



Planning & Zoning Commission Meeting Minutes
November 6, 2019, 5:30pm
Grand Forks Council Chambers

1. Roll Call: Members Present

Andrew Budke, Cole Johnson, Pete Kuhn, Jamie Lunski, Alex Reichert, Meggen Sande.
Members absent - Paula Lee, Frank Matejcek and Steve Wasvick.

2. Reading and Approval of Minutes for October 2, 2019

Motion to approve as submitted by Lunski; second by Sande. Motion carried unanimously.

3. Public Hearings, Final Approvals, Petitions, and Minor Changes

Brad Gengler introduced Jane Beasley to the Commission as the new Senior Administrative Specialist. Gengler explained to the Commission that Jane had just a couple days in the new position and Stefanie Coleman from the Finance Department will assist with taking minutes for this meeting.

3-1 Vacation of a portion of a utility easement lying within Lot 2, Block 4, LeClerc's Addition located at 5509 Charlie Ray Drive.

Brad Gengler introduced the request to vacate a portion of a 10 ft storm sewer easement within the LeClerc's Addition. Gengler presented the Commission with a vacation map that depicted the portion of the house that encroaches into the easement. Gengler explained that it was recently discovered that when the house was built in 2015 it was built about one and a half feet into the easement. After review and discussion with the owners of the property, it was concluded that the best action would be to vacate the portion of the property that encroaches into the easement.

Pete Kuhn asked if allowing the vacation of the portion of the easement would cause problems if work needed to be done on the storm sewer.

Gengler explained that there are still about 8 feet between the house and the storm sewer and the sewer is not very deep in the ground so he did not foresee any issues with access to the storm sewer.

Motion by Sande; second by Lunski for approval to vacate a portion of a utility easement lying within Lot 2, Block 4, LeClerc's Addition located at 5509 Charlie Ray Drive. Motion carried unanimously.

4. Communications and Preliminary Approvals

4-1 An ordinance amending sections 18-0204 (2) Rules & Definitions; 18-0219(9) I-2 Heavy Industrial District side yard requirements, ; 18-0302 (12) Off-Street Parking & Loading; 18-0309 (4) Landscaping sections of the Grand Forks City Code for the purpose of establishing allowances for gravel, and requirements for curb and gutter, landscaping in I-2 districts.

Andrea Edwardson reminded the Commission that the need to review the requirements for curb and gutter and gravel in industrial areas was brought up at past meetings. Edwardson explained that as the ordinance currently stands, no gravel is allowed on industrial sites within city limits. Edwardson also noted that many businesses have requested variances from the paving requirements, with most of the requests being reviewed by the Board of Adjustments and a few by the Planning and Zoning Commission. Edwardson told the Commission that the Planning Department has reached out to other communities in North Dakota and found that they do allow gravel in industrial areas. To remain comparable with other cities, a subcommittee has met a few times to address certain requirements and possible revisions to the ordinance. Edwardson explained that staff and the subcommittee agreed to revise requirements in I-2 zones because they are located in a more heavy industrial area with little to no residential homes and are less centrally located in town compared to I-1 areas. Revising the ordinance in the outlying parts of town rather than more centralized locations should help assure that the aesthetics of the main parts of our city would not be compromised by the creeping of gravel into surrounding areas. Edwardson continued by sharing that the revisions proposed would allow gravel in I-2 areas that are not within the current corridor overlay district boundaries that the city has in place to protect the aesthetics of those corridors. I-2 zones not in the corridor would be required to pull gravel back 15 feet from the property line and to implement landscaping to help the creeping of gravel into unwanted areas. Staff felt that the current landscaping requirements for a buffer yard would be sufficient for the updated ordinance as well. Other sections of the code were amended to include specific language clarifying the areas that are or are not allowed to have gravel and the landscaping requirements in such areas. Edwardson assured the Commission that staff would be performing inspections of businesses to confirm that proper measures are taken when implementing buffer yards for gravel.

Commission member Andrew Budke recalled a recent request from Ironhide, which is not within the I-2 zone and asked whether zones other than I-1 were considered in making these ordinance changes.

Edwardson responded that other zones were not included in this ordinance change because staff felt those areas were best to be reviewed on a case by case basis to ensure that no unintended consequences developed in other, more centralized zones. Edwardson explained some wording was changed in the requirements of zones other than I-2 to make it clearer that they are not able to have gravel within those areas, unless a variance is requested, reviewed and granted.

Motion by Johnson; second by Kuhn. Motion carried unanimously.

5. Reports from the Planning Department

Brad Gengler explained to the Commission that there has not been an update to the Commission Bylaws in quite some time and that certain parts needed revision and clarification. Some specific updates are the change in the number of members from 15

to 9, the length of time members serve in a position, the individual duties of the commission members, how the bylaws govern subcommittees, and review of ethics and procedure. Gengler noted that there has been some confusion of the recusal process of members and provided resources from Robert's Rules of Order to help explain the correct procedure. Gengler also stated that the City Council has adopted an ethics and procedures policy that also applies to the Planning and Zoning Commission and will have to be reviewed to make sure it is being followed.

Alex Reichert asked Gengler if the Commission Bylaws are available online or if they could be emailed to him.

Gengler stated that the bylaws are not online and that he would email a copy to the Commission to review.

6. Other Business

6-1 Commissioner Training

6-2 Staff announcements (upcoming meetings, projects, studies, etc)

Andrea Edwardson announced that the Commission should have received emails about an upcoming meeting to review downtown design standards. She noted that Alex Reichert would be in attendance, as he is already on the Downtown Design Review Board, and that Andrew Budke has expressed interest in attending. Edwardson reminded the Commission that they cannot have a quorum, but if anyone else is interested in getting involved they should reach out to her or attend the upcoming meeting. Edwardson added that they would be bringing updates to the Commission regarding decisions made at this meeting as needed.

Stephanie Halford announced to the Commission that the 2020 U.S. Census is approaching and that the Planning and Zoning Department has partnered with the County and East Grand Forks to assist in outreach and education for the census. Halford explained that the purpose of the census is to allocate shares of federal funds based on population size. These federal funds are used in our community for grants and funding of various programs including Medicaid, schools, streets and our public works. The census also determines the number of seats the state holds in the U.S. House of Representatives. Halford explained that for each person that doesn't participate in the census, an average of \$1,900.00 is missed in federal funds annually. Halford added that citizens are now able to complete the census online as well as by phone or mail. Halford assured that all information collected for the census is confidential and protected by law.

Brad Gengler announced to the Commission that the department is in the process of updating the City's land use plan for 2045. He explained that the land use plan is an overall roadmap of the City to help manage the development of land in the future. Gengler noted that there are many issues to consider in this processes and that a land use subcommittee will be formed to help find the best options for the City. Gengler also mentioned that the MPO would be involved in helping with this processes and that the MPO's transportation plan is created based on the land use plan. Gengler stated the Commission would be presented with roadmap plans after they are drafted.

Gengler reminded the Commission that the need to update the City's current signage code has mentioned in the past meetings. He noted that as the city code currently stands, the number of billboards allowed within the City is determined by the population size. Gengler explained that he feels the code is in need of review and possible revision and that if the code is not changed, the upcoming census results would be what determines the number of billboards allowed in the City.

Gengler announced that one seat remains open on the Planning and Zoning Commission as Paula Lee is no longer serving. He explained that applications have been received and the approval processes will begin once the application window is closed.

7. Adjournment

Motion to adjourn by Kuhn; second by Lunski. Motion carried unanimously.