

April 24, 2015

Planning Commission  
City of Motley  
316 Highway 10 South  
Motley, MN 56466

Dear Planning Commission members,

I regret that I have had a conflict come up with my ability to attend your April 28, 2015 Planning Commission meeting. I have spoken with Chairman O'Regan about this and he has suggested that the Planning Commission meeting be held as normal as most of the items are for discussion purposes and that my attendance is not necessary for a fruitful discussion.

There are a couple items that are on the agenda based on landowner questions. These are:

1. A request for clarification as to how the City regulates storage containers – the shipping containers that you may see stacked on trains and that are becoming more popular for purchase and use by people for on-site storage. The current Zoning ordinance is somewhat unclear on whether these are to be considered structures just like any shed or garage, whether they are prohibited, or otherwise. However, there are other parts of the City Code (see attached) that seem to be more applicable. The landowner (Sarah Nice) is looking for clarification as to whether she can have such storage units on her property or not. Her property is located in the DMU zoning district at 448 3<sup>rd</sup> Ave South. Her email requesting approval is attached.
2. Rod Enberg has called Staff asking about whether a property on the Cass County side of the City could be used for forestry-related industrial purposes that would possibly have a connection with the railroad. The City's zoning map (see attached) currently identifies most of that area as zoned for residential development, with a strip of land along Highway 10 zoned for commercial use. Mr. Enberg's question is essentially whether the City would be open to amending its zoning map or otherwise allowing for industrial uses in that area – particularly close to the railroad line.

The City's options for this application would be:

1. Instruct Mr. Enberg that he can put together a plan and proposal for rezoning and submit it as a formal rezoning request.
2. Discuss whether the Planning Commission has general thoughts about the suitability of this area for industrial uses and whether it would negatively impact property values in that area. Some issues to discuss would be:

- a. How industrial uses would be accessed, as public roads in that area are essentially non-existent except for Highway 210. How would the infrastructure be added to the site?
- b. Whether developing a stronger connection with the railroad on that side of the river would make sense for certain industrial uses.
- c. Whether the City would like to fold this kind of discussion into a larger discussion of updates to the City's Zoning Map. This may make some sense now that the City has worked through its Comprehensive Plan and would be a way to make sure the City's Zoning Map aligned with the goals outlined in the Comprehensive Plan.

The regular agenda items are:

1. A review of a draft ordinance regulating massage businesses and therapists - requiring that they be licensed. This follows on our previous discussions, so much of what is contained in the draft will be somewhat familiar to you. If the Commission decides that it is ready, it could recommend the scheduling of a public hearing to adopt the ordinance at a future meeting date.
2. A review of an initial outline for an update to the City's Land Use Matrix. You'll recall that there were a number of "holes" in the current land use matrix and that many uses that the City may be ok with are considered prohibited. The draft in your packet includes a listing of a number of uses, which follows on your direction from previous discussions on this item. If the Commission can discuss whether it feels that list is complete, if there are items it would like to add or subtract, and generally how it feels about that list. From your input, I can then start to fill in the boxes with my suggestions for discussion at a future meeting (unless the Commission would like to work through filling that out itself).

If you have any questions, please feel free to contact me. I can be reached by phone at (888) 439-9793 or by email at [oleson@hometownplanning.com](mailto:oleson@hometownplanning.com).

Sincerely,



Ben Oleson, AICP  
Hometown Planning  
City Planner

**TITLE IX: GENERAL REGULATIONS / CHAPTER 92: HEALTH AND SAFETY;  
NUISANCES / NUISANCES / § 92.19 NUISANCE PARKING AND STORAGE.**

**§ 92.19 NUISANCE PARKING AND STORAGE.**

\* (A) *Declaration of nuisance.* The outside parking and storage on residentially-zoned property of large numbers of vehicles and vehicles, materials, supplies or equipment not customarily used for residential purposes in violation of the requirements set forth below is declared to be a public nuisance because it (a) obstructs views on streets and private property, (b) creates cluttered and otherwise unsightly areas, (c) prevents the full use of residential streets for residential parking, (d) introduces commercial advertising signs into areas where commercial advertising signs are otherwise prohibited, (e) decreases adjoining landowners' and occupants' enjoyment of their property and neighborhood, and (f) otherwise adversely affects property values and neighborhood patterns.

(B) *Unlawful parking and storage.*

\* (1) A person must not place, store, or allow the placement or storage of ice fish houses, skateboard ramps, playhouses or other similar non-permanent structures outside continuously for longer than 24 hours in the front-yard area of residential property unless more than 100 feet back from the front property line.

(2) A person must not place, store, or allow the placement or storage of pipe, lumber, forms, steel, machinery, or similar materials, including all materials used in connection with a business, outside on residential property, unless shielded from public view by an opaque cover or fence.

(3) A person must not cause, undertake, permit or allow the outside parking and storage of vehicles on residential property unless it complies with the following requirements:

(a) No more than four vehicles per lawful dwelling unit may be parked or stored anywhere outside on residential property, except as otherwise permitted or required by

Motley, MN Code

the city because of nonresidential characteristics of the property. This maximum number does not include vehicles of occasional guests who do not reside on the property.

(b) Vehicles that are parked or stored outside in the front-yard area must be on a paved or graveled parking or driveway area.

(c) Vehicles, watercraft and other articles stored outside on residential property must be owned by a person who resides on that property. Students who are away at school for periods of time but still claim the property as their legal residence will be considered residents on the property.

Penalty, see § 92.99





Ben Oleson <oleson@hometownplanning.com>

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## Re: zoning for motley DMU area

1 message

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Sarah <sarahnice80@gmail.com>

Wed, Mar 18, 2015 at 2:32 PM

To: Ben Oleson <oleson@hometownplanning.com>

I would like to place 2 20' conexs on my DMU property for temporary storage. It will be in place aprox. 2 years or so. It will meet with the set back for the property. They not be unsightly conexs.

Sent from my iPhone

On Mar 18, 2015, at 1:36 PM, Ben Oleson <oleson@hometownplanning.com> wrote:

It's not something that has come up for the City, and is not directly addressed in the ordinance, but at this point I'd say that it would be considered a temporary structure that I could allow administratively for up to 14 days. Anything longer than 14 days would need to be approved (the ordinance indicates that I approve it – after review by the Planning Commission). I would need you to submit a request in writing (an e-mail would be fine) for how long you would want it in place. It would need to meet setback requirements the same as any other structure. It would only be allowable for storage.

The next Planning Commission meeting is March 24<sup>th</sup> (next Tuesday) so I could bring your request to them then if you want to submit your request with a date that it would be gone.

You are also welcome to come and explain your request to them in person too, of course – in case they have other questions.

Ben

Ben Oleson

Hometown Planning

City of Motley Zoning Administrator

Toll Free Phone/Fax: [888-439-9793](tel:888-439-9793)

Local Phone: [320-759-1560](tel:320-759-1560)

Email: [oleson@hometownplanning.com](mailto:oleson@hometownplanning.com)

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**From:** Sarah [mailto:[sarahnice80@gmail.com](mailto:sarahnice80@gmail.com)]  
**Sent:** Monday, March 16, 2015 6:08 PM  
**To:** Ben Oleson  
**Subject:** Re: zoning for motley DMU area

Yes it is a steel shipping structure. They are not permanent structures. Maybe a few years. It would be located on my property in the DMU area in motley.

Sent from my iPhone

On Mar 16, 2015, at 5:45 PM, Ben Oleson <[oleson@hometownplanning.com](mailto:oleson@hometownplanning.com)> wrote:

By Conexs you mean the steel storage shipping containers?

Would it be a temporary thing on the property or something more permanent?  
What property would it be located on?

Ben

Ben Oleson

Hometown Planning

City of Motley Zoning Administrator

Toll Free Phone/Fax: [888-439-9793](tel:888-439-9793)

Local Phone: [320-759-1560](tel:320-759-1560)

Email: [oleson@hometownplanning.com](mailto:oleson@hometownplanning.com)

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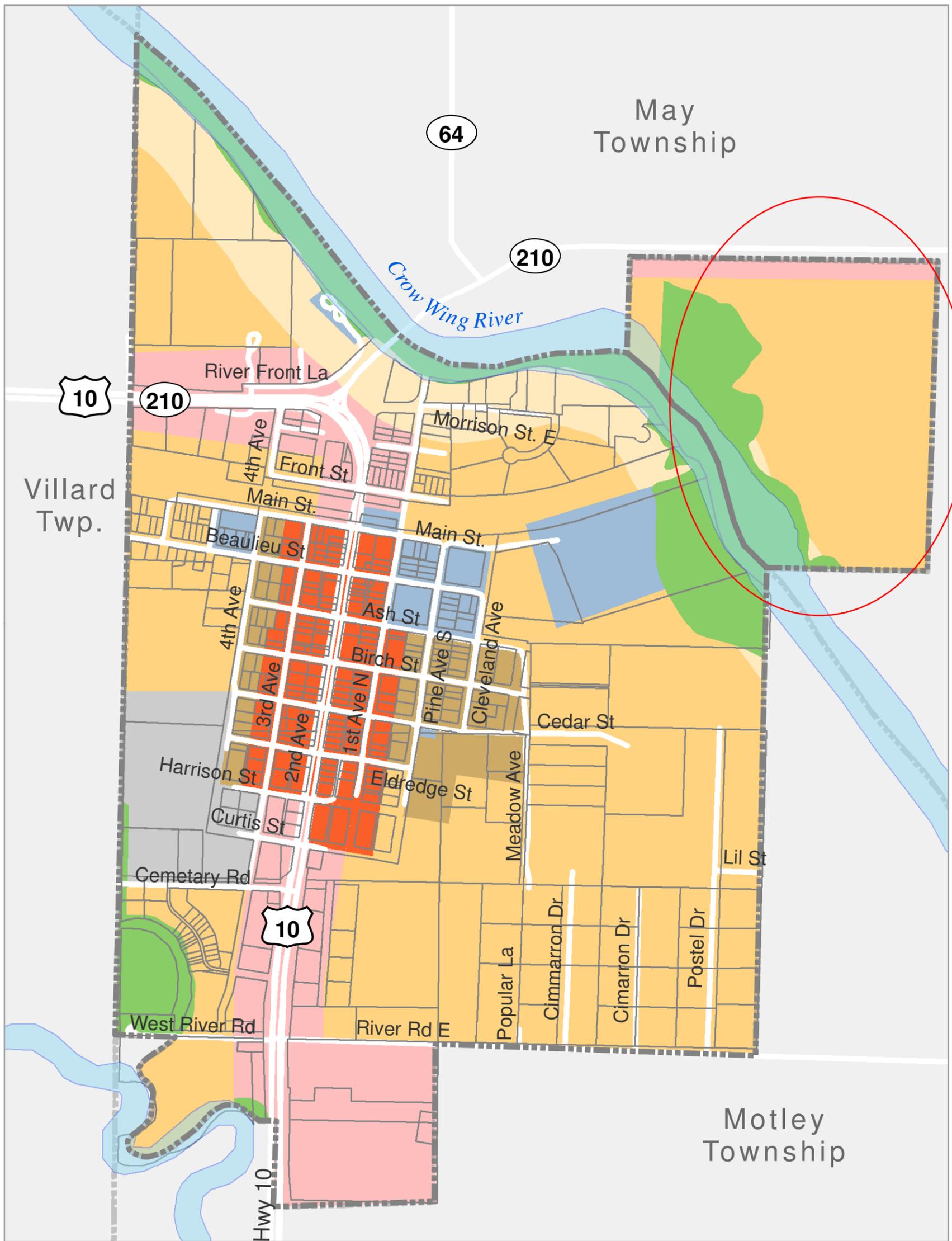
**From:** Sarah Nice [mailto:[sarahnice80@gmail.com](mailto:sarahnice80@gmail.com)]  
**Sent:** Monday, March 16, 2015 9:21 AM  
**To:** Ben Oleson  
**Subject:** zoning for motley DMU area

Are there any regulations for Conexs? I can not find any.

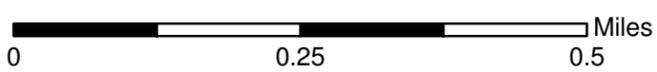
Sarah

# Zoning and Parcels

**City of Motley**  
Cass Co. & Morrison Co., MN



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|----------------------------|-------------------------|--------------------------|
| <b>Zoning Districts</b>    | Medium Residential (R2) | Motley Boundary          |
| Downtown Mixed Use (DMU)   | High Residential (R3)   | Rivers                   |
| Commercial (C2)            | Public Use (PU)         | Motley Parcel Boundaries |
| Industrial (I)             | Natural Resource (NR)   | Neighboring Communities  |
| Shoreline Residential (R1) |                         |                          |



December 2009  
Data sources: City of Motley, MN DNR; MNDOT MnGeo.



Map prepared by 1000 Friends of Minnesota TRC