



**CITY OF NEWPORT
PLANNING COMMISSION MEETING MINUTES
NEWPORT CITY HALL
OCTOBER 12, 2017 – 5:30 P.M.**

1. CALL TO ORDER

Chairperson Haley called the Planning Commission meeting to order at 5:30 p.m. on October 12, 2017.

2. ROLL CALL

Present (5): Chairperson Kevin Haley, Vice-Chair Marvin Taylor (Arrived 5:41 p.m.), Commissioner Anthony Mahmood, Commissioner David Tweeten, and Commissioner Saengmany Ratsabout.

Not Present (0): None.

3. ADOPT CONSENT AGENDA

A. Minutes September 14, 2017

Commission discussion agreed the memorandum referencing Council Request for Ordinance Updates and Options to be attached to the minutes in order to provide greater detail regarding the Commission's discussion.

Commissioner Ratsabout motioned to approve the September 14, 2017 Planning Commission meeting minutes to include the memorandum refereeing ordinance updates and options. Seconded by Mahmood. Approved 4-0.

4. COUNCIL REQUESTED ORDINANCE AMENDMENTS

A. Section 32-39 Regarding Trailers

Planner Sherri Buss restated the outstanding question by the Commission from the previous meeting regarding the restriction of parking trailers longer than 20 feet and over 10,000 pounds GVW. Ms. Buss informed the Commission the DOT requires a sticker on trailers over 10,000 pounds GVW and using weight will make it easier for code enforcement. The Commission agreed upon using gross vehicle weight and bringing the ordinance to a public hearing.

B. Section 36-162 Regarding Exterior Building Materials & Design

Ms. Buss proposed putting exterior color design ordinance into the City Code. Comments from the Commission included the painting of buildings such as the Advanced Disposal building and the warehouse being built by Scannell Properties. Ms. Buss will present a draft of an ordinance to the Commission addressing color and finish allowed for buildings.

5. SHORELAND ORDINANCE

Ms. Buss informed the Commission the Shoreland Ordinance will need to be updated by the end of the year. The Bailey Meadows development is in the shoreland zone. The Commission discussed the flexibility of the ordinance along with the consequences of finalizing the ordinance by the first of the year. The goal is to have the ordinance in place by the first of the year but having the ordinance in place in February or March shouldn't cause a problem.

The ordinance will be based on the model ordinance created by the DNR. The City can only create a more restrictive ordinance than required by the DNR. The application date of any permit will be subject to the laws in place on that date. The City cannot regulate after the fact. The ordinance would affect properties within 1,000 feet of Ria Lake and La Lake as they are the two lakes within City limits. The regulations

put in place for the Mississippi River are separate from the regulations for lakes unless there is an overlap of the zones.

The Commission discussed how height of a building is determined as there are two definitions that would be used without language change. The DNR definition and the City definition are similar but different to the point where it could cause conflict within the ordinance. Council Liaison Bill Sumner addressed the Commission informing them an attached garage cannot be greater than the height of the house but a detached garage would be restricted to general height restrictions. The language of the ordinance will be adjusted to address the questions regarding height restrictions and measurements.

Ms. Buss informed the Commission the ordinance will provide conditions for a CUP and for Variance Requests. The section regarding CUPs, Variances, and notices are not much different than what the current ordinance states.

Ms. Buss summarized the restrictions in the Land Use section. The Commission discussed CUPs and PUDs in residential zones which are in the shoreland protection area. Industrial uses would need to have a CUP. The DNR also regulates signs as they are seen from the lakes to protect from visual clutter.

The DNR would allow for one acre lots in the RE zones as the City requires lots to be two acres. The DNR requires lot width to be 150 feet and the City requires 160 feet. Ms. Buss posed the question to the Commission if they would be willing to recommend a change to the zoning decreasing the required lot size in RE zones from two acres down to one acre lots. Repairing rules were discussed as well as the history of why the two acre lots are currently required. The minimum lot size in RE zones was due to the use of septic systems and has been decreased over the years. The Commission was in favor of allowing smaller lot sizes as long as the width of the lot stays the same. This would only be in effect in the RE zones within the shoreland overlay.

The Commission discussed what the impact of reducing required lot sizes. Items discussed included the impact on the installation of sewer lines and the increased amount of traffic. The smaller lot sizes would be able to support new infrastructure and current homes would need to prove they can support a septic system if City sewer is not available.

The Commission discussed the impact of someone wanting to use land in the protected by the shoreland ordinance for industrial purposes would need to have a CUP. The shoreland ordinance provides and zoning overlay which would allow for a parcel have an industrial use but only after being approved for a CUP. The Commission can change the ordinance in the future to reflect the underlying RE zoning which would prohibit industrial uses. Allowing the potential for a parcel to be used for industrial purposes at this time will allow the Commission to have flexibility in the future as development continues in Newport.

The Commission discussed un-sewered properties affected by the shoreland ordinance. It was proposed to allow the minimum lot size to be changed from two acres to one acre. This discussion would be brought to a public hearing to receive input from the surrounding land owners.

The Commission discussed flexibility from the regulations set by the MET Council and DNR. Ms. Buss informed the Commission the MET Council would allow the flexibility as the City would require lots to conform to the regulations set by the DNR and the shoreland ordinance. Lots that would need flexibility would need to submit a CUP or PUD.

Ms. Buss would make changes to the ordinance bases upon the discussion and recommendations made by the Commission. A public hearing would be called for December's Commission Meeting.

6. COMMISSION AND STAFF REPORTS

Ms. Buss informed the Commission the November meeting will have a public hearing for the CUP and PUD submitted by Golden Valley Land Co’s Bailey Meadows development. The December Commission meeting will have a public hearing for the ordinances brought to the Commission for review by the Council and the shoreland ordinance.

Commissioner Mahmood asked if the boat trip was still going to happen. Ms. Buss informed the Commission that city staff had taken pictures and additional pictures can be taken from the west bank. A boat trip to examine the shoreline along the river can be organized in the spring as the comprehensive plan will still be in progress at that time.

The odor ordinance will be addressed next year as the current development and the shoreland ordinance are two large projects which need to be taken care of immediately.

7. NEW BUSINESS

There was no new business for the Commission to address.

8. ANNOUNCEMENTS

Chairperson Haley read off the list of announcements to the Commission.

City Council Meeting	October 19, 2017	5:30 p.m.
Park Board Meeting	October 26, 2017	6:00 p.m.
Buckthorn Day	October 28, 2017	9:00 a.m.
City Council Meeting	November 2, 2017	5:30 p.m.

9. ADJOURNMENT

Commissioner Ratsabout motioned to adjourn the Planning Commission meeting. Seconded by Commissioner Tweeten. Approved 5-0.

The Planning Commission Meeting was adjourned at 6:33 p.m. on October 12, 2017.

Respectfully Submitted:
Travis Brierley,
Assistant to the City Administrator

Signed: _____
Kevin Haley, Chairperson