

MINUTES
CITY OF LONSDALE
REGULAR PLANNING & ZONING COMMISSION MEETING
AUGUST 18, 2011

MEMBERS PRESENT:

Scott Pelava, Dave Dols, John Duban, and Ben Sticha

MEMBERS ABSENT:

Joe Kodada and Jim Freid

STAFF PRESENT:

City Planner Benjamin Baker

1. CALL TO ORDER

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

2. AGENDA

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

A motion was made by Duban and seconded by Sticha to approve the agenda as presented. Vote for: Dols, Sticha, and Duban; Against: None. Vote: 3-0. Motion carried.

3. APPROVAL OF MINUTES

A motion was made by Sticha and seconded by Duban to approve the minutes from the June 16, 2011 meeting. Vote for: Dols, Sticha, and Duban; Against: None. Vote: 3-0. Motion carried.

4. PUBLIC COMMENT

None

5. PUBLIC HEARING

None

6. GENERAL BUSINESS

a. Update on 2011 Residential Building Permits and Residential Lot Inventory

Baker provided the Commission with a mid-year update on residential building permits and lot inventory. He noted that the City has issued 13 new single family home permits in 2011. He stated that Lonsdale still has 371 platted lots available. The Commissioners reviewed a development map of the Eagle Creek and Shadow Stone, showing existing homes, homes under construction, and remaining Mattamy lots.

b. Review Setback Regulations for Swimming Pools

Baker explained that over the summer months the City has received a few complaints about neighbors locating temporary swimming pools within the front yard or too close to the side yard property line. He said that while researching the issue, City staff noticed that City Code §153.081, Swimming Pools, only prohibit pools located within a required front or side yard setback. Baker said that although the intent of the ordinance was not to allow pools within any residential front yard, the ordinance actually states “front yard setback”, which is thirty feet. He went on to explain that swimming pools placed back far enough from a home and behind the front yard setback line are technically allowed according to the current Code language. After looking at a local example of a front yard pool and discussing the issue, the Commissioners suggested that the City reword the Code language to disallow any pools in the front yard. Baker noted that he would also like to include updates to the swimming pool section of the City Code to address different types of pools and permitting.

c. Review Material and Design Standards for Residential Roofs on Single Family Homes

Baker said that over the past few years the City has received a few inquiries about allowing metal roofing on single family residential homes. He explained that the current ordinance states that single family homes must have shingles or tiles but it does not specifically reference roofing material type. He said that the City typically advises residents looking to reroof their homes to match the surrounding built neighborhood which have asphalt shingles. The Commissioners looked at example pictures of both vertical metal roofing and shingle style metal roofs. After discussing the issue, the Commissioners agreed that the City should not consider allowing vertical-type metal roofing in residential neighborhoods. They also agreed that shingle-style metal roofs should be allowed along with conditions for thickness and glare.

d. Revisit Ordinance 2010-238 Concerning a petition Submitted by Kathy Kahler

Baker explained that Kathy Kahler, of 315 2nd Avenue SW, submitted a petition earlier in the year to the Planning Commission and City Council that listed a number of supporters in favor of an ordinance amendment to allow for regulated chickens. He mentioned that Kahler asked the Planning Commission and the City Council to relook at Ordinance 2010-238 and reconsider allowing chickens with specific conditions/regulations, as stated in her petition. Baker went through the suggested petition ordinance language and the staff report with the Commissioners. He provided background information on the current ordinance along with a list of reasons why people raise urban chickens, a list of potential issues with urban chickens, and a list of standard regulations to consider if the City chooses to permit and regulate urban chickens. The Commission reviewed other relevant information on the subject provided by the League of Minnesota Cities, the American Planning Association, and area newspapers articles. Baker read through an opinion letter submitted by Planning Commissioner Joe Kodada, who was not in attendance at the meeting, stating that urban chickens should not be allowed within City limits. Kodada’s letter listed reasons supporting his viewpoint on the subject including odor, enforcement issues, and concern from other citizens.

The Planning Commission briefly discussed the issue, and then they opened up the discussion to the four audience members in favor of allowing regulated urban chickens with City limits:

- James Vosejka, 210 Ash Street NW,
- Joseph and Sandi Hrimnak, 321 4th Avenue NW, and
- Kathy Kahler 315 2nd Avenue SW

J. Hrimnak said that he has kept hobby chickens on his edge-of-town property for over twenty years. He mentioned that previous City administration said that he could keep chickens as long as no one complained. He said that if chicken coop inspections are initiated by the City then dog kennel inspections should be required too. He mentioned that he has his coop secured with fencing so the chickens can't get out and predators can't get in. S. Hrimnak said that some people would be grateful to live in a town that allows for chickens. She mentioned that people are trending towards getting back to the basics such as agriculture and gardens.

Kahler stated that she has not received any complaints from her neighbors about the chickens she keeps on her property. She said that urban chickens do not lower neighboring property values. She mentioned that well kept chicken coops typically do not produce much of an odor. She stated that raising chickens is relaxing and can be a passionate hobby for some people. She said that if the City did allow regulated chickens in town, that the majority of people with permits would do it the right way.

Duban said that chickens really are not any different than cats or dogs. He mentioned that he could not see Kahler's coop from the roadway. Sticha said that keeping chickens can be a lot of work. Sticha asked Kahler where her chickens are kept during the winter. Kahler mentioned that there are different ways to keep the chickens and chicken food warm during the winter months.

Vosejka stated that other cities such, as Minneapolis and St. Paul, allow regulated chickens, and he asked why Lonsdale shouldn't consider allowing them as well. He said that chickens can help keep the nuisance insect numbers down. He said that the Lonsdale Feed Mill actually keeps records on file of feed sold to chicken owners in case a bird flu pandemic erupts.

Dols stated that the City needs to look out for the interests of everyone in the community, including citizens that do not want chickens in town. He agreed that regulated chickens kept by a small number of responsible and educated caretakers probably wouldn't create many issues, but he said that abandoned or loose chickens could cause plenty of problems for the City. Pelava stated that although he does not prefer allowing chickens in town, he is trying to be open-minded about the issue. He mentioned that there probably is not enough support from the City Council or City residents to change the ordinance at this time.

Dols thanked everyone for their comments on the issue. Baker explained the City approval process for applicants wishing to get an ordinance amendments passed. Baker stated that the informal feedback given by the Commissioners should be enough for

Kahler to make an educated decision on whether or not to proceed with a text amendment to the City Code.

No action was taken on the issue.

7. MISCELLANEOUS

Baker reminded the Commissioners that there will be a special Government Training Services Planning Workshop on Saturday, September 24, 2011.

8. ADJOURNMENT

A motion was made by Duban and seconded by Sticha to adjourn the meeting. Vote for: Dols, Sticha, and Duban; Against: None. Vote: 3-0. Motion carried. Motion carried. The meeting ended at 8:22 pm.

Respectfully Submitted:

Benjamin Baker, City Planner