

**PLANNING & ZONING COMMITTEE
MEETING AGENDA
THURSDAY, SEPTEMBER 7, 2017 @ 7:00 P.M.
ARLINGTON COMMUNITY CENTER**

1. Call to Order.
2. Pledge of Allegiance.
3. Approve Agenda.
4. Approve the Minutes.
 - A. August 3, 2017 – Regular Session.
 - B. August 3, 2017 – Joint Session.
5. Public Hearings.
 - A. None.
6. Business.
 - A. Draft Ordinances:
 - (1) R-2 District (New);
 - (2) Update to Definitions, R-1 District, and R-2 (Existing); Incorporation of Accessory Dwelling Unit Standards.
 - B. Small Wireless Facilities in Public Rights-of-Way.
 - C. Discussion: Rental Code.
7. Building Permit Report.
 - A. July 2017.
8. Other/Updates.
9. Adjourn.

A QUORUM OF THE CITY COUNCIL MAY BE PRESENT AT THIS MEETING. NO OFFICIAL ACTION BY THE CITY COUNCIL SHALL OCCUR AT THIS MEETING
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**ARLINGTON PLANNING & ZONING BOARD
MEETING MINUTES
SEPTEMBER 7, 2017**

The meeting was called to order at 7:00 p.m. by Chairperson Kreft.

Members Present: Carlson, Deno, Grabitske, Halverson, Chairperson Kreft, Councilmember Battcher

Members Absent: Pichelmann

Also Present: PZ Adm. Smith-Strack, Mayor Nagel

Motion by Battcher, seconded by Carlson, and passed by unanimous vote to approve the agenda as presented.

Motion by Grabitske, seconded by Halverson, and passed by unanimous vote to approve the minutes from the August 3rd regular session and the August 3rd Special Joint Council meeting as presented.

Chairperson Kreft recessed the regular meeting to hold a public hearing.

Smith-Strack presented two draft ordinances that she put together based on conversations held at previous meetings regarding changes to the residential zoning classes. One ordinance added a new R-2 zoning classification and the other amended definitions and existing residential zoning classifications. She commented that before the ordinances go into effect, that language should be included regarding accessory dwelling units. The following standards (applied to both R-1 & R-2 districts), allowed by interim use permit, were reviewed:

1. A maximum of one (1) accessory dwelling unit per lot is allowed within the R-1 District.
2. The subject property maintains homestead classification status for property tax purposes and is occupied by the fee owner of the property.
3. The accessory dwelling unit is accessory to a detached single family dwelling or twin home.
4. The accessory dwelling unit is not accessory to a duplex (two-family dwelling), an apartment, or a single family attached structure containing more than two units per structure.
5. The accessory dwelling unit is attached or contained within the principal structure and/or an attached garage. Detached accessory dwelling units are prohibited.
6. The accessory dwelling unit is at least 250 square feet in area.
7. The accessory dwelling unit does not exceed thirty (30) percent of the ground-floor area of the principal structure or 400 square feet, whichever is greater.
8. The accessory dwelling unit shall not alter the basic single-family appearance of the principal structure.
9. If the accessory dwelling unit has separate ingress/egress, a separate street address and separate shutoffs for water and electrical service are required.
10. One (1) off-street parking space shall be provided exclusively for the accessory dwelling unit.

Battcher commented that she would not be opposed to allowing detached ADU's. She questioned the need for separate shutoffs and/or utility services if the ADU had separate ingress/egress from the principal structure. Kreft stated that detached ADU's would require more regulations. He added that it was the Committee's hope that by requiring separate utilities and shutoffs it would deter property owners from treating ADU's like rentals and use them for family members only.

The official zoning map was also reviewed. Smith-Strack commented that when the public hearing is held for the two new ordinances (mentioned above), the zoning map would be updated at the same time (during the same hearing). Smith-Strack noted how the map would change with the new residential zoning classifications. She stated that some discussion was needed regarding the former Noack building and how it should be zoned. The property was zoned industrial prior to 2010, at which time a complete rezoning was done and the property was changed to multi-family. It currently has apartments and businesses operating within it (all existing/operational at the time the map was last updated, essentially grandfathered in/allowed as a legal non-conforming use). Smith-Strack stated that a new business would like to start up; which would increase the non-conforming use and is not permitted under the zoning ordinance. Kreft felt that the zoning map should be updated to reflect the changes proposed within the two new ordinances; and that the former Noack property should be left alone until such time that the property owner makes a request to the City for rezoning. It was the consensus of the Committee to review the changes to the zoning map at the October meeting and hold the public hearing at the November meeting. Smith-Strack was asked to reach out to the property owner of the former Noack property to see what can be done to appease the situation.

Smith-Strack presented information on a new law that went into effect May 31, 2017 pertaining to small cellular wireless facilities. She stated that such facilities must now be allowed in public rights-of-way as essential services with limited restrictions. Within the new law is an exemption for cities that own their own utilities, such as Arlington, and elect to manage their own public rights-of-way. The exemption is not clear and cities will be impacted significantly on their ability to manage the public right-of-way and structures within that ROW; some zoning regulations will also be affected. Smith-Strack stated that she would be attending a webinar on this and report back to the Committee. She just wanted the Committee to be aware of this and that discussion maybe needed in the future. Smith-Strack explained what small cellular wireless facilities where.

Smith-Strack commented that after holding the joint meeting with Council in August, the Planning Committee was given the green light to move forward with developing a rental code policy. The Committee has reviewed sample purpose statements and a comparison of codes from other communities. Smith-Strack had obtained a copy of Gaylord's Code and liked it and asked the Committee to review it. Gaylord does not have a rental license, but does have a housing occupancy and certification. Battcher commented that she would like to get input from rental property owners prior to drafting an ordinance/code. Halverson agreed, he thought their input would be helpful. Kreft agreed that the property owners should be involved, but felt that the Committee (as looking out for the City and also the renters) should put together a list of things it feels are important and wants to address first (have some structure), then present that information to the owners for their input. Members voiced their thoughts on when and how much the property owners should get involved in the process. Smith-Strack commented that she believed valuable input could be obtained from renters also, but wasn't sure how to go about obtaining it. Smith-Strack will put a list of items together (of what could be included in an ordinance) to discuss at the next meeting.

The July Building Permit Report was reviewed.

Motion by Grabitske, seconded by Battcher, and passed by unanimous vote to adjourn the meeting at 8:25 p.m.

PZ Adm. Cynthia Smith-Strack

Chairperson Jim Kreft