
CITY OF LITTLE FALLS

BOARD OF ADJUSTMENT/ PLANNING COMMISSION

March 14, 2016



AGENDA
PLANNING COMMISSION
 Conference Room, City Hall
 March 14, 2016, 6:30 p.m.

P	A	Member	P	A	Member
		Kleinschmidt, James			Schilling, Kara
		Esse, Robert			Schulte, Ray
		Gosiak, Frank			Silbernick, Keith
		Hanfler, Jeremy			Oleson, Ben (Zoning Official)
					Kimman, Greg (City Engineer)

CALL TO ORDER: Planning Commission Chairperson

ADOPT THE AGENDA: March 14, 2016

APPROVAL OF MINUTES: February 8, 2016

PUBLIC HEARINGS:

- 1) ~~APPLICATION WITHDRAWN-Conditional use permit application to operate a beauty salon open to the public and with retail sales from an assisted living/memory care facility in an R-3 Multiple-Family Residential District. Applicant: Debra Kruzel/Highland Senior Living Holdings LLC. Partial Legal Description: Lots 1 and 2 and North 150 feet of Lots 11 and 12, Block Four of Highland Outlots, Section 8, Township 40, Range 32. Property Address: 1012 3rd Avenue NE. Parcel number(s): 48.1938.000.~~

OLD BUSINESS:

- 1) Discussion – Regulation of Land Uses
 - a. Parking and use of recreational vehicles
 - b. Outdoor sale of items on residential properties
 - c. Other
- 2) Comprehensive Plan update

NEW BUSINESS:

NEXT REGULAR MEETING: Monday, April 11, 2016

ADJOURNMENT:

MINUTES
PLANNING COMMISSION
 Conference Room, City Hall
 February 8, 2016, 6:30 p.m.

P	A	Member	P	A	Member
X		Kleinschmidt, James	X		Schilling, Kara
X		Esse, Robert		X	Schulte, Ray
X		Gosiak, Frank	X		Silbernack, Keith
X		Hanfler, Jeremy	X		Oleson, Ben (Zoning Official)
			X		Kimman, Greg (City Engineer)

CALL TO ORDER: The Planning Commission Meeting was called to order by Greg Kimman, City Engineer, at 6:30pm.

NOMINATION AND ELECTION OF OFFICERS: Frank Gosiak was nominated and elected as Chair, Jeremy Hanfler was nominated and elected as Vice-Chair, and Keith Silbernack was nominated and elected as Secretary.

ADOPTED THE AGENDA: A motion was made by Esse and seconded by Hanfler to adopt the agenda as presented. Motion carried.

APPROVED THE MINUTES: A motion was made by Hanfler and seconded by Kleinschmidt to adopt the minutes as presented. Motion carried.

PUBLIC HEARINGS:

- 1) None

OLD BUSINESS:

- 1) Discussion – Regulation of Land Uses

Oleson summarized his staff report regarding how the ordinance is currently organized to regulate land uses within each district. Little Falls currently uses a “ladder” style of zoning – uses allowed in the “lowest” zoning district (R-1) is generally also allowed in R2 (plus a few other uses). Those allowed in R-2 are also allowed in R-3 (plus a few other uses). Uses not specifically listed are either considered prohibited or could potentially be allowed after review by the Commission – it is not clear.

After discussion, the consensus of the Commission was that it may be best for the “ladder” zoning to occur within each category of district (i.e. Residential, Commercial, Industrial), but not automatically from one category to another (i.e. a residential dwelling should not automatically be allowed in the Industrial districts just because it is allowed in the Residential districts).

- 2) Discussion – Accessory buildings and Carports

Oleson noted that as a result of recent questions from a landowner in the City, there is a lack of clarity regarding how accessory buildings and structures are regulated in the City Code. Specifically, are carports considered accessory buildings and are the limits for total size of accessory buildings based on a measurement of inside floor space or by the outside dimensions of a building. The Commission felt that carports, if not allowed by building code, should not be allowed at all within the City. On measuring accessory buildings, the consensus was that it should be based on the outside dimensions of the building so that it would be easiest to verify if a question arose. Other questions relating to the size of accessory building that should require permitting and/or count towards the 1400 sq ft limit in residential districts were not discussed pending time to discuss at a future meeting.

NEW BUSINESS: None

NEXT REGULAR MEETING: Monday, March 14, 2016

ADJOURNMENT: A motion was made by Silbernack and seconded by Schilling to adjourn. Meeting adjourned at 7:25 pm. Motion carried.

STAFF REPORT

Issue: Regulation of Land Uses

Background Information: Over the past several meetings, the Commission has begun discussing the need to update portions of the zoning ordinance relating to the listing of uses that are allowed within each zoning district – either as allowed (no permit needed), permitted (a permit is necessary) or conditional (a conditional use permit is necessary).

At the February meeting, the Commission noted that they would like to amend the “ladder” system of allowed uses (where anything allowed in a “lower” zoning district is also allowed in a “higher” zoning district). Specifically such that uses follow the “ladder” within a zoning district category, but not into other categories (i.e. uses allowed in a residential district would not necessarily be allowed in a commercial district, but would be allowed in “higher” residential districts).

In addition to the changes to the “ladder” system of zoning, there are a number of significant changes that Staff would like to make in the listing of uses allowed within each district.

Given that the City is beginning a process to update its Comprehensive Plan, and that the Comprehensive Plan may impact the current list of zoning districts and how the City regulates land within each of those zoning districts, it is perhaps best to wait for the completion of the Comprehensive Plan before making significant amendments to the ordinance.

However, in the meantime there have been several instances over the past several years where the listing of permitted and conditional uses has been seen as too rigid. For instance, if a particular use was not specifically listed, it forces Staff to make a determination that either the use is completely prohibited (even if it would appear to be a perfectly reasonable use within the zoning district) or make an interpretation that allows for the use even if it is not specifically listed (creating the possibility for inconsistent administration of the ordinance).

Staff is requesting that the Commission discuss whether some interim changes to the ordinance would be appropriate, to create some reasonable flexibility for the City and its landowners in allowing for uses that are deemed appropriate for the particular zoning district after adequate review by the Planning Commission and public input.

Staff will be prepared to discuss some options for possible interim changes to the ordinance at the March meeting to address the above issues. If the Commission wishes that such changes be made, a public hearing could be scheduled as soon as the April 2016 meeting.

Planning Commission Action: At this time, the issue is only for discussion. If the Planning Commission feels that it would like to initiate an ordinance amendment, it can direct the Staff to do so. If it would like Staff to research specific questions relating to this issue, it can do so as well.