

MINUTES	Monday, September 26, 2011		
Land Use Committee		5:41 PM	
Hall			Carnegie Town
Street			235 West 10th

Members Present: Council Member Rex Roling, Council Member Michelle Erpenbach, Council Member Kenny Anderson Jr., Council Member Dean Karsky

Members Absent: None

Staff Present: Denise D. Tucker, CMC, Assistant City Clerk

Guests: Jeff Schmitt, Shawna Goldammer, Char Wollan, Jonathan Ellis, Kevin Smith, Don Kearney, David Bixler, Mike Cooper, and Greg Jamison

1. Call To Order

Committee Chair Rex Roling called the meeting to order at 5:41 p.m.

2. Approval of Minutes

A. Monday, July 25, 2011

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Kenny Anderson Jr. to approve the minutes.

Roling called for a voice vote. All members present voted yes. Motion Passed.

3. Discussion

A. Zoning Amendments (Defining Country Clubs and Allowing for Specific Use) by Jeff Schmitt, Chief Planning and Zoning Official

Jeff Schmitt, Chief Planning and Zoning Official, said the City has two country clubs, Minnehaha and Westward Ho. The zoning district that they are in is the RC-Recreation Conservation. In the RC zoning ordinance, the country club is not a defined use. He said there isn't a standard for what a country club is and therefore they aren't allowed in an RC district. Schmitt said this is a grandfathering issue and a housekeeping measure. He said they would like to define country clubs and allow them in RC districts.

The second thing they would need to do is define what a country club is allowed to do. Schmitt said as part of the club house facility, country clubs serve alcohol and now they would like to sell alcohol. Discussion followed.

Schmitt said he would like to get an ordinance drafted and present it to the Committee in the next four to six weeks. Anderson expressed concerns about

country clubs being able to sell off-sale alcohol. Other Committee members expressed concerns also. Schmitt will return to the Committee's November meeting. Rolwing presented Schmitt with the option to return in October if the Committee's agenda is not too full.

B. Chapter 24, Licensed Manufactured Home Parks Ordinance Amendment Proposal by Shawna Goldammer, Zoning Enforcement Manager; Kevin Smith, Assistant Director of Planning and Building Services; and Jeff Schmitt, Chief Planning and Zoning Official

Shawna Goldammer, Zoning Enforcement Manager, presented the final draft of the proposed Licensed Manufactured Home Parks Ordinance. She said the process to update this ordinance began earlier this year. Staff reviewed the ordinance and found a need for more specific language about placement permits, initial inspections after the permit is issued, and when necessary, the revocation of an issued placement permit. An open house was held in May. Goldammer said most of the discussion focused on data plates, which provide information about performance and thermal zones. If a data plate is missing a copy can be obtained. The proposed ordinance will require a copy of the data plate with a placement application. If the ordinance passes, after January, 2012, no data plate, no placement permit. Goldammer said other changes were discussed.

Anderson Jr. offered thanks for the proposed changes to the ordinance. Discussion occurred about a possible reduction in landfill tipping fees for owners bringing in demolished mobile homes. Goldammer said this issue is not in the proposed revisions.

Karsky said he was glad we weren't backing down on the data plate requirement.

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Dean Karsky to have the ordinance move onto the full City Council for a 1st Reading on October 17, 2011, and a 2nd Reading on November 7, 2011.

Rolwing called for a voice vote. All members present voted yes. Motion Passed.

C. Zoning Ordinance Amendment to Allow Street Legal ATVs and Utility Trailers to be included in the Definition of Personal Passenger Vehicles by Shawna Goldammer, Zoning Enforcement Manager

Goldammer presented a PowerPoint presentation. She reviewed residential parking requirements. The request is to allow expansion in the various zoning districts. Goldammer said ATVs are currently considered recreational vehicles and not personal/passenger motor vehicles. She said the question is whether ATVs, which are street legal, and trailers should be allowed to be parked in front driveways. ATVs are currently allowed for up to 48 hours. Trailers are to be parked in the back yard on a hard surface.

Goldammer said she didn't have an ordinance drafted and brought the information forward to the committee at the request of the public. Councilor Greg Jamison said he was working with a constituent, who has a street legal ATV, but could

not park it in his driveway. He thought it wasn't fair that it wasn't treated like a motorcycle. Jamison agreed with him and said it seems like a minor change to the ordinance to include them in the definition of personal vehicles. Jamison said that there should be a caveat that the ATV be street legal and licensed. He said he would encourage additional discussion about trailers.

Erpenbach said trailers should be allowed in driveways and not on the street, because they are hazardous. Karsky and Anderson Jr. agreed that the definition for personal/passenger vehicles should be changed to include ATVs. Roling suggested changing the ordinance to have RV and trailers, both allowed in driveways for only 48 hours. The committee members said they shouldn't change the definition for trailers. Roling asked Goldammer to return to the Land Use Committee in October with an ordinance regarding ATVs.

#### D. Urban Agriculture: Trends and Current Conditions by Shawna Goldammer, Zoning Enforcement Manager

Goldammer gave a PowerPoint presentation on Urban Agriculture, which focuses on plants and animals. She said zoning ordinances do support horticulture. Small animals and fowl are allowed to be raised and kept in the City, but not on a commercial basis or a size objectionable to neighboring property owners. Goldammer said this includes chickens. She gave a brief history on Urban Agriculture. She concluded her presentation with numerous questions for the committee, in an attempt to see how to proceed.

Karsky asked about the keeping of other small animals, such as goats. Goldammer said they are allowed. Discussion followed. Char Wollan, citizen, spoke about the need for an ordinance banning livestock, from being kept, in the City. Discussion followed. Committee members agreed that something needs to be done. Roling asked Goldammer to obtain some ordinances, on the topic, from other cities. Discussion followed. Roling said he would meet with Goldammer to come up with some ideas and will present them at the next Land Use Committee Meeting. Erpenbach asked that the nonprofit group, Urban Ag, to be included in future discussions.

#### 4. Open Discussion

There was none.

#### 5. Adjournment

A motion was made by Council Member Dean Karsky and seconded by Council Member Kenny Anderson Jr. to adjourn the meeting at 6:52 p.m.

Roling called for a voice vote. All members present voted yes. Motion Passed.

Denise D. Tucker, CMC  
Assistant City Clerk