

Memorandum

To: Sunfish Lake Mayor Dan O'Leary and City Council Members

From: Lori Johnson, City Planner

Date: February 2, 2022

Re: Sunfish Lake – Planner's Report for the February 8, 2022 City Council Meeting
WSB Project No. 019575-000

At the January, 20th, 2022 Planning Commission meeting the Commission reviewed the 2150 Charlton Road land use application that the City Council will be also be reviewing on February 8th. The details of their discussion on this item are included in the City Council staff report.

In addition to the 2150 Charlton Road application, the Commission acknowledged that they would like to start doing onsite visits prior to their meetings. This had been done in the past but the pandemic halted this element of the process. I will be sure to schedule an on-site meeting for the Planning Commission in the future for any land use applications. The Commission also questioned when in person meetings would begin again.

Commissioner Nelson expressed her concern with how the Planning Commission discussions are presented to the City Council. She stated that last year there was an issue with one project in particular, and she did not feel that the Planning Commission's views were accurately represented. I provided assurance that I would provide an accurate analysis of the discussions in my report to the City Council.

December Planning Updates

1. 369 Salem Church Road: The homeowner, through his landscape contractor, has been provided a signed copy of the approved site plan for the fence/gate that was approved by the City Council last year. Within the next week or so, the homeowner will be provided with final signed sets of plans that pertain to lighting, landscaping and the fountain proposed on the property. Please keep in mind that these plans are the plans approved by the City Council last year and providing them a copy of signed plans is a formality to ensure that they are working with the correct set of plans in the field.
2. 300 Salem Church Road: The City Engineer and I have had communication with the homeowners regarding their outstanding escrows. There is no final resolution at this time.
3. 2 Acorn Drive: The property owners have made an application for major site plan and building review to construct a new home on this property. They have been working on surveys and wetland delineations over the past few months. Staff will be meeting with the property owners and their contractors this week to discuss what information must still be provided to move forward in the process. There is no date for when this item will be reviewed by the Planning Commission.

4. 2 Sunfish Lane: The property owner has submitted a conditional use permit application to install an accessory structure in the front yard of the property. He is proposing to construct a sport court in the front yard. He is also proposing to construct a play structure in the side yard of the property and add a fence next to his existing accessory structure. Staff will be visiting the site with the applicant this week and the item is tentatively scheduled for Planning Commission review on March 17, 2022.
5. Escrows: Staff is still working through escrow return and request processes. An updated land use application has been drafted that clearly explains the applicant's responsibility to pay for the fees associated with their applications. The new application will also define submittal requirements and procedures. This information can be shared with the City Council when the final application has been completed.
6. Zoning Ordinance Updates: I will present information about the upcoming zoning ordinance update at the meeting. The attached document proposes a schedule for the update and offers an alternative to that schedule. This document will be used for discussion at the City Council meeting.

As always, I'm open to any questions or concerns about any of these issues.

Sunfish Lake Zoning Ordinance Update Timeline

45 Existing Chapters

- [1200. Index of Zoning Ordinance Updates](#)
- [1201. Short Title, Purpose and Scope](#)
- [1202. Rules and Definitions](#)
- [1203. Administration – Amendments](#)
- [1204. Administration – Conditional Use Permits](#)
- [1205. Administration – Interim Use Permit](#)
- [1206. Administration - Variances](#)
- [1207. Administration - Appeals](#)
- [1208. Site and Building Plan](#)
- [1209. Administration Inspection and Certificate of Occupancy](#)
- [1210. Enforcement and Penalties](#)
- [1211. Administration Administrative Permits and Approvals](#)
- [1212-1214. Reserved](#)
- [1215. Non Conforming Buildings Structure Uses and Lots](#)
- [1216. General Building and Performance Requirements](#)
- [1217. Accessory Buildings Structures Uses and Equipment](#)
- [1218. FENCING / SCREENING](#)
- [1219. GENERAL YARD, LOT AREA AND BUILDING REGULATIONS](#)
- [1220. BUILDING RELOCATION](#)
- [1221. HOME OCCUPATIONS](#)
- [1222. Signs](#)
- [1223. OFF-STREET PARKING](#)
- [1224. ESSENTIAL SERVICES](#)
- [1225. ANIMALS](#)
- [1226. COMMUNICATION RECEPTION / TRANSMISSION DEVICES](#)
- [1227. PUBLIC PROPERTY / RIGHTS-OF-WAY](#)
- [1228. Aircraft](#)
- [1229. Mining](#)
- [1230. ALTERNATIVE ENERGY SYSTEMS](#)
- [1231 - 1239. RESERVED](#)
- [1240. GENERAL ZONING DISTRICT PROVISIONS](#)
- [1241. R-1, SINGLE FAMILY RESIDENTIAL DISTRICT](#)
- [1242. INS, INSTITUTIONAL DISTRICT](#)
- [1243. Shoreland Overlay District](#)
- [1244. WETLANDS OVERLAY DISTRICT](#)
- [1245. AN, AIRCRAFT NOISE ATTENUATION DISTRICT OVERLAY](#)

SCHEDULE: Planning Commission would review at each meeting—no public hearing.

City Council would review at each meeting during Planner's Report.

Planning Commission: March 17, 2022

City Council: April 5, 2022

- [1200. Index of Zoning Ordinance Updates](#) – 1 page
- [1201. Short Title, Purpose and Scope](#) – 4 pages
- [1202. Rules and Definitions](#) – 15 pages
- [1203. Administration – Amendments](#) – 2 pages

Planning Commission: April 21, 2022

City Council: May 3, 2022

- [1204. Administration – Conditional Use Permits](#) – 4 pages
- [1205. Administration – Interim Use Permit](#) – 2 pages
- [1206. Administration - Variances](#) – 5 pages
- [1207. Administration - Appeals](#) – 1 page

Planning Commission: May 19, 2022

City Council: June 7, 2022

- [1208. Site and Building Plan](#) – 6 pages
- [1209. Administration Inspection and Certificate of Occupancy](#) – 2 pages
- [1210. Enforcement and Penalties](#) – 1 page
- [1211. Administration Administrative Permits and Approvals](#) – 3 pages
- [1212-1214. Reserved](#) –

Planning Commission: June 16, 2022

City Council: July 5, 2022

- [1215. Non Conforming Buildings Structure Uses and Lots](#) – 3 pages
- [1216. General Building and Performance Requirements](#) – 11 pages
- [1217. Accessory Buildings Structures Uses and Equipment](#) – 2 pages

Planning Commission: July 21, 2022

City Council: August 2, 2022

- [1218. FENCING / SCREENING](#) – 5 pages
- [1219. GENERAL YARD, LOT AREA AND BUILDING REGULATIONS](#) – 9 pages
- [1220. BUILDING RELOCATION](#) – 1 page

Planning Commission: August 18, 2022

City Council: September 6, 2022

- [1221. HOME OCCUPATIONS](#) – 3 pages
- [1222. Signs](#) – 2 pages
- [1223. OFF-STREET PARKING](#) – 3 pages

Planning Commission: September 15, 2022

City Council: October 4, 2022

- [1224. ESSENTIAL SERVICES](#) – 7 pages
- [1225. ANIMALS](#) – 2 pages
- [1226. COMMUNICATION RECEPTION / TRANSMISSION DEVICES](#) – 5 pages

Planning Commission: October 20, 2022

City Council: November 1, 2022

- [1227. PUBLIC PROPERTY / RIGHTS-OF-WAY](#) – 1 page
- [1228. Aircraft](#) – 1 page
- [1229. Mining](#) – 1 page
- [1230. ALTERNATIVE ENERGY SYSTEMS](#) – 5 pages

Planning Commission: November 17, 2022

City Council: December 6, 2022

- [1231 - 1239. RESERVED](#) –
- [1240. GENERAL ZONING DISTRICT PROVISIONS](#) – 2 pages
- [1241. R-1, SINGLE FAMILY RESIDENTIAL DISTRICT](#) – 4 pages
- [1242. INS, INSTITUTIONAL DISTRICT](#) – 5 pages

Planning Commission: December 15, 2022

City Council: January 3, 2023

- [1243. Shoreland Overlay District](#) – 9 pages
- [1245. AN, AIRCRAFT NOISE ATTENUATION DISTRICT OVERLAY](#) – 6 pages

Planning Commission: January 19, 2023

City Council: February 7, 2023

- [1244. WETLANDS OVERLAY DISTRICT](#) – 24 pages (first half)
- [1244. WETLANDS OVERLAY DISTRICT](#) – 24 pages (last half)

Engagement Event: Open House Meeting: Week of February 6th

Planning Commission: February 16, 2023

- **Review of Final Document**

City Council: March 7, 2023

- **City Council Review of Final Document**

Another option that the Council may want to consider is identifying priority sections that should be changed and process those first. This could be done in the first half of 2022. The second half of 2022 could be spent on the remainder of the zoning ordinance.

My preference would be to look at the zoning ordinance as laid out above rather than prioritizing specific chapters. This allows us to look comprehensively at the ordinance and make sure that there are no cross references that need to be addressed.

The City Council will need to identify how they would like the public to be involved with this update. In my past experience, the City Council reviewed the sections in segments as described above, and the only public involvement was through a public hearing when the overall update occurred at the end of the process. You can see that one engagement session is included in the overall schedule for the week of February 6th. This can be a topic of discussion at the City Council meeting.

Another way to communicate with the public on these ordinance changes would be to put something on the website each month providing a summary of what the Council has been working on with regards to the Zoning Ordinance. This would keep the public informed and let them know they will have a chance to comment at the end of the process.