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**To:** Chair Hansen and Members of the Planning Commission

**From:** Daniel R. Buchholtz, MMC, Administrator, Clerk/Treasurer

**Date:** April 21, 2022

**Subject:** Performance Standards Update

At its April 18 meeting, the City Council approved an interim ordinance (Ordinance 479) establishing a moratorium on the approval of building permits that require site plan review under Section 16.20.060 of the City Code. The City Council became concerned that its current list of prohibited exterior materials was insufficient to prevent development not meeting the City Council's vision and was significantly behind standards set forth in the communities adjacent to or in close proximity with the City of Spring Lake Park.

Staff has been working on an amendment to Section 16.28 of the Zoning Code relating to performance standards. The proposed ordinance amendment updates the existing performance standards to meet current development standards.

Some of the performance standards (Noise, Vibration, Fumes and Gasses, etc) referenced reports and studies from the 1940s and 1950s to establish standards. Those have been updated to reference current MPCA or MDH regulations or current State rules.

Exterior lighting standards have been strengthened to require mitigation to limit glare and spill light onto neighboring properties. While this has been a standard requirement in our review, the ordinance specifically outlines those mitigation measures.

Language creating performance standards for toxic and noxious matter, radiation, heat and humidity, electromagnetic interference, and liquor or solid waste have been added to the list of performance standards development must meet.

Significant changes have been proposed to the visual performance standards. Currently, the code only prohibits sheet metal, unfinished structural clay tile, common concrete masonry units, concrete brick or similar materials, unless used with other materials for good architectural design and appeal. The City Council requested these standards be enhanced to ensure consistent development to the goals outlined under the City's site plan review process, which states in part that "it is the policy of the city to encourage excellence in site and building design of commercial and industrial development in zoning districts C-1, C-2, C-3 and I-1."

After review of neighboring city codes, staff discovered that the vast majority required a significant upgrade in building materials over our current standards. The proposed ordinance limits non-residential exterior building finishes to be materials of comparable quality to:

1. Face brick
2. Natural or cementitious stone
3. Decorative concrete block or integral colored block
4. Architectural glass
5. Stucco, including EFIS
6. Fiber cement siding
7. Precast concrete
8. Curtain wall panels of steel, fiberglass and aluminum so long as they are factory fabricated and do not exceed 20% of any wall surface (minus overhead doors).
9. Other materials deemed appropriate and subject to approval by the Zoning Administrator.

The proposed ordinance also suggests that building elevations and facades include a variety of architectural features and building materials to provide visual interest and give each project a distinctive character.

Each of the commercial redevelopment projects either constructed or currently under consideration meet the proposed new standards.

The City Council is concerned about the construction of all-metal buildings, which would be permitted under current regulations.

Staff is seeking feedback on the proposed ordinance from the Planning Commission and the public before finalizing an ordinance amendment for potential adoption by the City Council.

If you have any questions, please don't hesitate to contact me at 763-784-6491.