

ZONING AND PLANNING MEETING
Public Hearing and Regular Meeting
February 14, 2011
7:00 PM

Roll call: Merritt, Cowell, DeMars, Beiser and Olson

Absent: None

Also in attendance: Loren Lodge, City Administrator and Rick Hagen

Meeting called to order by Pat Merritt at 7:02 p.m.

Motion by Beiser, second by Cowell to approve the minutes. All ayes.

Motion by Olson, seconded by Cowell to keep the officers the same as last year. All ayes.

Chairman Merritt inquired as to if there were any questions regarding the December 13, 2010 meeting. No questions.

Merritt discussed the situation at the Panos property located at 516 West Central. The property will need to be re-platted in order to accommodate the decree.

Merritt called the public hearing to order at 7:08 p.m.

The purpose of this public hearing is for the citizens of Medford to voice their concerns and ask questions regarding Scenic Heights Addition, Lots 3 and 4. The lots have a utility easement between them and the owners, Mr. and Mrs. Paul Gillis would like to combine the two lots into one lot.

Rick Hager did not have anything to add to Mr. and Mrs. Gillis' paperwork. Administrator Lodge explained the project to the Committee. Discussion among the members as to whether or not the utility easement would be necessary. Request to Administrator Lodge to investigate with the architect as to their necessity and/or need. If there is no need for the utility easements in their present location, the Committee would recommend to the Council that the lots be combined.

Motion by Olson, second by Beiser to vacate the easement between lots 3 and 4 in order to join the two lots. All ayes.

Motion by DeMars, second by Cowell to close the public hearing. Public Hearing closed at 7:20.

Hot tubs on decks were discussed. Merritt had concerns about the weight of the hot tubs on decks and inquired as to whether or not the city had an ordinance regulating such. Merritt had heard of a situation in Mankato where a resident could not build a hot tub due to the weight on a deck. Lodge informed the Committee that there is no ordinance in Medford that covers it. Consensus of the Committee to advise Council of the situation and to have Lodge take a look at it.

The next meeting will be March 21, 2011 at 7:00 p.m.

Motion by DeMars, second by Beiser to adjourn the meeting. All ayes. Meeting closed at 7:39 p.m.

ZONING AND PLANNING MEETING
Regular Meeting
March 21, 2011
7:00 PM

Roll call: Merritt, Cowell, Beiser, Olson, and DeMars

Absent: None

Also in attendance: Loren Lodge, City Administrator

Regular meeting called to order by Pat Merritt at 7:00 p.m.

Motion by Cowell, seconded by Beiser to approve the agenda as presented. Carried

Minutes from the February regular meeting were read.

Motion by Cowell, seconded by Olson to accept the regular meeting minutes as read. Carried unanimously.

Panos is working with his attorney and will come the Zoning Board at a later date with information.

Minutes from the February public hearing were read.

Motion by Olson, seconded by Cowell to accept the public hearing minutes as read. Carried unanimously.

The easement on the Gillis property was vacated by the city.

No concerns from the public.

New Business

Merritt had questions concerning the state guidelines for placing a hot tub on a deck. Mike Nelson, Steele County Building Inspector, follows the requirements given by the manufacturer.

Verbiage was presented for the ordinance amendment concerning a moving permit with an expiration date of one year.

Motion by Cowell, seconded by Olson to recommend to the city council to approve the verbiage of the amendment to section 4.33 of the city code as presented. Carried unanimously.

Additional concerns from zoning board members.

Zoning Board was informed of the joint City Council and Park Board meeting on April 5, 2011 at 7:00 PM.

Motion by Olson, seconded by Beiser to recommend to the city council to rebuild the chalet on higher ground closer to the bathrooms. Yes: 4 No: 1 Carried.

DeMars is concerned with the entire park. He would like to either add fill and raise the park or build a berm around the park to stop the flooding. He does agree that the chalet should be moved out of the flood plain.

Motion by DeMars, seconded by Cowell to recommend to the city council to direct the city administrator to contact the DNR to develop a workable plan so the park will not flood every year. Carried unanimously.

Next regular meeting will be April 18, 2011 at 7:00 p.m.

Motion by Olson, seconded by Beiser to adjourn the meeting at 7:31 p.m. Carried.

ZONING AND PLANNING MEETING
Public Hearing
April 18, 2011
7:00 PM

Roll call: Merritt, Cowell, Beiser, Olson, and DeMars

Absent: None

Also in attendance: None

Public hearing called to order by Pat Merritt at 7:00 p.m.

The purpose of this public hearing is to review an amendment to city code section 4.51 recording and conveying real property. The amendment exempts the City of Medford from the regulations of section 4.51.

There were no public in attendance with questions or comments.

The Zoning Board does not have additional questions or comments.

Motion by Cowell, seconded by Beiser to recommend to the city council to approve the amendment to city code section 4.51 recording and conveying real property. Carried.

Motion by DeMars, seconded by Olson to adjourn the public hearing at 7:13 PM. Carried.

ZONING AND PLANNING MEETING
Regular Meeting
April 18, 2011
7:00 PM

Roll call: Merritt, Cowell, Beiser, Olson, and DeMars

Absent: None

Also in attendance: None

Regular meeting called to order by Pat Merritt at 7:14 p.m.

Motion by Cowell, seconded by Beiser to approve the agenda as presented. Carried

Minutes from the March regular meeting were read.

Motion by DeMars, seconded by Cowell to accept the regular meeting minutes as read. Carried unanimously.

No concerns from the public.

Chairperson Merritt informed the zoning board of the previous council meeting.

New Business

None.

Additional concerns from zoning board members.

None.

Next regular meeting will be May16, 2011 at 7:00 p.m.

Motion by Beiser, seconded by Olson to adjourn the meeting at 7:26 p.m. Carried.

ZONING AND PLANNING MEETING
Regular Meeting
June 20, 2011
7:00 PM

Roll call: Merritt, Cowell, Beiser, Olson, and DeMars

Absent: None

Also in attendance: Amber Kniefel

Regular meeting called to order by Pat Merritt at 7:02 p.m.

Motion by Cowell, seconded by Beiser to approve the agenda as presented. Carried

Minutes from the April public hearing and regular meeting were read.

Motion by Cowell, seconded by Olson to accept the April public hearing minutes and regular meeting minutes as read. Carried unanimously.

No concerns from the public.

Chairperson Merritt informed the zoning board of the previous council meeting. Council accepted the zoning board recommendation approve the amendment to city code section 4.51 recording and conveying real property.

New Business

Discussion on the amendment to Section 4.12 Subd. 3, Subdivision A – criteria for granting variances. City Attorney, Mark Rahrck, drafted an amendment to the city code for the criteria for granting variances due to the state changing verbiage to Minn. Stat. § 462.357, subd. 6. The past language involved proving a hardship in order to grant a variance. Now, the term hardship has been changed to practical difficulties.

The zoning board will hold a public hearing on July 18, 2011 at 7:00 p.m. to amend this section of the city code to follow state statute.

Chairperson Merritt informed the board of storage containers that are being used on properties. They appear to be too close to property lines and the owner's have not received zoning permits for the placement of the containers.

Zoning board feels that the containers should be allowed, but that the owner's need to follow some sort of regulation.

Kniefel will research ordinances from other cities on storage containers and report to next meeting. Kniefel will also check with the city attorney.

Additional concerns from zoning board members.

Olson inquired about the dog catcher and the process for picking up dogs in town.

Merritt gave an update on hot tubs regulations. The county will basically follow the manufacturer's requirements for each particular hot tub.

Kniefel updated the board that Pete Connor will be starting this week. Connor will begin code enforcing as soon as he can.

Next regular meeting will be July 18, 2011 at 7:00 p.m.

Motion by Beiser, seconded by Cowell to adjourn the meeting at 7:37 p.m. Carried.

ZONING AND PLANNING MEETING
Public Hearing
July 18, 2011
6:15 PM

Roll call: Merritt, Cowell, Beiser, and Olson

Absent: DeMars

Also in attendance: Amber Kniefel

Public hearing called to order by Pat Merritt at 6:15 p.m.

The purpose of the public hearing is for the citizens of Medford to voice their concerns and ask questions regarding the amendments to the City Code pertaining to variances.

Public in Attendance: None.

Staff Presentation – Amber Kniefel presented proposed verbiage drafted by the city attorney amending city code section 4.12, subd. 3, subsection A pertaining to variances and city code section 4.10 pertaining to the definition of variance.

Questions from Zoning Board: None.

Chairperson Merritt concluded the public hearing at 6:20 p.m.

Motion by Olson, seconded by Beiser to recommend to the city council to approve both of the ordinance amendments; one to section 4.12, subd. 3, subsection A and one to section 4.10.
Carried.

Motion by Beiser, seconded by Cowell to close the public hearing at 6:21 p.m.

ZONING AND PLANNING MEETING
Regular Meeting
July 18, 2011
6:22 PM

Roll call: Merritt, Cowell, Beiser, and Olson

Absent: DeMars

Also in attendance: Amber Kniefel

Regular meeting called to order by Pat Merritt at 6:22 p.m.

Minutes from the June regular meeting were read.

Motion by Cowell, seconded by Olson to accept the June regular meeting minutes as read. Carried

No concerns from the public.

Chairperson Merritt informed the zoning board of the previous council meeting.

Old Business

Kniefel did a little research on storage containers on private property. Kniefel feels that storage containers would need to follow the same regulations as accessory buildings as set forth in the City Code. The city attorney is also looking into this to see if anything in the code needs to be amended.

New Business

None.

Additional concerns from zoning board members.

Chairperson Merritt asked the Zoning Board members to be in attendance for the city open house on Tuesday, August 2, 2011. This is the annual Night to Unite and the city is giving tours and answering questions on all the city facilities.

A public hearing for the Panos property is scheduled for Monday, August 15, 2011 at 7:00 p.m.

Next regular meeting will be August 15, 2011 following the public hearing.

Motion by Olson, seconded by Cowell to adjourn the meeting at 6:39 p.m. Carried.

ZONING AND PLANNING MEETING
Public Hearing
August 15, 2011
7:00 PM

Roll call: Merritt, Cowell, Beiser, and DeMars

Absent: Olson

Also in attendance: Amber Kniefel, Don Katra, and John Hosfield

Public hearing called to order by Pat Merritt at 7:07 p.m.

The purpose of the public hearing is for the citizens of Medford to voice their concerns and ask questions regarding the preliminary/final plat for Design Homes.

Public in Attendance: None.

Staff Presentation – None.

Applicants Presentation – Don Katra with Design Homes presented information explaining the intent and proposed plan for Design Homes. Design Homes currently has a site in Waseca. Design Homes has purchased the two lots north of the Furniture Outlet. The plat presented at this public hearing is to create one lot out of these two lots. Mr. Katra has been working with Steele County regarding driveway access and culverts. Mr. Katra also presented a layout of how the land would be used to showcase the model homes.

John Hosfield, Steele County Surveyor, presented the preliminary/final plat for the property. It will be platted as block 1, lot 1 Design Homes Addition.

Questions from Zoning Board: None.

Chairperson Merritt concluded the public hearing at 7:20 p.m.

Motion by Cowell, seconded by Beiser to recommend to the city council to approve the preliminary/final plat as presented for block 1, lot 1 Design Homes Addition. Carried.

Motion by DeMars, seconded by Beiser to close the public hearing at 7:21 p.m.

ZONING AND PLANNING MEETING
Public Hearing
August 15, 2011
7:30 PM

Roll call: Merritt, Cowell, Beiser, and DeMars

Absent: Olson

Also in attendance: Amber Kniefel and Frank Panos

Public hearing called to order by Pat Merritt at 7:30 p.m.

The purpose of the public hearing is for the citizens of Medford to voice their concerns and ask questions regarding the preliminary/final plat, variance request, and rezone request from Frank and Deanne Panos.

Public in Attendance: None.

Staff Presentation – Kniefel explained the three parts of this public hearing that requires action. The preliminary/final plat is taking four separate parcels and making them into two parcels. The variance request is to the front lot width requirement. Minimum lot width is 75 feet and the plat is showing a 65 foot frontage. The rezone request is for the Cabinet Shop. The request is to rezone that parcel from residential to commercial.

Applicants Presentation – Frank Panos was in attendance. Mr. Panos would like additional information on the grandfathering provision as it relates to the Cabinet Shop.

Questions from Zoning Board: The Zoning Board would like additional information from the city attorney about the grandfathering provision.

The west side set back on the Cabinet Shop parcel is platted at 9.3 feet. The minimum set back on the side is 10 feet. Zoning Board would like to have that line moved .7 feet to make the 10 foot set back.

The fence that runs along the back side of the properties will be across the proposed lot line. The Zoning Board would like to have the fence moved to become in compliance with the two foot set back requirement for fences.

Motion by DeMars, seconded by Cowell to get additional information from the city attorney on the grandfathering provision specifically the term shop. Carried.

Chairperson Merritt concluded the public hearing at 7:45 p.m.

Motion by Merritt, seconded by Cowell to recommend to the city council to approve the 9.3 foot variance request to the lot size frontage requirement providing the west property line is moved .7 feet to make it a 10 foot setback on the west side and the fence be moved to comply with current fence requirement setbacks of two feet from the property line. Carried.

Motion by Merritt, seconded by Beiser to recommend to the city council to approve the proposed plat noting the 9.3 foot variance, the west property line needs to be moved .7 feet to the west to gain a 10 foot side setback, and the fence needs to come into compliance with current fence setback requirements of two feet from the property line. Carried.

Motion by Beiser, seconded by Cowell to close the public hearing at 7:50 p.m.

ZONING AND PLANNING MEETING
Regular Meeting
August 15, 2011
7:51 PM

Roll call: Merritt, Cowell, Beiser, and DeMars

Absent: Olson

Also in attendance: Amber Kniefel

Regular meeting called to order by Pat Merritt at 7:51 p.m.

Minutes from the July 18, 2011 public hearing and the regular meeting were read.

Motion by DeMars, seconded by Beiser to accept the July 18, 2011 public hearing and the regular meeting as read. Carried

No concerns from the public.

Chairperson Merritt informed the zoning board of the previous council meeting.

Old Business

None.

New Business

None.

Additional concerns from zoning board members.

Next regular meeting will be September 19, 2011 at 7:00 PM

Motion by Beiser, seconded by DeMars to adjourn the meeting at 7:55 p.m. Carried.

ZONING AND PLANNING MEETING
Public Hearing
September 19, 2011
7:00 PM

Roll call: Merritt, Cowell, Beiser, and DeMars

Absent: Olson

Also in attendance: Pete Connor, Amber Kniefel, and Jeanette Sanford

Public hearing called to order by Pat Merritt at 7:01 p.m.

The purpose of the public hearing is for the citizens of Medford to voice their concerns and ask questions regarding the vacation of "Lot 3" of the Christ the King parking lot.

Public in Attendance: Jeanette Sanford

Staff Presentation – Kniefel drew a diagram on the white board illustrating the lot that is to be vacated. The vacation of this lot will effectively allow this property to be recorded as Christ the King property.

Applicants Presentation – This is a city initiated public hearing.

Statements from the public – Jeanette Sanford was looking for clarification on the entire Christ the King property line issue. An agreement has been made between the Church and the City pertaining to the correction of the property lines.

Chairperson Merritt concluded the public hearing at 7:05 p.m.

Questions from Zoning Board: None.

Motion by Beiser, seconded by Cowell to recommend to the city council to approve the vacation of "Lot 3" of the Christ the King parking lot as presented. Carried.

Motion by DeMars, seconded by Cowell to close the public hearing at 7:06 p.m.

ZONING AND PLANNING MEETING
Regular Meeting
September 19, 2011
7:06 PM

Roll call: Merritt, Cowell, Beiser, and DeMars

Absent: Olson

Also in attendance: Pete Connor, Amber Kniefel, and Jeanette Sanford

Regular meeting called to order by Pat Merritt at 7:07 p.m.

Motion by Cowell, seconded by DeMars to approve the agenda as presented. Carried.

Minutes from the August 15, 2011 public hearings and the regular meeting were read.

Motion by DeMars, seconded by Cowell to accept the August 15, 2011 public hearing and the regular meeting minutes as read. Carried

No concerns from the public.

Chairperson Merritt informed the zoning board of the previous council meeting.

Old Business

None.

New Business

The Zoning Board held a discussion on the Christ the King/City property survey. Chairperson Merritt would like to see more information about the 30 foot strip of land at the north portion of the parking lot. The agreement states that the north 30 feet will be deeded to the Church. Merritt feels the City should have an easement that extends from Pool Street along that 30 feet of the parking lot.

Merritt would also like to know how many feet it will be from the park bathrooms to the new Church property line.

Motion by Merritt, seconded by Cowell to recommend to the City Council to ask the Church for an extended easement from Pool Street along the 30 foot wide strip at the north end of the parking lot.

Nay: DeMars Yes: Merritt, Cowell, Beiser Carried.

Additional concerns from zoning board members.

Next regular meeting will be October 24, 2011 at 7:00 PM

Motion by Beiser, seconded by DeMars to adjourn the meeting at 7:22 p.m. Carried.

ZONING AND PLANNING MEETING
Public Hearing
October 17, 2011
7:00 PM

Roll call: Cowell, Beiser, and DeMars

Absent: Merritt and Olson

Also in attendance: Pete Connor, Amber Kniefel, Doug Jones, Tina Rogers, Hazel Chapi, and Joe Erler

Public hearing called to order by Ivan Cowell at 7:21 p.m.

The purpose of the public hearing is for the citizens of Medford to voice their concerns and ask questions regarding the request for a conditional use permit for Elevation North Church located at 217 N Main St, Medford. (The Celebrations Building)

Staff Presentation – Connor and Kniefel spoke to the fact that city hall received calls asking questions about the notice they received. After explaining the purpose of the notice, there was no request to present any comments to the board.

Applicants Presentation – Joe Erler, representative of BBMM, LLC, explained that the plan is to have Elevation North Church lease the property for about three years and within that time, hopefully purchase the property.

DeMars asked about the distance between a church and the liquor store. Kniefel answered that that the prior ordinance regulated that no liquor license could be granted within 300 feet of a church, not that a church could not be located within 300 feet of an establishment with a liquor license. The city amended the 300 foot requirement and the city no longer has that requirement in the code.

DeMars asked about the parking lot use agreement. Mr. Erler responded that BBMM, LLC has no intentions on changing the agreement between BBMM, LLC and the City. The City plows the parking lot in exchange for being able to use the parking lot for the Municipal Liquor Store.

Cowell asked about how many people are in the Elevation North congregation. Doug Jones, the minister of Elevation North, answered that there are approximately 60 parishioners.

Connor explained the differences between interim use permit and conditional use permit. A conditional use permit stays with the property. An interim use permit can have time and date limitations added as part of the conditions.

Statements from the public – None.

Vice chairperson Cowell concluded the public hearing at 7:45 p.m.

Questions from Zoning Board: None.

Motion by Beiser, to recommend to the city council to approve the request for a conditional use permit to BBMM, LLC for the use of Elevation North Church.

DeMars stated that he is in favor of an interim use permit. Cowell agreed.

Beiser withdrew his motion.

Motion by DeMars, seconded by Beiser to recommend to the city council to grant an interim use permit to BBMM, LLC for the use of Elevation North Church at 217 N Main, Medford. Carried.

Motion by Beiser, seconded by DeMars to close the public hearing at 7:58 p.m.

ZONING AND PLANNING MEETING
Regular Meeting
October 17, 2011
8:00 PM

Roll call: Cowell, Beiser, and DeMars

Absent: Merritt and Olson

Also in attendance: Pete Connor and Amber Kniefel

Regular meeting called to order by Ivan Cowell at 8:00 p.m.

Motion by Beiser, seconded by DeMars to approve the agenda as presented. Carried.

Minutes from the September 19, 2011 public hearing and the regular meeting were read.

Motion by DeMars, seconded by Beiser to accept the September 19, 2011 public hearing and the regular meeting minutes as read. Carried

No concerns from the public.

Old Business

DeMars asked about the tall grass and weeds along the railroad tracks. Administrator Connor explained that he has been in contact with the railroad company and they have taken care of some of the weeds along the railroad right of way. The weeds and grass growing in the center of the tracks are still there. Connor has left messages, but has not heard back again.

New Business

The December regular zoning board meeting needs to be moved up a week to Monday, December 12, 2011 at 7:00 p.m. The council meeting will be held on Monday, December 19, 2011 at 7:00 p.m. due to the holidays.

Site plans and survey requirements – Site plans presented to the city for principle structures, accessory buildings, fences, etc will need to show the location of property pins. City staff is strict on the finding

the location of property lines and property pins to prove set back compliance. A survey will be requested from those properties where the lines are unknown.

Zoning Board agrees with city staff for the need of surveys and locating property lines.

Additional concerns from zoning board members.

Special meeting on Monday, November 7, 2011 at 6:00 PM

Next regular meeting will be November 21, 2011 at 7:00 PM

Motion by Beiser, seconded by DeMars to adjourn the meeting at 8:12 p.m. Carried.

ZONING AND PLANNING MEETING
Public Hearing
November 7, 2011
6:00 PM

Roll call: Merritt, Cowell, Beiser, and Olson

Absent: DeMars

Also in attendance: Pete Connor and Amber Kniefel

Public hearing called to order by Pat Merritt at 6:00 p.m.

The purpose of the public hearing is for the citizens of Medford to voice their concerns and ask questions regarding amendments to City Code Section 4.71 Flood Plain Management.

Staff Presentation – Connor presented a draft of the amended Flood Plain Management ordinance. Administrator Connor proceeded to go through the changes required by the Minnesota Department of Natural Resources. The draft presented has been preliminarily approved by the DNR pending proper public hearings, council approval and publications.

Statements from the public – There was no public in attendance.

Chairperson Merritt concluded the public hearing at 6:17 p.m.

Discussion of the Zoning Board: Beiser asked specifically about the Met-Con property. Connor and Kniefel answered that more than likely a new agreement would need to be made. All properties would need to follow the Flood Plain Ordinance.

Motion by Cowell, seconded by Beiser, to recommend to the city council to approve the amendments to City Code Section 4.71 Flood Plain Management ordinance as presented. Carried.

Motion by Olson, seconded by Cowell to adjourn the meeting at 6:20 p.m.

ZONING AND PLANNING MEETING
Regular Meeting
November 21, 2011
7:00 PM

Roll call: Merritt, Olson, Beiser, and DeMars

Absent: Cowell

Also in attendance: Pete Connor and Amber Kniefel

Regular meeting called to order by Pat Merritt at 7:06 p.m.

Motion by Beiser, seconded by Olson to approve the agenda as presented. Carried.

Minutes from the October 17, 2011 public hearing and the regular meeting were read.

Motion by Beiser, seconded by Olson to accept the October 17, 2011 public hearing minutes as read.
Carried

Motion by Olson, seconded by Beiser to accept the October 17, 2011 regular meeting minutes as read.
Carried

Motion by Beiser, seconded by Olson to accept the November 7, 2011 public hearing minutes as read.
Carried

No concerns from the public.

Old Business

None.

New Business

Permitted Uses in Districts – Section 4.32 of the Medford City Code

The Zoning Board reviewed the list from section 4.32 and discussed if any changes are needed.

One item on the list the board wanted to discuss was the allowance of churches in commercial districts. Currently, the code allows a church in all commercial districts with a conditional use permit. Chairperson Merritt would like to have churches in residential zoned districts. Commercial areas in Medford are limited and Merritt would like commercial businesses in commercial districts.

Discussion of property taxes relating to commercial districts. DeMars felt that the little bit of property taxes that would be lost to a church in a commercial district would be a minimum and could easily be absorbed by the rest of the tax payers.

Motion by Olson, seconded by Merritt to make a recommendation to the city council to amend Section 4.32 commercial and industrial uses to read that churches are not allowed in the C1, C2, and C3 commercial districts. Ayes: Olson and Merritt Nays: DeMars and Beiser Motion Fails.

Vacation of Alleys – Administrator Connor presented information on the status of alleys within the city. Portions of alleys have been vacated in the past leaving odd shaped alleys throughout the city. Kniefel studied the map and marked the alleys for Kucera to research and report back to the board which alleys contain city utilities. Kniefel will report back at the next zoning board meeting.

Peddlers, Solicitors, and Transient Merchants Ordinance – Administrator Connor drafted an ordinance to address and regulate peddlers, solicitors and transient merchants within city limits.

City Attorney, Mark Rahrick, had two suggestions. The ordinance should say the fee will be set from time to time by council. Every year the council approves a list of fees and this would be added to that list. Also, the ordinance suggests giving rebates for those that don't stay in Medford as long as they thought they would. Rahrick thought we should take that out and not give rebates.

Motion by Beiser, seconded by DeMars to make a recommendation to the city council to approve the Peddlers, Solicitors, and Transient Merchant Ordinance including the suggestions from the attorney and pending any public hearings that may need to be held. Carried.

Fabric Structures Ordinance – Connor explained that originally we submitted a draft ordinance specifically for fabric covered structures. City Attorney Rahrick reviewed the draft and commented that our current code covers fabric structures. Fabric structures meet the definition of an accessory building and the city can regulate them as such. Board consensus is to continue regulating fabric structures in accordance with the code.

Interim Use Permit Language – Connor presented a draft ordinance amendment that adds clarification to the interim use permit section of the code.

Motion by Beiser, seconded by Olson to recommend to the city council to approve the draft interim use permit language pending any public hearing that may need to be held. Carried.

Additional concerns from zoning board members.

Due to the late arrival of DeMars, DeMars asked the board if they could discuss the Commercial and Industrial Use list again. DeMars has concerns about the language used for Appliance, Sales and Repair, Auto Repair (Major), Auto Repair (Minor), Auto Accessory and Automobile Dealerships. Currently, all these uses are permitted in a C2 and C3. Appliance Sales and Repair are a conditional use in a C1, Auto Repair, both major and minor, are a permitted use in a C1, and an Automobile Dealership and an Auto Accessory use is not permitted in a C1.

A C1 zone is a commercial business located within or very close to residential zones. DeMars feels that all the uses should be permitted in a C1 zone to make the code consistent. Merritt feels the code is written correctly because an appliance repair store is very different from an automobile dealership.

Beiser stated that many automobile dealerships also have an auto accessory department and also do repair.

Motion by DeMars, seconded by Beiser to recommend to the city council to amend section 4.32 commercial and industrial uses line Auto Accessory to a permitted use in a C1 district. Ayes: DeMars and Beiser Nays: Merritt and Olson Motion Fails.

Next regular meeting will be December 12, 2011 at 7:00 PM

Motion by Olson, seconded by Beiser to adjourn the meeting at 8:26 p.m. Carried.