

CITY OF MINOT
ZONING ORDINANCE STEERING COMMITTEE

Meeting Minutes
September 02, 2020
8:00 am – 10:00 am
Council Chambers, City Hall, 515 2nd Ave., SW

I. ATTENDANCE AND ROLL CALL

Committee: Rolly Ackerman (by phone), Tim Baumann (by phone), Rustin Roteliuk (by phone), Tyler Neether, Pat Graner, Tom Ross
Absent: Gloria Larsgaard
City Staff: Lance Lang, Principal Planner
Emily Huettl, Assistant City Engineer
Peter Baumgartner, Assistant City Planner
Glenda Sorensen, Planning Assistant
Consultant: Scott Harmstead, SRF (by phone)
Stefanie Stalheim (Assistant City Attorney)
Guests: None

Rolly Ackerman called the meeting to order at 8:09 am.

II. APPROVAL OF AGENDA

Motion by Ross to approve September 02, 2020 meeting agenda, second by Baumann. ayes: all, nays: none

Motion carries

III. APPROVAL OF MINUTES

Roteliuk noted that in the August 19, 2020 meeting minutes, under item E – Single Family and Two-Family Lots, that bullet point #5 was incorrect. Roteliuk had stated that rocks **are** pervious, and that his intended statement was that Public Works would have an issue with rocks for various other reasons.

Assistant City Attorney Stalheim noted that in the August 19, 2020 minutes, under item F – Time of Performance, the minutes referred to an interpretation from the Assistant City Attorney Stalheim regarding #4, specifically rights for the City enforcement of landscaping on private property. The commission noted that by “private property” that it referred to commercial property that is privately owned. This would be in the event the landscaping is not installed after the winter and the City calls the bond to go in and complete the landscaping. Stalheim cited that the city would first want to be good neighbors regarding landscaping, such as working with the property owners, but that are actions already in place that would cover any violations the city deemed necessary to act on.

Stalheim stated that they are:

- Code Enforcement Officer as the first line of action and should be involved in any further conversations on the topic.
- Landscaping violations are a Class B Misdemeanor with a fine of up to \$1500 and that each day out of compliance is a new municipal charge.
- The City would need to work through the court system.

Motion by Baumann to approve the August 19, 2020 meeting minutes with noted changes, second by Roteliuk. ayes: all, nays: none.

Motion carries

IV. INTRODUCTION OF GUESTS.

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No new guests attended.

V. CHAPTER 24 (LANDSCAPING)

Consultant Harmstead began his updates where the committee left off at the last meeting. The committee also addressed changes made during the last meeting:

Section 24-1. Required Landscaping

B. Applicability

- #1 – Include public property along with private property

G. Time of Performance

- #4 – “Competitive bidding” phrase is stricken. Assistant City Attorney Stalheim will research and come back with rewording.

Section 24-3. Minimum Landscaping Required.

B. Parking Lot Landscaping

- #2 – Discussion regarding perimeter shrubs should be required or not. They were in the old ordinance, but Lang said many of the sites are planted with the shrubs spread throughout the grass area instead of in beds for ease of maintenance. Lang said perhaps the perimeter shrubs should only be required for large parking lots of 100 cars or more? Assistant City Engineer Huettl noted that at Hoeven School, perimeter shrubs work very well. Principal Planner Lang added that schools and churches are different than commercial property, but agreed with the group that overall perimeter shrubs are good, but perhaps limited to large sites. Internal shrubs in parking lots can be hard to work around, to which Neether and Ackerman agreed. However, Lang said there are other alternatives for parking lot islands such as ornamental grasses, and perennials like daylilies. They die back in winter, you can pile snow on them, come back in the spring. The committee agreed as a whole to keep the 100 vehicles parking stipulation for perimeter parking.

Motion by Baumann to keep paragraph B as is, second by Roteliuk. ayes: all, nays: none.

Motion passes

- #4 – Number of units was changed from three (3) to five (5).

Section 24-4 – Screening Requirements

B. Trash Handling and Recycling Screening Requirements

- #1 – Add M1 zoning.
- #4 – The committee agreed that chain link fence materials are not permitted, but added the exception would be that chain link with slats can be used for gates on trash enclosures.

Motion by Neether to amend #s 4 & 6 to approve the exception of chain link fences with slats regarding gates, second by Baumann. ayes: all, nays: none

Motion passes

C. Buffer Yards

Table 24-X. Bufferyard Requirements

- In column “Width (Depth) if separated by a street or alley, add “by Planning Director”.

D. Reduced Width Allowance

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- All “by approval of Planning Director” to end of first sentence.

Motion passes

VI. CLEAN-UP ITEMS

A. Adding Business Incubators to the Land Use Table.

- Definition needs to be added to “Use Types.”
- Add to Zones M1, M3, C1 & C2 in Land Use Table.

B. Adding Household & Business Trades as a permitted use to C1 zone.

- Business trades such as plumbers, electricians, HVAC, etc. are not a good fit for C1. C1 is neighborhood commercial. The trades are best suited in shop condos zoned M1. We shouldn't change allowable uses to make an existing business “fit” if it doesn't make sense.

C. Limousine service in residential neighborhood.

- Is home occupation a code enforcement issue?
- Commercial vehicle weight for home occupation is restricted to 10,000 lbs.
- Length of vehicle is a consideration, i.e. limousine.
- One (1) commercial vehicle on street or off-street. (cannot block sidewalk)
- Revisit this item at next meeting.

D. Reduce the minimum lot size in the Agriculture zone.

- Neither suggested taking the acreage from 20 to 10. Harmstead will look at the North Dakota Century Code and make a recommendation to the committee.

E. Create distinction between facilities/uses in the Public zone.

- Asst. City Engineer will discuss this item with Brian Billingsley.

VII. NEXT MEETING

A. Wednesday, September 16, 2020, 8:00am, City Council Chambers

B. Topics of Discussion

- Chapter 31 (Towers) – should be short and quick
- Engineering Chapters – flood ordinance, wellhead, etc.
- Clean up items

VIII. ADJOURNMENT. Motion by Neether to adjourn meeting, second by Ross. Ayes: all, nays: none. Adjournment 10:01am.