

May 4, 2010

The Scandia Planning Commission held their regular monthly meeting on the above date. The following were in attendance: Chairman Chris Ness, Commissioners Tom Krinke, Christine Maefsky and Peter Schwarz. Chairman Ness called the meeting to order at 7:36 p.m. Commissioner Susan Rodsjo joined the meeting at 7:40 p.m.

APPROVAL OF AGENDA, MINUTES

Schwarz, second by Krinke, moved to approve the agenda as presented. The motion passed unanimously.

Maefsky, second by Krinke, moved to approve the April 6, 2010 minutes as presented. The motion passed unanimously.

WORK SESSION ON DEVELOPMENT CODE UPDATE

The Planning Commission and City Council moved into a work session to continue discussion on zoning district regulations within the Development Code update.

Planner Buss reviewed the latest update of the new/revised definitions list to be included in Chapter One. All were in agreement with the presented list, including the separation of Essential Services into those that are unobtrusive (not requiring a permit) and those that are defined as Transmission Facilities (requiring a CUP, except in the Industrial Park District).

The discussion then moved into regulating Home Occupations. Currently they are allowed in all districts with a Certificate of Compliance, although many residents are not aware that they need any type of permit to work out of their home. Very few complaints are received regarding Home Occupations. Planner Buss questioned the group on their acceptance of allowing Home Occupations in all districts, except in the Industrial Park, without any permitting regulations. If a regulatory approach was required, permitting could become complicated. As long as performance standards were being met, consensus was that there would be no objections to getting rid of the permitting requirement.

Commissioner Maefsky voiced her concern of limiting the definition of a Home Occupation, such as excluding antique shops, bed and breakfast operations and agritourism enterprises. Maefsky felt that more should be done to foster and promote the rural and historical culture of the community. Planner Buss noted that some communities take a two tier approach to Home Occupations, and this is something that could be examined. A business could be defined based on traffic patterns and other standards.

Council member Crum noted that previous discussions were aimed at keeping retail businesses in the Village Area and limiting Rural Commercial nodes. Council member Peterson added that it may be difficult to control the expansion of a business into retail sales if it starts as a small operation.

Planner Buss summarized the consensus to maintain the definition of a Home Occupation (one person working out of their home), being an allowed residential use not requiring a permit, and

allowed in all districts, except the Industrial Park. Antique shops, art galleries and agritourism enterprises would not be classified as home occupations. A draft of the code language regarding the definition and performance standards of Home Occupations was reviewed. No changes were made.

The next topic of discussion centered on animal regulations. It was agreed that the current code language is confusing and at times difficult to enforce.

Horse training facilities are currently not a big issue, but it is necessary to differentiate between private and commercial, and also to place a threshold on the number of horses a facility may keep before a permit is required.

In summary, it was decided that no permits would be required for private facilities of any size (horses owned by the property owner for their own use) as long as all other performance standards are being met. For commercial facilities with ten horses or fewer (horses not owned by the property owner and kept for boarding, training, sale and showing), an Administrative Permit would be required. Commercial facilities of more than ten horses would require a CUP due to the potential for bothering adjacent property owners.

All horse facilities must be an accessory to residential or farm dwellings.

The question of allowing living quarters in the commercial training facility for full-time employees was discussed. It was decided to allow this in horse training facilities only, and not to expand this allowance to other types of livestock operations.

The definition of animal kennels was then discussed. The term kennel will refer to the keeping of dogs only. The current regulations were reviewed and will remain as defined: commercial kennel as four or more dogs over six months of age; 10-acre minimum for commercial kennels; allowed in the commercial zone as an accessory use to a veterinary clinic for indoor boarding only.

Discussion moved into livestock and livestock operations. The five-acre minimum to keep any livestock will remain, with a change regarding the keeping of poultry. Smaller acreages may keep poultry, excluding roosters. Staff will provide research and report on recommended standards and numbers.

The requirement for grazable acres will be removed and redefined. The ordinance will be written to include performance standards to protect wetlands and maintain sufficient groundcover. Feedlot standards will be coordinated with MPCA rules and allowed by CUP in the AG Core, AP and GR Districts only. Those small feedlots, less than ten animals, which are required to be registered with the MPCA, would also be required to obtain a CUP. In general, the language will be cleaned up and enforcement capabilities maintained.

The setbacks of farm animal accessory structures, feedlots and manure storage sites were reviewed. Changes were made to the current standards as follows:

<u>Natural/ Man-Made Features</u>	<u>Horizontal Setbacks</u>
Any property line	100 feet
Any existing well or residential structure on the same parcel	50 feet
Any existing well or residential structure on adjacent or nearby parcel	200 feet
Any body of seasonal or year-round surface water wetland, lake or stream	200 feet
Any area of seasonally high ground water level or mottled soil closer than 4 feet to the surface (Section 9.2 (3) (F) 2)	100 feet

The current code states that agricultural buildings require a Certificate of Compliance in place of a building permit. It was recommended that an Administrative Permit replace the CC requirement to verify that setbacks are maintained.

The current definition of the keeping of wild animals is somewhat confusing. Updates to the definitions of domestic pets and exotic animals are needed. It was agreed to classify bison as farm animals. The proposed definition of domestic pets will be more inclusive to include animals that are kept inside the principal structure throughout the entire year (ferrets, pot-bellied pigs, some snakes, etc).

The next meeting to continue the review of the Development Code updates is scheduled for May 25 at 7:00 p.m.

Krinke, second by Ness, moved to adjourn the meeting.

The meeting adjourned at 9:30 p.m.

Respectfully submitted,

Brenda Eklund
Deputy Clerk