

CITY OF MOTLEY
PLANNING AND ZONING COMMISSION MINUTES
January 27, 2015, 6:00 PM

1. Call to Order

O'Regan called the meeting to order at 6:00 p.m.

2. Roll Call

Planning commission: Pat O'Regan, Nancy Nieken, Amy Hutchison, Al Yoder, Steve Johnson

Absent: None

Staff: Terri Smith

Hometown Planning: Ben Oleson

Public: None

3. Public Hearings

None

4. Additions or Deletions to the Agenda.

Voting for Officers

Chairperson – A motion and second were made to appoint O'Regan as Planning Commission Chairperson. Motion passed unanimously.

Vice-Chair – A motion and second were made to appoint Hutchison as Planning Commission Vice-Chairperson. Motion passed unanimously.

Secretary – A motion and second were made to appoint Yoder as Planning Commission Secretary. Motion passed unanimously.

5. Open Forum

There were no persons present wishing to speak.

6. Approval of Minutes

A motion and second were made to adopt the May and October 2014 minutes of the Planning Commission. Motion passed unanimously.

7. Planning and Zoning Administrator's Report

Oleson stated that he did not have any significant news to report other than what was listed as a separate item under Other Business on the agenda.

8. Other Business

a. Massage Business

Oleson described a question he had received from a citizen about his wife starting a massage business in the C-2 zoning district within a motel building as a monthly lease arrangement. He noted that the ordinance doesn't specifically list out that kind of business and that businesses not listed are considered prohibited by the ordinance, although there are many types of businesses that aren't specifically listed in the ordinance – as has been discussed in the past by the Planning Commission. Oleson also noted that a number of cities have adopted licensing requirements for massage-related businesses that include background checks, references for the owners and/or requirements that therapists have a certain amount of education or experience. Finally, Oleson noted that if the business is to be located in motel building, the ordinance would seem to require a conditional use permit as an "professional service building." Hutchison asked about certification of massage therapists. Oleson noted his understanding is that neither the state nor county licenses massage therapists based on some limited research and a conversation with Morrison County Public Health staff. O'Regan feels the City should have an ordinance regulating massage therapists and/or businesses. Yoder asked about needing CUP to have businesses in the motel. Oleson said he felt that was necessary given the ordinance language. General concern was expressed over properly regulating such businesses as well as a motel housing businesses out of rooms. Nieken noted possibility of operating out of another local office – spa/salon, etc... Hutchison prefers that an ordinance be written to regulate licensing; O'Regan agreed. O'Regan noted the ordinance can't list every possible use.

The consensus of the Commission was that a massage business needed to be considered prohibited given the ordinance language and that the motel owner would need a CUP to lease space to businesses as a professional services building.

The Commission also stated that it needs to review the listing of businesses and how land uses are regulated in each district. Oleson noted that some communities do not prohibit unlisted uses, but instead leave it up to the Commission to decide whether they feel it is a proper use in the district. Others focus on regulating the impacts of potential land uses rather than the specific type. Oleson was directed to put together a short summary of the options available to the City and to present a few examples from other communities. This information should be sent to the Commission as soon as possible so that they have time to review prior to the February 2015 Planning Commission meeting, where they would like to discuss. Oleson was directed to attend the February meeting for this purpose.

Oleson was also asked to present an example licensing ordinance for massage-related businesses/therapists at the February meeting.

b. Training Session – Zoning 101 Basic Terms and Zoning

Oleson presented a training session regarding the basic terms and arrangement of the City's current zoning ordinance.

b. Work Plan

A motion was made and seconded to adjourn the meeting. The meeting was adjourned at 7:15 p.m.

Respectfully submitted,
Ben Oleson
Hometown Planning

DRAFT