

**MINUTES
CITY OF ELKO NEW MARKET
PLANNING COMMISSION MEETING
April 5, 2016
7:00 PM**

1. CALL TO ORDER

Chairman Thompson called the meeting of the Elko New Market Planning Commission to order at 7:02 pm.

Commission members present: Thompson, Smith, Kruckman, Hartzler and Vetter
Members absent and excused: None
Staff Present: City Planner Kirmis, Economic Development
Coordinator Renee Christianson, City Engineer
Revering and City Administrator Terry

2. PLEDGE OF ALLEGIANCE

Chairman Thompson led the Planning Commission in the Pledge of Allegiance.

3. APPROVAL OF AGENDA

A motion was made by Vetter and seconded by Kruckman to approve the agenda as presented. Vote for: Thompson, Smith, Kruckman, Hartzler and Vetter. Against: None. Vote 5-0. Motion carried.

4. PUBLIC COMMENT

There were no public comments.

5. ANNOUNCEMENTS

There were no announcements.

6. APPROVAL OF MINUTES

A motion was made by Vetter and seconded by Kruckman to approve the minutes of the March 8, 2016 Planning Commission meeting as written. Vote for: Thompson, Smith, Kruckman, Hartzler and Vetter. Against: None. Abstained: None. Vote 5-0. Motion carried.

7. PUBLIC HEARINGS

A. Backyard Chicken Amendment to Zoning Ordinance

Chairman Thompson asked Planner Kirmis to present his memorandum dated March 15, 2016 regarding a proposed zoning ordinance amendment for the allowance backyard chickens within residential areas of the City.

Planner Kirmis reviewed the draft regulations, noting that a public hearing is required, and also noting that the topic had been included in a recent City newsletter. Kirmis noted that staff's research included a review of several sample ordinances, input from residents and business owners, an evaluation of pros and cons, viewing samples of backyard chicken facilities and videos of facilities, and input from the City's police chief. Planner Kirmis noted that farm animals are currently prohibited in the City.

The City Council had previously asked if the Planning Commission would consider allowing chickens in the R2 zoning district, in the older areas of town, if the property owner could meet setback requirements and other performance standards being proposed. Planner Kirmis noted that this topic was not discussed at the March Planning Commission meeting because there was not a full Commission in attendance.

Planner Kirmis reviewed the proposed application requirements associated with the keeping of backyard chickens, which would include an educational component, a written application, the breed and number of chickens, a site plan showing the location of the coop, a description of the coop size and materials, and a permit fee. He noted that the draft ordinance would currently allow chickens only in the R1 zoning district on lots with a minimum lot size of 12,000 square feet. The draft ordinance amendment allows a maximum of four chickens, with roosters prohibited, and not allowed within the garage structure.

Planner Kirmis explained the proposed location, size and design requirements for coops and runs, which would permit one coop and run per lot, located in the rear yard only, setback of 25' from the principal structure, and façade similar to the principal structure. He also noted that the slaughtering of chickens, and the sale of chickens or byproducts would not be permitted, that there must be frequent cleaning of the coop to control odor and chicken food must be kept indoors.

Chairman Thompson opened discussion to the Planning Commission. Commissioner Hartzler stated he doesn't believe there needs to be a minimum lot size, and that chickens could be permitted in both the R1 and R2 zoning districts. Commissioners Smith, Kruckman and Vetter all agreed.

Commissioner Hartzler asked about the educational requirements, noting that initial discussion on the matter required applicants to go to an educational class on the keeping of chickens. Planner Kirmis noted that staff was recommending against this, primarily due to an issue of staff resources. Alternatively, staff would compile some educational materials for review by an applicant, and they would have to sign off that the information had been reviewed.

Chairman Thompson opened the public hearing at 7:21 p.m.

Dawn Weitzel, 26430 Thomas Avenue, read a letter out loud, which was then submitted for entry into the public record.

Shari Luebbert, 3314 Aaron Drive, read a letter of support out loud, which was then submitted for entry into the public record.

With no further comments, the public hearing was closed at 7:29 p.m.

With no further comments from the Planning Commission, it was moved by Smith, seconded by Kruckman, to recommend approval to the City Council of the proposed ordinance amending the Elko New Market City Code Title 6, Chapter 4 (Animal Control) and Title 11 (Zoning) to establish regulations related to the keeping of backyard chickens as presented, but removing the minimum lot size requirement and allowing the keeping of chickens in both the R1 and R2 zoning districts. Vote for: Thompson, Smith, Kruckman, Hartzler and Vetter. Against: None. Abstained: None. Vote 5-0. Motion carried.

8. PETITIONS, REQUESTS AND INQUIRIES

There were no petitions, requests or inquiries.

9. GENERAL BUSINESS

A. Draft Brewery / Distillery Amendment

Planner Kirmis explained that the Planning Commission had indicated support for a Zoning Ordinance amendment to consider provisions for breweries, distilleries and taprooms. He has prepared draft regulations for discussion purposes. Kirmis reviewed the draft regulations, which included additions to the definitions section of the code. He suggested that brewpubs, which contain a restaurant component, be a permitted use in the City's B2 zoning district. He noted that a taproom is essentially a bar, and that a brewery is essentially a manufacturing facility. Breweries with taprooms would be allowed by conditional use permit in both commercial and industrial zoning districts.

Chairman Thompson questioned the prohibition of outdoor seating areas associated with these facilities. After discussion by the Planning Commission, there was a consensus that there should be a provision to allow for outdoor seating areas. Planner Kirmis noted that he will revise the draft language based on this feedback.

The Planning Commission recommended that staff make the suggested changes and schedule for public hearing at the May Planning Commission meeting.

B. CSAH 2 Development Infrastructure Needs Study

City Engineer Rich Revering explained that the City will be holding a public information meeting on April 6, 2016 to review results of a CSAH 2 infrastructure study. He reviewed a series of maps that showed areas along the CSAH 2 corridor. The maps showed planned roadways along the corridor including future functional classification of the roadways, access issues, removal of private access, planned sidewalks and shared use

paths. Also depicted on the maps was how the properties could be serviced with sanitary sewer and water.

Commissioner Hartzler noted that access restrictions make it difficult to develop much of the commercial property. Revering noted that all proposed access to CSAH 2 will be at agreed upon locations, and the curb cuts are already in place.

10. MISCELLANEOUS

Staff Updates. City Administrator Terry provided updates regarding the following

- Planning Commission Meeting Schedule
- Sign Ordinance Task Force
- The following development projects:
 - Senior Housing Project
 - Park I-35 & Infrastructure Design
 - Warrant Barsness Project
 - Orton Homes Residential Development Interest
 - Boulder Heights
 - Fairway Ridge
 - Pheasant Hills
 - Former Mahowald / Lakeview Bank Property Sale

11. ADJOURNMENT

A motion was made by Hartzler and seconded by Smith to adjourn the meeting. Vote for: Thompson, Smith, Kruckman, Hartzler and Vetter. Against: None. Abstained: None. Vote 5-0. Motion carried.

The meeting ended at 8:35 pm.

Submitted by:
Renee Christianson, Economic Development Coordinator