

Chatfield Planning and Zoning Commission Meeting Agenda

August 6, 2012
7:00 p.m.
City Council Chambers
Thurber Community Building

- I. Regular Meeting - Consider and Approve the Meeting Agenda (pg. 1)
- II. Approve Prior Meeting Minutes (pg.2-3)
- III. Discussion to fence commercial dumpsters (pg. 4-8)
- IV. Discussion on unsafe and/or unsightly housing (pg. 9)
- V. Adjourn

CITY OF CHATFIELD
PLANNING & ZONING COMMISSION MEETING MINUTES
Monday, July 02, 2012

Members Present: Aaron Armstrong, Terry Bradt, Russ Smith, and Charles Vale

Members Absent: Dave Frank, Scot Steenblock, and Dan Tuohy

Others Present: Kristi Clarke, and Kay Coe

I. **Planning & Zoning – July 2, 2012 – 7:00 p.m** Bradt called the regular meeting to order at 7:00 p.m.

II. **Consider and Approve the Meeting Agenda.**

Vale entered a motion, with a second by Smith, to approve the agenda as presented. All ayes, motion carried 4-3. Ayes: Armstrong, Bradt, Smith, Vale. Absent: Frank, Steenblock, Tuohy.

III. **Approve Prior Meeting Minutes**

Armstrong entered a motion, with a second by Smith, to approve the May 07, 2012 Meeting Minutes as presented. All ayes, motion carried 4-3. Ayes: Armstrong, Bradt, Smith, Vale. Absent: Frank, Steenblock, Tuohy.

IV. **Draft Interim Use Language and B-1 Residential Use Definition**

Clake stated that both the EDA Board and Commercial Club struggled with the idea of allowing residential uses on the main floor in the B-1 Zoning District. The Commission was disappointed to learn that this business opportunity was not received in a positive manner.

Smith entered a motion, with a second by Armstrong, to recommend updating the language in the permitted and conditional use section in the B-1 zone as presented and to table the Interim Use Permit discussion. All ayes, motion carried 4-3. Ayes: Armstrong, Bradt, Smith, Vale. Absent: Frank, Steenblock, Tuohy.

V. **Privacy Fencing Discussion and Review -**

Clarke explained that a resident called City Hall to express some concerns about the current fence height regulation. She believes that a six foot tall fence should not be allowed along the side and rear yards in the R-1 and R-2 zones as is currently allowed today and that she would like to see language changes to the City Code that would only allow privacy fences (fences as tall as six feet) in limited cases.

The Commissioners were asked to look at existing privacy fences in Chatfield so that they could discuss this issue during our July meeting. The Commissioners felt that the existing privacy fences in town are typically well maintained and provided home owners with an increased level of privacy and safety especially for small children with swimming pools or play equipment near busier streets. They also noted that many other cities have similar fence rules and that privacy fencing in side and rear yards is fairly standard. The Commission determined that they were not in favor of language changes to the code regarding privacy fencing.

Smith entered a motion, with a second by Vale, to make no changes to the current privacy fence language in the code of ordinances. . All ayes, motion carried 4-3. Ayes: Armstrong, Bradt, Smith, Vale. Absent: Frank, Steenblock, Tuohy.

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VI. Mill Creek Access Easement – Neighborhood Meeting Update

Clarke informed the Commission that a neighborhood meeting was held Tuesday, May 15th with Steve Klotz (MN DNR) and the property owners & interested parties to begin acquiring the access easements necessary to stabilize the stream banks along Mill Creek from Groen Park southward to the confluence of the Root River..

This is a two phase project. The first phase is to identify the property lines, get easements signed and pay the property owners. The second phase is to assist the DNR in writing the grant. Clarke will contact the homeowners to see if they have any additional questions.

VII. 2012 Land Use Training Update

Clarke inquired to make sure everyone had been notified that the next E-Training course is now available. She will get Armstrong's information forwarded to new address, check on status of Vale's completed course and also continue to watch for live training opportunities in the area.

VIII. Dumpster Fencing Discussion

Clarke informed the Commission that there have been a couple issues with dumpsters blowing / rolling and damaging property. Bill Hanson would like the City to consider changing the code of ordinance language requiring dumpsters to be fenced / secured. After a brief discussion the general consensus was that securing the dumpsters is between the Garbage hauler and the customer. The feeling is that screening may or may not actually improve the situation or may create other issues. Clarke asked the Commissioners to take a look around town and to think about this further.

IX. Adjourn

Aarmstrong entered a motion with a second by Smith to adjourn at 7:36 pm. All ayes, motion carried 4-3. Ayes: Armstrong, Bradt, Smith, Vale. Absent: Frank, Steenblock, Tuohy.

Terry Bradt, Chair

Kay Coe, Finance Director

INTEROFFICE MEMORANDUM

TO: CHATFIELD PLANNING & ZONING
FROM: KRISTI CLARKE, PLANNING
SUBJECT: FENCING COMMERCIAL DUMPSTERS
DATE: 8/2/2012

Last month Bill Hanson, Chatfield's solid waste provider, talked with the Public Services Committee to bring to their attention a recent issue that he has been dealing with concerning the larger dumpsters in commercial areas. Specifically, several dumpsters that were not secured properly, rolled into automobiles with enough force to cause damage.

Bill asked the Public Service Committee if they felt that the City Code should be amended to require commercial dumpsters be secured on-site and also if these dumpsters should include some type of fencing to improve the visual aesthetics of these dumpsters.

The Public Service Committee thought that Bill and his company should work with each of their customers through their private contracts to figure out how to effectively secure their dumpsters, but the Committee wanted P&Z to review the fencing issue.

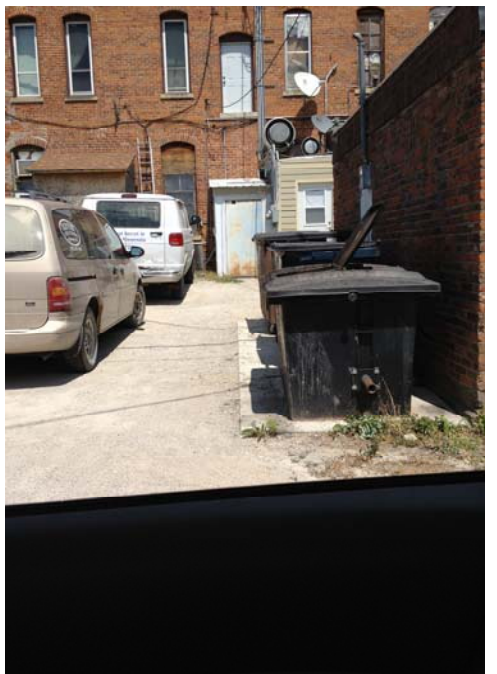
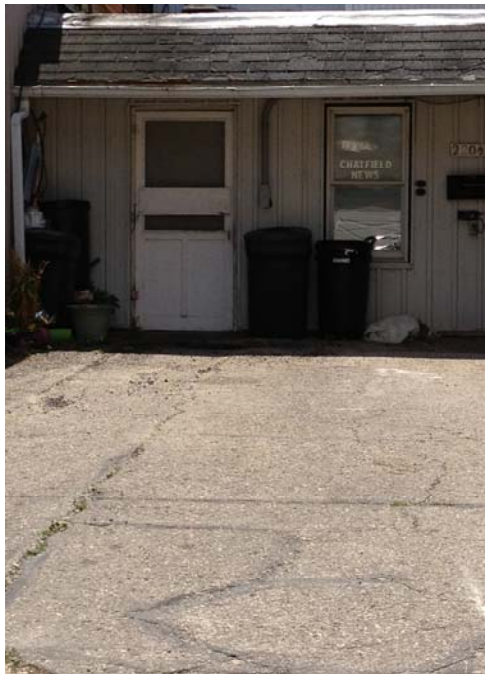
I suggested that we take the month of July to review our current dumpster areas and then determine if you think that changes should be made to our code.

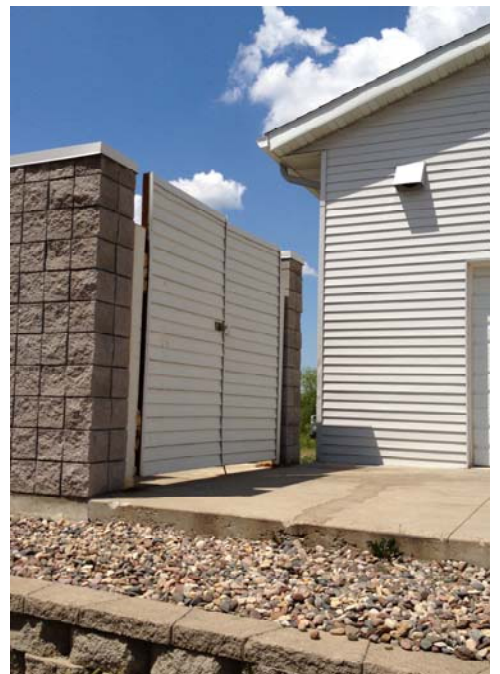
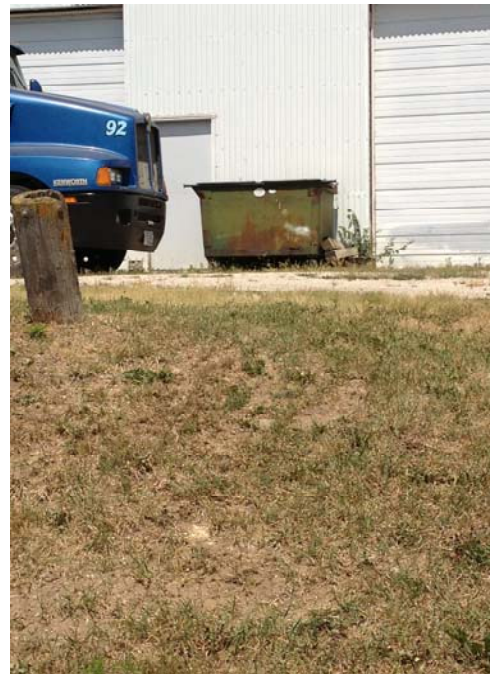
City Code Review:

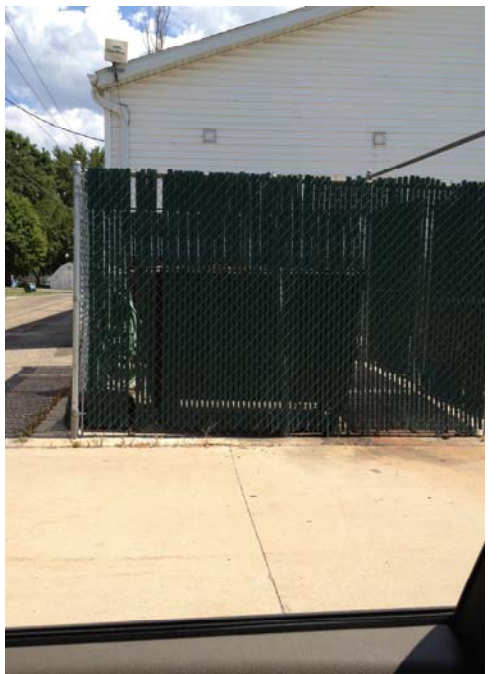
Chapter 22 – Solid Waste containers are not currently required to be screened. Containers are defined in Section 22-31 as refuse and solid waste that must fit into specially marked bags, shall be properly sealed and placed for collection in proper containers which must be watertight.

Chapter 13 – Zoning: Section 113-293, Fencing. Special purpose fences can be required if the fence were used to protect, buffer or improve the premises for which the fence is intended.

I have attached several pages of photos that I took from commercial dumpsters in Chatfield in early July. As I've observed, most of the dumpsters are on solid surfaces and are reasonably well maintained in a tidy, clean manner. I don't think requiring fences to improve the property is necessary. I look forward to our discussion this Monday evening.









INTEROFFICE MEMORANDUM

TO: CHATFIELD PLANNING & ZONING
FROM: KRISTI CLARKE, PLANNING
SUBJECT: UNSAFE AND/OR UNSIGHTLY HOUSING
DATE: 8/2/12

During the spring and summer months the City typically deals with a variety of issues concerning public nuisances. This summer has been no exception. Thankfully, most issues are dealt with fairly quickly and don't necessitate City Council action. However, in the last few months, Joel Young and I have reviewed three abandoned homes and are now working with the property owners to either tear these homes down or have them secured in such a way that would improve their appearance and make them reasonably safe.

Two of the three homes appear to be literally falling down from roof to basement. One building was burned to the ground leaving only the foundation with many unsolved safety concerns. We have also, more recently, been made aware of several other homes that are in various stages of disrepair that unquestionably trigger numerous nuisance violations.

These concerns seem to go beyond what can be managed in either the nuisance section of the code or in the State Statute's extreme definitions of "garbage" or "hazardous" buildings. Characteristics for a hazardous building include: unoccupied, badly deteriorated, decayed and rotten foundations, rotten and collapsing roof cornice, large holes in roof and plaster, roof leaks, many broken window lights, dry water traps in wash basins and water closets resulting in open sewers, and various construction materials littering interiors.

Our local codes can manage various nuisances that usually results in a positive improvement for most properties when the home is occupied and the owner is willing and able to deal with an issue or two. State Codes can help us deal with homes that are no longer occupied and have deteriorated to such a state that the building is "unsafe". However, this seems to leave a rather broad enforcement gap.

Other cities have elected to adopt housing codes to fill this gap which outlines minimum standards for residential buildings before they become uninhabitable. These codes include details like minimum standards for roofs and basements, exterior painted surfaces and windows, egress windows and basement hatchways, exterior door locks, minimum standards for bathrooms, continued use of required city services, and responsibilities for home maintenance and garbage, management of rodents and other pests, and violations of public health and safety hazards.

I would like to begin a discussion with the Commissioners to see if you feel like reviewing and adopting some form of a housing code is something we should take a closer look at.