

City Council/Planning Commission Workshop

Tuesday, September 21, 2021 6:30pm

Present: Wendy Ward, Gwen Roden, Lon Pardun, Kristina Smitten, Gerry Mroska, Tim Casey, Jennifer Henry, Scott Spisak, Anna Hagstrom, Sandy Sanderson (zoom)

Absent: Charlie Anderson, Kevin Nyenhuis

Acting Mayor Pardun called the joint workshop to order at 6:30pm. The purpose of this workshop is to review the proposed zoning code amendments.

The Commission has put together a spreadsheet of items that they are looking for input from the Council and prioritize those items for the Commission.

1. **Lot area requirements** – a review of vacant lots. Smitten noted that many cities are going away from lot size requirements and more towards whether the lot meet setbacks. Pardun noted this is more of a fitting the house to the property rather than does the property meet the lot size prior to putting on a house. Scott Spisak noted that the average lot size seems to be around 22,000 sq ft and our code requires a minimum of 30,000. Roden noted that Jack Warren was concerned that new building areas needed to be large enough to house two septic systems as the City sewer system was at capacity.
2. **Solar Language addition** – Great Plains Institute had come in 2015 to create solar language, however the language has evolved and this needs to be looked at again. The Group agreed that this should be a priority item.
3. **Vegetative Cutting** – This is something that the Commission would like to review and update to look into permits outside of the river district. A concern was raised regarding enforcement.
4. **Driveway Standards** – This was brought up by the City public works department, along with concerns of ponding along Rose St. and suggested specific language for the Commission to consider. The group thought this could be an easy insertion to the code.
5. **Septic Requirements** – This item weighs into the minimum lot size discussion. Pardun noted that it has been determined that there is additional capacity to the septic system, however not every lot has the ability to connect to the system because the line does not reach. Pardun also has concerns with tank location and wants to make sure that the tank is not placed in the water table.
6. **Overall Consistency with Comprehensive Plan** – The Commission would like to do a side by side comparison of the comp plan and zoning code to make sure there are no inconsistencies. Part of the Comprehensive Plan adoption process, the City should be making sure that the Zoning Code has the correct language to implement the items in the Comp. Plan. Roden noted there was

language in the Comp. Plan that was required by the Met Council that the City knew it could not fulfill. The Council listed this as number 2 in the priority list.

- 7. Definitions Review** – Some of the definitions listed are Essential Services, Residential Care Facilities, Steep Slope, Wetland and Solar. Henry noted that the City has nothing for residential care facilities which is covered by the Federal Government and if the City has not addressed it then there is no oversight. There should be review of both the State and County ordinances.
- 8. Substandard Structure** – Redefined requirement.
- 9. Poles, Towers etc** – This was done with the wireless communications ordinance rewrite
- 10. Refuse** – Include need for trash enclosures. Discussion was held as to whether trash containers should be required to be enclosed in all districts as proposed or if it should be zoning district specific. Tim Casey is concerned with the term “enclosed” versus “screened”. Clerk Peterson believes the current draft is confusing as its worded. The consensus was that that the zoning districts should be separated into residential and commercial. Commercial should state “screened or enclosed” and residential should state “ hidden from view”.
- 11. Seasonal Produce Signs** - Should review at a later date.
- 12. Zoning Map** – There are a few updates that need to be made due to errors. This will require a Comprehensive Plan amendment.
- 13. Residential Care Facilities** – This could include multi-generational housing.
- 14. Tree Preservation** – This was brought up with the Urban Forest committee. The City needs to decide what are the goals with tree preservation.
- 15. Limited Industry Building Guidelines** – Create exterior color guidelines and construction materials requirements.
- 16. 504.7 Credit** – Allow for open space discretion in priority locations and not only at the proposed development site.
- 17. Summary Table and Zoning District Comparison** – Tim Casey believes that would be a good reference point, but the applicant would still need to dig further into the code for specifics.
- 18. Review of Colors allowed in Village Center** – Review of exterior colors be earth or summer vegetation tones. Clerk Peterson advised there is a book from the DNR with acceptable colors, which covers a vast array.

**19. Lighting Nuisance** – Consideration modification to include parking lot and security lighting, Linear LED or neon architectural and a potential curfew time for exterior house lights. Pardun is concerned about enforcement, especially with a curfew time.

**20. Wireless Communications Ordinance** – Proposed ordinance complete and ready for City approval.

Discussion was held on the variance process and the need for a checklist for applicants. Clerk Peterson noted there is a variance checklist created by the Planning Commission that the applicant receives. The staff also reviews the request with all applicants and reviews the timeline prior to presenting to the Planning Commission. A suggestion was made to add a FAQ section to the website with the information to help people understand the process prior to attending a Commission meeting.

Pardun does not believe the official priorities should be set tonight with two Council members not in attendance, however he could like to see solar, the comprehensive plan zoning map and residential care facilities as the top three. Gerry Mroska believes those items will require a consultant to assist.

The proposed redlined Zoning changes were then reviewed by the group.

Ward questioned 2-11 Mining – and why it is listed as not allowed in any district. It was clarified that it was a definition only and the restriction is listed elsewhere.

Ward questioned the term “tavern” in the definition – the commission thought it may have to do with State Statute terms and a definition was created as it was referenced later in the code.

Ward questioned 402.3 and the reference to limited industry if the City does not have that district. Smitten noted that there is a limited industry area, however the zoning map had it excluded by accident which is one of the changes needed.

Roden questioned the number of person requirement for boarding house was changed to six. Scott Spisak noted the previous number was 20 so the Commission thought six was a better number.

Roden questioned 505.5(4a) Seasonal produce stands and the requirement that produce must be grown on your own property. Smitten noted there was a concern that a resident would set up a stand with commercial produce, or year long stand. Discussion was held on changing the terms to grown within the city limits.

Pardun questioned 401.3 - Nonconforming Use – Abandonment and the requirement that six months is much too short of a timeline. Smitten was okay changing as long as there is nothing in State Statute that restricts that. Spisak believes there should be a separation of abandonment versus destruction. Roden questioned the definition of abandonment versus a snowbird that leaves for six months. Pardun noted usually abandonment means no light or heat, etc. After further discussion, it was determined that the use is what is discussed, not the building so there is no need to change.

Smitten requested the Council look at the schedule for setting the public hearing and approving the revisions and also to look at a timeline for the priority items for next year.

Ward moved and Roden seconded to close the joint City Council and Planning Commission workshop at 8:50pm. All in favor, motion passed.