

# CITY OF MINOT

## ZONING ORDINANCE STEERING COMMITTEE

Meeting Minutes  
January 09, 2019

### Attendance

Committee: Rolly Ackerman, Josh Wolsky, Pat Graner, Tyler Neether, Tim Baumann (pending), Gloria Larsgaard (pending)

Staff: Lance Lang, Principal Planner  
Glenda Sorensen, Planning Assistant  
Stefanie Stalheim, Assistant City Attorney

Guests: Stephan Podrygula, City Council  
Elysha Head, Executive Officer of Minot Association of Builders  
Aleesha Erickson, City of Minot, GIS Coordinator  
Tom Steckler, City of Minot, Project Civil Engineer

Mr. Ackerman called the meeting to order at 8:00 a.m.

Approval of last month's minutes was proposed by Mr. Ackerman. Wolsky & Graner granted the motion. ayes: all, nays: none

Principal Planner, Lance Lang handed out several chapters to the committee members, including strike-out/underline versions and final amended versions of:

- Chapter 1, Title and Application
- Chapter 2, Definitions and Use Types
- Chapter 3, Zoning Districts and Boundaries
- Chapter 4, Zoning Districts-Application and Administration
- Table 4-10, Use Matrix
- Chapter 6, Two-Family Residential District
- Zoning Reference Chart
- Chapter 26 (Example Only) Supplemental Use Regulations
- Chapter 28, Subdivisions
- Chapter 30, Administrative Procedures
- Proposed meeting dates – the committee shall meet the second and fourth Wednesday of every month from 8:00 am to 10:00 am at the Public Works Building. Mr. Lang has prepared a conceptual schedule for completion of the ordinance revisions from now until the end of the year. The schedule is aggressive and may not be attainable. The schedule shows which meeting date of the committee that each chapter of the ordinance will be considered, and

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which is anticipated to be the final meeting of the committee for each chapter. In some cases, the chapter may go to only two committee meetings, in other case the more complicated chapters may take several meetings to complete. The Assistant City Attorney said she would like all proposed revisions submitted to the legal department at least two (2) weeks in advance of the committee meeting at which it will be discussed.

Mr. Ackerman wanted to go through the handouts with the group and put them in order. Ms. Sorensen made additional copies for people that needed them.

**Opening Update**

Lance opened the meeting by giving updates on the following items:

- Scott Harmstead from SRF Consulting Group Bismarck, will be on retainer to provide planning consulting services on an hourly basis not to exceed the ceiling set in the contract. During the Zoning Ordinance Steering Committee meeting Scott will attend in person one meeting of the month and via conference call and/or Skype sessions for the second meeting.
- Lance has also reached out to Megan Rupard, the 2018 summer intern, to see if she is interested in the Associate Planner position after graduation this spring.
- Lance also gave an update on the process, beginning with the proposed schedule (handout). There was an agreement from the group that the schedule was accepted. A new revised schedule will be presented on January 23.

**Chapter 1 – TITLE AND APPLICATION**

The following revisions were discussed:

- Change the title of the document from “Zoning Ordinance” to “Land Development Ordinance” because this document contains more than just zoning requirements. It also has subdivision regulations and related engineering requirements for stormwater management, utilities, erosion and sediment control, etc.
- The process to determine how a proposed use fits into the use type categories and therefore which zoning district(s) it will be permitted in and the nature of the permission (by right, conditional, interim) has been revised to allow the Community Development Director to make such determination administratively. A five (5) day time limit for determination is proposed. If the applicant does not agree with the determination it can be appealed to the City Council within ten (10) working days for consideration.
- Section 1-7 was removed entirely. This was the section that granted exemption for the City from the provisions of the ordinance.

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Motion to approve as amended by Wolsky, seconded by Neether. ayes: all, nays: none

**Chapter 2 – DEFINITIONS AND USE TYPES**

Principal Planner explained the philosophy of separating definitions of planning terminology from use types. Therefore, Chapter 2 is renamed from “Definitions” to “Definitions and Use Types.” Many definitions for planning terminology and use types were added. The use types are particularly important because they are the basis for the Use Matrix in Chapter 4, Supplemental Development Regulations in Chapter 21, Supplemental Use Types in Chapter 26, and off-street parking requirements in Chapter 23.

Chairman Ackerman asked the group to look through the use types and definitions before the next meeting.

Add the following:

- C4 zoning
- Defunct zoning districts
- “Development” in Comprehensive Plan.
- GIS with disclaimer
- Park District
- Campgrounds and RV Campgrounds in Agricultural Use Types
- Remove Campgrounds from Commercial Use Types
- Small cells

**Chapter 3 – ZONING DISTRICTS AND BOUNDARIES**

The committee discussed the following revisions:

- Add “Zoning” in chapter title
- Section 3.1. Typo – add “e”.
- Section 3.2. Strike the word “Official” in all versions.
  - Last paragraph will be reviewed by Legal Department for compliance with the Century Code
- Section 3.3 – take out annexation section in its entirety. Move to Chapter 30.
- Revise format- Sections 3.4, 3.5 & 3.6 become stand alone.

Ackerman made the motion to approve, seconded by Graner. ayes: all, nays: none

**Chapter 4 – ZONING DISTRICTS- APPLICATION AND ADMINISTRATION**

Title of chapter changed from “Compliance with the Regulations” to above

Discussion on defunct zoning districts.

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Is Section 4.2 in the right place? Most of this language does not have to do with zoning districts.

Mr. Ackerman noted that final documents should have links to make it user friendly.

**ZONING REFERENCE CHART**

The committee agreed this chart should be added to Chapter 4.

**Chapter 6 – TWO-FAMILY RESIDENTIAL DISTRICT**

This chapter is an example to show intended change in formatting for Chapters 5 thru 19.1.

- Remove “laundry list” of permitted uses, conditional uses, and interim uses as all of this information will be in the Use Matrix
- Remove paragraph format for bulk regulations (setbacks, height, lot coverage, etc.) and replace with tabular format

**Chapter 26 – SUPPLEMENTAL USE REGULATIONS**

Principal Planner provided an example of how Chapter 26 will link back to the Use Matrix. Any use that requires additional regulations will have a reference to Chapter 26 in the matrix and then the regulations will be listed in Chapter 26. Currently these types of regs are spread throughout the zoning chapters. Chapter 26 is currently “reserved for Future Use.” More work will be done on Chapter 26 when the committee gets to it.

**Chapter 28 – SUBDIVISION REGULATIONS**

This chapter was included to show that street, alley, and utility easement vacations are added to it as a result of finding street vacations referenced in Chapter 3. More work will be done on Chapter 28 when the committee gets to it.

Agenda set for next meeting scheduled for 1/23/2019:

- Definitions
- Chapter 4
- Look ahead at Chapters 5 & 6

With no other business on the agenda, the meeting was adjourned at 10:10am.

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