

MINUTES
CITY OF LONSDALE
REGULAR PLANNING & ZONING COMMISSION MEETING
AUGUST 19, 2010

MEMBERS PRESENT:

Jim Freid, Joe Kodada, Dave Dols, John Duban, Ben Sticha, and Harold Vosejпка

MEMBERS ABSENT:

Scott Pelava

STAFF PRESENT:

City Planner Benjamin Baker

1. CALL TO ORDER

Kodada called the meeting to order at 6:30 pm in the Council Chambers at 415 Central Street West.

2. AGENDA

Kodada asked if anyone had any additions or deletions to the agenda.

A motion was made by Duban and seconded by Freid to approve the agenda as presented.

Vote for: Freid, Kodada, Duban, Sticha, and Vosejпка; Against: None. Vote: 5-0. Motion carried.

3. APPROVAL OF MINUTES

A motion was made by Sticha and seconded by Duban to approve the minutes from the July 15, 2010 regular meeting. Vote for: Freid, Kodada, Duban, Sticha, and Vosejпка; Against: None. Vote: 5-0. Motion carried.

4. PUBLIC COMMENT

None

5. PUBLIC HEARING

None

6. GENERAL BUSINESS

a. Update on Recent City Council Action and City Projects

Baker provided the Planning Commission with an update on recent City Council actions and City projects. He mentioned that Prior Lake Blacktop recently completed a new overlay of Singing Hills Drive SE, and he said that the same contractor also paved a

stretch of the Co Rd 33 Trail, running from Main Street South to Bluff Heights Drive SE. He mentioned that the Central Street Sidewalk Project was completed by Chard Tiling & Excavating. Baker said that once MnDOT's contractor is finished with the Northfield to I-35 stretch of Hwy 19, they will be returning to pave the shoulders along Hwy 19 from Lonsdale to Hwy 13 east of New Prague. Baker stated that the City Council approved the MnDOT Welcome Sign Landscaping Plan at their July 29, 2010 meeting, and he briefly explained the background and upcoming timeline for the project. He also updated the Commission on the CapX2020 Project and showed a map of the approved route running north of Elko New Market. Included in the staff report was a picture of the newly paved Central Street Sidewalk and the Co Rd 33 Trail.

Dols arrives at the meeting. Dols takes over for Kodada as the Planning Commission Chair.

b. Review Regulations Regarding Farm Animals Within City Limits

Baker mentioned that due to recent requests for honey bee hives and chickens and the increasing popularity of urban farm type uses in other cities, the Planning Commission has been reviewing the City's current regulations pertaining to animals. He said that after the Commission reviewed and discussed the issue, they suggested adding more detailed language to City Code Section 90.01, Prohibited Types of Animals. Baker said that the current City Code regulates some specific types of animals, but farm-type domesticated animals are not included in the list of prohibited animals. He also mentioned that the zoning ordinance does not list the keeping of any animals as a permitted or prohibited use.

Baker provided the Commission with proposed ordinance language, adding three new subsections to Section 90.01. He said that the new ordinance language would specifically prohibit the keeping of honeybees, poultry, and hooved animals, as suggested by the Planning Commission at their July meeting.

Overall the Commission liked the proposed ordinance amendment except they questioned and discussed whether or not the keeping of honey bee hives should be prohibited. Kodada said that there are currently residents in town that have honey bee hives, and he asked if City staff has received any complaints. Baker said that City has not received many complaints about existing honey bee hives in town. He mentioned that people have been asking City Hall if bees are a permitted use or not, and he recommended that the City consider adding specific language regarding the keeping of honey bees into the City Code. The Commission agreed that detailed language was needed.

Kodada suggested that the City of Lonsdale should allow the keeping of honey bees contingent upon safety regulations similar to those stated in the Minneapolis City Code section on honey bees. Freid disagreed, and he said that he doesn't want any honey bee hives located around his property. He said that if bees are allowed, then the City could be

held liable in possible legal cases related to honey bee injuring people. The Commission discussed requiring a specific setback and fencing around any hive. Baker suggested that the keeping of honey bees only be allowed with an approved Conditional Use Permit. The Commission liked that idea, stating that they could review each case on individual basis and base their decision on the proximity to surrounding neighbors.

The Commission agreed with the proposed ordinance language, prohibiting hoofed animals and poultry. Baker said that he will revise the ordinance according to the comments and suggestions of the Planning Commission, and bring it back to the next meeting.

c. Review Fencing Regulations

Baker stated that although Lonsdale has a very good and thorough fence ordinance and permit process, he suggested that the Planning Commission may want to consider reviewing and updating the fence ordinance. Baker presented the Planning Commission with a number of past issues and complaints that have arisen over the last few years concerning Lonsdale's permit process and strict rules for fences. He mentioned that many residents have been frustrated with the tedious permit process and setback regulations involved with obtaining a fence permit. He said that a few residents have felt that they are not able to utilize their entire property because of the 5 ft. setback regulation and required agreements. He mentioned that some residents feel that the ordinance provides the neighboring property owners with too much power. Baker mentioned that some neighbors are unwilling to sign a fence encroachment agreement or that they may take too long before returning a notarized signature to the fence permit applicant. Baker noted that many homes and lots in town are vacant, foreclosed, or bank owned, which makes it difficult for some residents to obtain the required signatures. He also stated that many applicants have a hard time filling out the template agreement correctly, and he explained that the County Recorder's Office will not record any documents with minor information missing. Baker noted that after checking with other cities and the League of Minnesota Cities, he has found that it is nearly impossible to create a fence ordinance that works well in all situations.

In order to proceed with the drafting of a revised and updated fence ordinance, Baker asked the Planning Commission to provide insight and comments regarding six fence related topics: 1) setbacks for low-maintenance fences and wood fences, 2) when a neighbor agreement should be required, 3) fences in easement areas, 4) agriculture fencing, 5) requirements for dog kennels, garden fences, and patio screening, and 6) temporary fencing. The Planning Commission discussed each issue in detail, and Baker projected associated fence pictures on the whiteboard for each fence topic that was talked about.

The Commission agreed that low-maintenance type fences should be allowed to come up to the property line without an agreement. Kodada and Freid stated that privacy fences and wood fences should be setback at least two feet from the property line without a signed agreement. Vosejka mentioned that he would rather see fences located right on the property line to eliminate the chance of small 2 – 5 ft. strips of unkept grass/weeds from popping up on the other side of their fences.

The Commission all agreed that temporary fencing, small patio/trash can screening, dog kennels up to 144 sq ft, and garden fences shall not require a fence permit. Some of the Commissioners stated that dog kennels should be kept in the rear yard.

The Commission decided that straight wire type agriculture fences should not be permitted in town. Baker asked about grid style wire fences supported by permanent wood posts. The Commission stated that they did not want chicken wire type fences used as boundary fencing. Dols suggested that permitted agriculture fencing could be based on wire gage. Sticha stated that vinyl-coated chain-link fencing lasts much longer than galvanized. Kodada said that silt fencing should come down before a final certificate of occupancy is issued.

The Commission briefly discussed pool fencing. They agreed that fencing should not be mandatory for temporary/portable pools. They stated that pool owners should be responsible for removing their pool ladders and that parents should be responsible for watching their children.

MISCELLANEOUS

Dols asked if the City had any regulations for golf carts driving on City streets and trails. Baker said that he would check with the Police Chief to see what the current rules were.

Dols asked if anything can be done to prevent dog waste from accumulating along local trails. Freid suggested that the Park Board add ordinance language specifically prohibiting pets from relieving themselves within park play areas.

7. ADJOURNMENT

A motion was made by Sticha and seconded by Duban to adjourn the meeting. Vote for: Freid, Kodada, Dols, Duban, and Sticha; Against: None. Vote: 5-0. Motion carried. The meeting ended at 8:23 pm.

Respectfully Submitted:

Benjamin Baker, City Planner