

**New York Mills Zoning Committee
Regular Meeting
January 31, 2017
1:00 p.m.**

CALL TO ORDER AND DETERMINATION OF A QUORUM

The regular meeting of the New York Mills Zoning Committee was scheduled for 1:00 p.m. in the Council Chambers of the City Hall, New York Mills, Minnesota, all members of the Committee having been notified of the meeting. A quorum was present.

Members Present: Chairperson Dianna Wallgren, Greg Imsande, Mike Parta, Ken Peltier, Tim Johnson, Latham Hetland

Members Absent: Jann Lee

Staff Present: Administrative Assistant Cheri Kopveiler, Zoning Administrator David Delaney

Call to Order: The regular January meeting of the New York Mills Zoning Committee was called to order at 1:02 pm by Chairperson Dianna Wallgren. **A quorum was present.**

Approval Minutes: Chairperson Dianna Wallgren noted that the agenda incorrectly called for the approval of Minutes from the April 19, 2016 Regular Meeting. It should have read the May 24, 2016 Regular Meeting. With that change, she asked for approval of the minutes.

A motion was made by Greg Imsande to approve the minutes of the May 24, 2016 meeting, seconded by Mike Parta and carried without a dissenting vote.

New Business:

A. New Zoning Committee Member Latham Hetland—

Chairperson Dianna Wallgren welcomed Latham Hetland who will now be the City Council representative for the Zoning Committee, replacing Josh Hoaby.

Old Business:

A. Final Review of Ordinance—

1. Impervious Surface—

Chairperson Dianna Wallgren noted that after discussion at a previous meeting, a change was made to the regulations for impervious surface in Residential Districts. Decks will no longer be considered impervious surface IF the applicant can demonstrate that the underlying surface will be properly prepared to make it pervious and if the surface boards of the deck are

placed at least 1/8" apart. Definitions were added to the ordinance for permeable, pervious and porous pavers. Pervious pavers (where moisture soaks through the block itself) will be exempted from impervious surface regulations as long as the underlying surface has been properly prepared to allow for immediate absorption. The other two types of pavers will still be considered impervious.

The Zoning Committee agreed unanimously to make these changes.

2. Front Setbacks—

Front setbacks were discussed once again. Administrative Assistant Cheri Kopveiler noted that there is now a distinction between accessory buildings and other accessory structures. The Committee discussed whether the setback for accessory buildings of 30' should be reduced to allow for detached garages in front of houses. They decided to leave the 30' setback in place so there is still no allowance for buildings to be in front yards. After discussion, members agreed to allow accessory structures (decks, fences, patios etc) in front yards without setbacks other than having to remain out of right of ways. Accessory structures will not have a required setback from principal structures, but accessory buildings will continue to have a 10' setback from principal structures to coincide with state fire code.

3. Manufactured Home Park Regulations—

Chairperson Dianna Wallgren directed the Zoning Committee members to sections in both Residential and Commercial/Industrial sections regarding Mobile home Parks. She suggested that items 5 and 7 of the current ordinance be removed. Number 5 requires tenant storage to the extent of 90 cubic feet of individual storage space per mobile home space be provided. Number 7 requires laundry drying facilities be provided as well. Discussion ensued. The Committee agreed that these two requirements were unreasonable as a requirement for mobile home park owners. They will be removed.

4. Waste Materials—

Administrative Assistant Cheri Kopveiler suggested that the regulation for Waste Materials in General Requirements for Commercial and Industrial Districts, Section HH, Waste Materials be rewritten. The current section states that no waste material may be washed into the sanitary sewer system without first obtaining a permit from the City. Kopveiler stated that the City does not issue permits and suggested new wording which coincides with City Ordinance No. 75 going into great detail regarding regulations over the City's sanitary sewer system, water supply and stormwater system. Wording in this ordinance comes directly from the MPCA and gives a much more complete view of what

the MPCA allows and does not allow. Public Works Director Kyle Mattson read over the proposed paragraph and approved of its content. It also refers to City Ordinance No. 106.04 (Nuisance Ordinance) which applies to placing anything harmful into the public water supply. Zoning Committee members approved the wording as presented.

5. Sign Height—

Chairperson Dianna Wallgren referred to a proposed change in maximum allowed height for signs in Commercial and Industrial districts, specifically along the interstate and near the overpass. Administrative Assistant Cheri Kopveiler researched several other cities along highway 10 for what they allow. Discussion ensued. It was decided to place the maximum height of signs at 65' which is what the Cenex sign is now. It was decided not to place a distance restriction or use average grade to determine allowable height.

6. Zoning Map—

a. Review/Amendments—

Chairperson Dianna Wallgren asked the Zoning Committee to review the current map and suggest any changes they felt were necessary. She pointed out one area that was inadvertently zoned differently with the adoption of the map in 2008 compared to the previous official zoning map. Two parcels running parallel to Carlund Parkway across from the sculpture park and commercial park were previously zoned commercial and with the new map were accidentally zoned Residential A. Wallgren suggested that rather than change this area back to commercial, it be changed to RBC which would make a consistent buffer zone between the Commercial/Industrial Park and the residential areas to the north. This would also include the lot owned by Roach Development containing Country View Townhomes, the first apartment complex built in the area, which is zoned RB. The second apartment complex built by the same owners which lies across John Mark Avenue to the east is zoned RBC. This would eliminate any appearance of spot zoning and would give continuity to the area as well as allow for light commercial use on the vacant lot. After discussion, the Zoning Committee agreed to make this area RBC on the new map. No other changes were suggested.

b. Approval of New Map—

With the change referred to in a. above, the new map was approved.

A motion was made by Ken Peltier to approve the changes addressed above to the ordinance and to approve the official zoning map with the

included change referred to above from RA to RBC. The motion was seconded by Greg Imsande and carried without a dissenting vote.

New Business Cont.

B. Set Public Hearing Date—

The Public Hearing for consideration of adopting the new Zoning Ordinance (No. 125) was set for Tuesday, February 28, 2017 at 1:00 p.m. in the Council Chambers of the City Hall. The public hearing will be posted, published in The Dispatch and online.

C. Recap of Zoning Permits Issued in 2016—

Chairperson Dianna Wallgren directed members to the spreadsheet showing all zoning permits issued in 2016 which was included in the packet. She noted that there were 36 permits totaling \$1,346,932 in project costs in 2016, compared to 28 permits totaling \$342,346 in 2015. Larger projects included one new home in 2016 along with an addition to Brunswick, The Barn at the sculpture park and a new Dollar General store.

D. Zoning Administrator's Report—

Zoning Administrator Dave Delaney noted that there were quite a few permits issued, but the majority of them were smaller projects such as fences, decks and storage sheds. He remarked that it is frustrating trying get people to comply with the permit process and stated it takes much of His time speaking with the same people repeatedly to fill out the paperwork completely.

E. Other New Business—

None

Next Meeting Date:

The next meeting of the Zoning Committee will be held on Tuesday, February 28, 2017 *beginning at 12:45 pm prior to the public hearing.* The meeting will resume after the conclusion of the public hearing to finalize the ordinance and prepare a recommendation to the City Council.

Adjournment: The meeting was adjourned by Chairperson Dianna Wallgren at 1:44 p.m.

Respectfully Submitted by,

Cheri Kopveiler
Administrative Assistant/Zoning