MINUTES
CITY OF ELKO NEW MARKET
PLANNING COMMISSION MEETING
August 11, 2015
7:00 PM

1. CALL TO ORDER

Commission Chairman Thompson called the meeting of the Elko New Market Planning Commission to order at 7:00 pm.

Commission members present:	Thompson, Smith, Kruckman and Hartzler
Members absent and excused:	Vetter
Staff Present:	City Planner Kirmis and City Engineer Revering

2. PLEDGE OF ALLEGIANCE

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

3. APPROVAL OF AGENDA

A motion was made by Hartzler and seconded by Kruckman to approve the agenda as presented. Vote for: Thompson, Smith, Kruckman and Hartzler. Against: None. Abstained: None. Vote 4-0. 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 Hartzler and seconded by Thompson to approve the minutes of the May 5, 2015 Planning Commission meeting as written. Vote for: Thompson, Smith, Kruckman and Hartzler. Against: None. Abstained: None. Vote 4-0. Motion carried.

7. PUBLIC HEARINGS

There were no public hearings.

8. PETITIONS, REQUESTS AND INQUIRIES

There were no petitions, requests or inquiries.

9. GENERAL BUSINESS

Chicken Regulation Discussion

Chairman Thompson asked Planner Kirmis to present his memorandum dated July 29, 2015 regarding chicken regulations.

In his presentation, Kirmis asked the Planning Commission to provide feedback related to the potential allowance of chickens in residential zoning districts as an accessory activity. If the Commission is open to the idea (subject to conditions), Kirmis indicated that the preparation of a draft Zoning Ordinance amendment (for informal Commission review) would follow.

Planner Kirmis also highlighted the following items included in his memorandum:

- Reference to received resident correspondence on the issue
- General pros and cons of the use
- Reference to a survey of southern Metropolitan Area communities regarding chicken regulations
- Possible Ordinance amendment issues

Following Planner Kirmis' presentation, Chairman Thompson asked for comment from the general public. In this regard, the following comments were provided:

Dawn Weitzel (26340 Thomas Avenue). Ms. Weitzel expressed support for the proposed use (the keeping of chickens within residential zoning districts) and the necessary Ordinance amendment. Ms. Weitzel further indicated that her support for the keeping of "backyard chickens" is health-related and that approval of the use will allow Elko New Market residents to consume pure food.

Ms. Weitzel also submitted, for the record, an article entitled "*The 7 False Myths About Urban Chickens*" by Patricia Foreman.

Guy Bosch (9362 Glenborough Drive). Mr. Bosch stated that if the City allows a home business to sell firearms (indirect reference to the Forst home occupation approved by the City in May of 2015), it certainly should allow residents of single family homes to have chickens.

Beth Crawford (3323 Aaron Drive). Ms. Crawford stated that she believes additional education related to the keeping of chickens is needed.

Shari Luebbert (3314 Aaron Drive). Ms. Luebbert expressed support for the proposed use and referenced several city examples which have successfully made an allowance for the keeping of chickens. In Ms. Luebbert's research, contacts were made with the Cities of Edina, St. Paul, Minneapolis and Farmington. Additionally, contact was made with the University of Minnesota Extension office. The contacted University of Minnesota Extension office representative advised Ms. Luebbert that he

would be willing to teach Elko New Market families how to care for "backyard chickens" for a nominal fee.

A summary of Ms. Luebbert's research was submitted for the record.

Following the preceding public comments, the Planning Commission discussed a broad range of issues associated with the potential allowance of chickens as an accessory use in single family residential zoning districts. Much of the discussion centered on potential nuisance concerns and the appropriateness of the use in an urban residential setting. Planning Commission comments included the following:

- Concern that chickens could incite problems with dogs being kept in adjacent backyards
- Concern over ongoing maintenance of chicken keeping facilities (coops and runs)
- The City's code enforcement responsibilities and related City costs
- Residents already have nearby access to farm fresh eggs
- Possible lack of City oversight
- Waste disposal
- Potential slaughtering of chickens

The issue of code enforcement, in particular, was discussed at length. The Commission questioned whether or not the City (at this time) has the resources or is willing to provide the resources necessary to enforce chicken regulations. In this regard, the Commission felt that it would be appropriate for City Administrator Terry and Assistant City Administrator Nagel to "weigh in" on the issue.

The Planning Commission also discussed the possible approval process for the keeping of chickens. Question was raised whether or not such use would be better accommodated via a license than a zoning approval (i.e. interim use permit).

Ultimately, the Planning Commission was noncommittal regarding the acceptability of chickens in urban residential areas and expressed their belief that the allowance of chickens in the City is a policy matter which needs to be discussed initially by the City Council. In this regard, the Planning Commission referred the matter back to the City Council.

It was further stated that forthcoming City Council discussion should recognize related code enforcement responsibilities. If the Council is open to the idea of allowing chickens to be kept in single family residential zoning districts, the Commission expressed their belief that it would then be appropriate to direct the Planning Commission to prepare related regulations.

The Commission indicated that if it is directed to prepare to prepare chicken regulations, example ordinances from similar sized cities will be examined and the standards will likely be very stringent.

10. MISCELLANEOUS

Government Training Service (GTS) Workshops. Planner Kirmis encouraged the Planning Commission to attend a forthcoming GTS land use planning workshop and cross referenced a related schedule and registration form included in the Planning Commission packet.

Staff Updates: Planner Kirmis and/or City Engineer Revering provided updates on the following projects:

- The expected Windrose Park West land conveyance application
- Boulder Heights
- Public Works Campus construction activities (water treatment plant and public works building)
- Ryan Companies Interstate 35 project

11. ADJOURNMENT

A motion was made by Smith and seconded by Kruckman to adjourn the meeting. Vote for: Thompson, Smith, Kruckman and Hartzler. Against: None. Abstained: None. Vote 4-0. Motion carried.

The meeting ended at 8:43 pm.

Submitted by:
Bob Kirmis, City Planner