



MINUTES OF THE PROCEEDINGS OF THE PLANNING COMMISSION OF THE CITY OF STACY IN THE COUNTY OF CHISAGO IN THE STATE OF MINNESOTA PURSUANT TO DUE CALL AND NOTICE THEREOF

**REGULAR MEETING – MARCH 15, 2022, 7:00p.m.
30955 FOREST BOULEVARD, STACY MN**

Call to Order

Chair M. Ness called the meeting to order at 7:00 p.m.

Attendance

Present: Mark Ness, Jim Ness, and Tim Sawatzky

Absent: None

Others Present: None

Agenda

Additions to the agenda:

- City Code §153.001-153.035 Review
- Lent Township Merger Discussion

Motion by J. Ness to approve the agenda as amended. Second by T. Sawatzky. Members J. Ness, T. Sawatzky, and M. Ness voted yes. Chair M. Ness declared the motion carried.

Approval of Minutes

Motion by J. Ness to approve the minutes as amended. Second by T. Sawatzky. Members J. Ness, T. Sawatzky, and M. Ness voted yes. Chair M. Ness declared the motion carried.

New Business

Ordinance Review

The commission reviewed the following ordinance revisions and set a public hearing for April 19, 2022:

1. Ordinance Amending Chapter 150 of the City Code §150.03 Individual Sewage Treatment Standards, and Chapter 52 City Code §52.56
2. Ordinance Amending Chapter 152 of the City Code §152.01 Comprehensive Plan
3. Ordinance Amending Chapter 31 of the City Code §31.04 Powers and Duties

4. Ordinance Amending Chapter 153 of the City Code §153.130 Preliminary Plat, §151.32 Data Requirements for Preliminary Plat
5. Ordinance Amending Chapter 153 of the City Code §153.131 Final Plat
6. Ordinance Amending Chapter 153 of the City Code §153.192 Information Requirement
7. Ordinance Amending Chapter 153 of the City Code §153.188 Variances
8. Ordinance Amending Chapter 153 of the City Code §153.189 Conditional Use Permit
9. Ordinance Amending Chapter 153 of the City Code §153.191 Amendment of Zoning Ordinance
10. Ordinance Amending Chapter 153 of the City Code §153.193 Site Plan Review
11. Ordinance Amending the City Code §112.03 Alcoholic Beverages, §153.053 Light Industrial District Permitted Uses, §153.051 General Business Permitted Uses
12. Ordinance Amending Chapter 130 of the Stacy City Code, Fire Arms and Curfew for Minors

153.185 Zoning Administrator

The Stacy City Code states:

§ 153.185 ZONING ADMINISTRATOR.

The Council shall appoint the city's Zoning Administrator and shall:

- (A) Enforce this chapter;
- (B) Issue building permits and make and maintain records thereof;
- (C) Conduct inspections of buildings and use of land to determine compliance with the terms of this chapter;
- (D) Maintain permanent and current records of this chapter, including but not limited to all maps, amendments, and special uses, variances, appeals and applications therefore;
- (E) Receive, file and forward all applications for appeals, variances, special uses or other matters to the designated official bodies;
- (F) Institute in the name of the city any appropriate actions or proceedings against a violator as provided for;
- (G) Serve as an ex-officio non-voting member of the Planning Commission;

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(H) Any other duties relating to the purposes of this chapter or related ordinances which may be delegated by the Council.

The members discussed how the duties stated are actually performed by the clerk and MNSPECT. Can the wording be changed to state:

The zoning administrator is the city clerk and shall perform the provisions of §153.185 or their designee.

The clerk will ask for the City Attorney's input.

Chapter 153 Review

The commission began their review of Chapter 153, the following changes were made:

§ 153.001 INTENT AND PURPOSE.

This chapter is adopted for the purpose of:

- (A) Protecting the public health, safety, morals, comfort, convenience, and general welfare;
- (B) Dividing the city into zones and districts and regulating therein the location and use of structures and land;
- (C) Promoting orderly development of the residential, agricultural, recreational, **commercial, industrial**, and public areas;

APARTMENTS. A room or suite of rooms with cooking facilities available which is occupied as a residence by a single family. Includes buildings with 2 or more dwelling units ~~and efficiency units.~~

The commission will continue review of this chapter at their next meeting, beginning with §153.020 Districts Created.

Detached Townhomes

How should these structures be addressed in the city code? Definition? Create their own zoning district? Add to an existing district? The clerk was directed to pose this question to the city planner, Phil Carlson.

Lent Township Merger

The commission discussed items that will need to be considered if the merger of Lent Township and the city should occur:

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- Comprehensive Plan Amendment
- Land Use

Old Business

Subdivision Regulations and Park Dedication

The commission received an email response from Phil Carlson regarding Park Dedication:

We can look at all this in more detail, but I can share what I know about the park dedication piece. The courts in Minnesota have ruled that park dedication must be based on an actual plan and costs, not just a percentage pulled out of the air or taken from another city. For instance, if the city has a study noting that we need to spend \$100,000 on park improvements and we anticipate 100 new units of housing, then the city would be fully justified to require a park dedication fee of \$1,000 per unit. Or maybe there is a plan that says the city needs 100 acres of park land and we anticipate 1,000 acres of new development; therefore, we can require 10% of the land to be dedicated as park. I don't know where the 10% for residential and 7.5% for commercial-industrial came from, but we need to have some sort of rough calculation on the record to justify the costs involved. Is there a park plan or even some very rough planning work that has been done in Stacy? If so, we could look at that and see how we can justify a number. Or if not, we could do some rough calculation and get it in front of the Planning Commission and City Council to adopt as the city's park standards. The Park and Recreation Committee is reviewing this.

The subdivision regulations will be discussed at the April meeting when Mr. Carlson will be attending.

Adjourned at 9:05p.m.

Chair M. Ness declared the meeting adjourned at 9:05p.m.

Sharon MT Payne, City Clerk