive To...

- Treat people with respect, courtesy, and kindness
- Speak in turn and only when recognized by the Mayor or Chair of the meeting
- Adhere to the rules of the Council Chambers or other meeting room, including the safety and health protocols of the City
- Adhere to time limits for speaking (typically 3 minutes)
- Focus comments on the subject matter of the agenda item
- Highlight information that will be relevant and helpful to the deliberation of Council, or the Board or Commission
- Recognize and respect differences of opinions

Persons Participating in Meetings Should Avoid...

- Speaking over or cutting off another person's comments
- Speaking out of turn or shouting from the audience
- Insulting, disparaging comments, or putting down staff, Council members or others in public
- Using or displaying belittling, demeaning, judging or patronizing comments or body language
- Questioning motivations of others, even when there is a difference of opinion
- Violence or the threat of violence, which will not be tolerated
- Distracting or disruptive behavior, including moving around Council Chambers, not adhering to safety or health protocols, cheering/shouting

***Individuals who fail to honor these respectful behavior guidelines may be asked to leave the meeting, and the meeting may be recessed until such time as the individual/s have left the meeting and order has been restored by the Mayor and/or City Manager.**