

**MINUTES
CITY OF ELKO NEW MARKET
PLANNING COMMISSION MEETING
SEPTEMBER 24, 2019
7:00 PM**

1. CALL TO ORDER

Chairman Smith called the meeting of the Elko New Market Planning Commission to order at 7:00 p.m.

Commission members present: Smith, Humphrey, Kruckman, and Hanson

Members absent and excused: Priebe, and Ex-officio member Anderson

Staff Present: Community Development Specialist Christianson and Planner Sevensing.

2. PLEDGE OF ALLEGIANCE

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

3. APPROVAL OF AGENDA

A motion was made by Kruckman and seconded by Hanson to approve the agenda as submitted. Motion carried: (4-0).

4. PUBLIC COMMENT

There was no public comment.

5. ANNOUNCEMENTS

There were no announcements.

6. APPROVAL OF MINUTES

A. It was moved by Hanson and seconded by Humphrey to approve the minutes of the August 27, 2019 meeting as submitted. Motion carried: (4-0).

7. PUBLIC HEARINGS

There were no public hearings.

8. GENERAL BUSINESS

A. Consider Zoning Ordinance Amendments – Garbage/Refuse and Recreational Vehicle Parking

Planner Sevening introduced the agenda item and explained that City staff had recently conducted a citywide inventory of properties to determine the extent of compliance with Section 11-4 and 11-8 of the City code, which regulate garbage and refuse, and recreational vehicle parking. The results of the inventory, which showed significant noncompliance, were presented to the City Council on September 12th. The City Council was asked if they wanted staff to enforce the City code as currently written, or whether the code should be amended to determine if updates were needed. The City Council directed staff to bring the matter to the Planning Commission to determine if changes to the ordinance should be considered.

Sevening reviewed the current codes. In regards to garbage and refuse, she explained that the code currently requires that all garbage containers be kept within an enclosed building, or if stored outside, they shall be completely screened from view. Sevening displays examples of what the required screening could look like. On the date of the inspection, 44% of the properties in the City had violations related to storage of garbage cans. Of those, approximately 50% had garbage cans stored in front of their home and 50% had them stored on the side of their home.

In regards to the storage of recreational vehicles, Sevening explained that the current code requires that recreational vehicles be stored on a hard dust free surface, and that screening is required to the height of the recreational vehicle, or 6', whichever is less. On the date of the inspection, 16% of the properties in the City had violations related to the storage of recreational vehicles. Violations were primarily related to storing them in unpermitted locations, and without screening. She noted that the storage of recreational vehicles on properties may have a greater visual impact on neighborhoods.

Sevening explained that the City Council generally indicated that amendments to these sections should be considered. She stated that as part of the research, ten community codes were reviewed. She stated that, related to garbage can storage, nine of the ten communities allowed garbage cans to be stored outside. Half of those cities require screening of garbage containers.

All of the communities researched allow recreational vehicles to be parked in the driveway. Some permitted that seasonally, while some allowed year-round driveway parking. Some cities had size limitations, limitations on the number allowed, and most required recreational vehicles to be parked on a hard surface. Two of the cities required screening.

Sevening explained that, following completion of the citywide inventory and research of other community codes, staff had provided some preliminary recommendations for code amendments for discussion purposes. The Commission held discussion on the individual items.

Feedback from the Planning Commission regarding the storage of garbage cans was as follows:

- Kruckman stated that she does not believe the City should regulate the location of garbage cans on residential properties.
- Hanson stated that she cares about how her neighboring properties look and where garbage cans are placed. She stated it can affect the salability of a home and has visual impacts on the neighborhood.
- Humphrey stated that he is interested to know how the peer communities are regulating garbage cans, and would like to provide some consistency.
- Kruckman stated she is not in favor of requiring screening for garbage cans.
- Smith and Humphrey supported a requirement that that garbage cans be placed within an enclosed structure or if stored outside, they must be placed on the side or the rear of the home.

Following discussion regarding garbage cans, the Commission took an informal vote on the matter. It was moved by Humphrey, seconded by Hanson to recommend that the City code be amended to state that garbage cans must be placed in an enclosed structure, or in the side yard, or in the rear yard of a home, and that garbage cans will not be permitted in the front yard of a home. Motion carried: 3 – 1, with Kruckman placing the dissenting vote. Christianson noted that any change requires a formal public hearing, and action by the City Council.

Discussion was then held regarding recreational vehicle parking, as follows:

- There was discussion regarding the allowable parking surface. Christianson explained that in one section of the City code it clearly states that all driveway and parking surfaces in all residential, commercial and industrial zoning districts must be constructed with a concrete, bituminous, or paver surface. The recreational vehicle section of the code states that parking areas must be constructed with a “hard, dust-free surface”. She further explained that there was a period of time when a former consultant had opined that a gravel surface was a permissible surface for recreational vehicle parking. She explained that current City staff’s interpretation of the code is that gravel surfaces are not permitted because it contradicts the requirement that in all residential, commercial and industrial zoning districts must be constructed with a concrete, bituminous, or paver surface.
- Kruckman expressed concern about existing gravel parking spaces that may have been constructed during a previous time period. She did not want to place a financial burden on those property owners that have existing gravel surfaces by requiring them to upgrade the surface. Christianson stated that an inventory could be completed to determine how many gravel parking surfaces exist and when they were constructed. The City could include a grandfathering clause in any new ordinance to account for the existing gravel parking surfaces.

- Commissioner Humphrey commented on recreational vehicles that are allowed to be stored seasonally, and he recommended that a definition for “seasonally” be very clearly defined.
- Humphrey stated that vehicles that are over a certain size do have a visual impact on surrounding properties, and therefore, he does not believe that vehicles exceeding a certain size should be permitted in a driveway. He recommends that there be a length limit included in the ordinance.
- Commissioner Humphrey stated concern over future enforcement of the ordinance. He wanted to ensure that it would be enforced going forward.
- Hanson stated that there should be a limit on the length of a recreational vehicle parked in a driveway, and stated that the longer recreational vehicles can cause a safety issue based on impaired sightlines.
- Kruckman stated that recreational vehicles should not be allowed to encroach into the street right-of-way.
- Christianson noted that not all properties accommodate side yard parking of recreational vehicles. The majority of homes are constructed 10’ off of the side property line, and the majority of lots have a 5’ drainage and utility easement, leaving only 5’ for side yard parking.

Following discussion on the item, the Commission tentatively recommended that staff schedule a public hearing regarding amendments to the recreational vehicle section of the zoning ordinance at the October Planning Commission meeting. General items to be included in the revised ordinance include the following: restrict the number of recreational vehicles allowed to be parked on a property, restrict the size/length of recreational vehicles to be parked on a property, remove the screening requirement for recreational vehicle parking, and clarify the surfacing requirements for parking of recreational vehicles.

9. MISCELLANEOUS

A. Community Development Updates

Christianson noted that a report containing Community Development updates was included in the Planning Commission Packet. Specifically reviewed was the status of the Pete’s Hill and Boulder Heights developments, and the Elko New Market Commerce Center. Commissioner Hanson asked if there were plans for a Kwik Trip in the community. Christianson stated that Kwik Trip is currently in a due diligence period on a property in the community. Christianson noted that staff is currently collected traffic data throughout the community.

B. Planning Commission Questions and Comments

There were no further comments or questions from the Planning Commission.

10. ADJOURNMENT

A motion was made by Smith and seconded by Humphrey to adjourn the meeting at 8:11 p.m. Motion carried: (4-0).

Submitted by:



Renee Christianson
Community Development Specialist