

CITY OF MINOT ZONING ORDINANCE STEERING COMMITTEE

Meeting Minutes
March 27, 2019

Attendance

Committee: Josh Wolsky, Pat Graner, Tim Baumann, Rusten Roteliuk

Absent: Rolly Ackerman, Tyler Neether, Gloria Larsgaard

Staff: Lance Lang, Principal Planner
Glenda Sorensen, Planning Assistant
Stefanie Stalheim, Assistant City Attorney
Margie Zietz, Code Enforcement Officer

Consultants: Scott Harmstead, Timothy Magnusson

Guests: Stephan Podrygula, City Council
Molly Welstad (representing Norsk Brothers)

Lance Lang called the meeting to order at 8:06 a.m.

Lang asked if there are any changes or additions to the minutes of March 13, 2019. Josh Wolsky requested “undeveloped” to be changed to “developed”. Tim Baumann requested that his comments be added to the minutes. Josh Wolsky made a motion to approve based on the revisions, seconded by Tim Baumann. All votes in favor, no nays. Motion passes.

Review today’s agenda

- No additional additions

Schedule and Mileposts

- Lang asked Scott Harmstead to comment on timeline and Approach document.
- Scott took the opportunity to introduce Tim Magnusson. Mr. Magnusson indicated that he has been with SRF 6-7 months. He was previously the Planning Director for 33 years in Lake County Minnesota, just across the river from Fargo. He has experience in ordinance development and **FP Management**. Scott indicated that Tim is the Associate Program Manager. Tim will be attending the April 10th meeting in person. Scott has a conflict; however, he will be attending by phone.
- The approach document is the committee’s first task.
- Move non-conforming and design guidelines up in the schedule because they are critical and take more time and will need multiple meetings.

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- Definitions and use types are being saved until the end.
- “How to use this ordinance” at end.
- Three (3) PC meetings and one CC meeting to approve October 2020 target.
- **Tracks are ok with contract.**
- Wolsky noted that he appreciates the schedule, having everything laid out in chronological order, and believe it to be a good starting point.
- Josh indicated we may see pressure from committee members to expedite/speed up the process. Hard to forecast.
- Scott Harmstead noted that consideration of Board of Adjustment is another reason Chapter 25, Non-Conforming Uses needs to be looked at sooner than later.
- Chapter 30, Administrative Procedures, will also be affected if we pursue Board of Adjustment.
- The goal would be to amend these chapters and take to PC and CC this spring/summer so the Board of Adjustment could commence.
- Lance Lang questioned if there is really a need to rush. The PC can continue to hear variances until we are ready to switch over to Board of Adjustment.
- Josh Wolsky stated that we need to move quickly. This could be a bit improvement and benefit to the building community.
- Pat Graner agreed with Mr. Wolsky’s statement.
- Lance Lang commented that Chapters 25 & 30 are tough chapters. **We need to move Chapter 30 up with Chapter 25 plus Design Aesthetics.**
- Rusten Roteliuk noted that we may need to be careful about changing guidelines and regulations in the ordinance as we do our revisions. **It could affect the Board of Adjustments criteria, process PG.** Now or later it could still be that way.
- Stefanie Stalheim indicated that now is o.k., but since we are going through the entire document, maybe wait until the completion.
- Josh Wolsky asked Stephan Podrygula as a fellow alderman, if it make sense to bring consideration of Board of Adjustment to City Council, to which Mr. Podrygula responded yes, to avoid surprises and an easier sell later.
- Josh Wolsky addressed both Lance Lang and Stefanie Stalheim, noting that staff needs to be prepared at Monday’s Council Meeting to provide more information on Board of Adjustments and answer questions. This will be “Motion of Intent” not a formal agenda item.
- Lance Lang asked if Board of Adjustments as part of the Approach document.
- Scott Harmstead noted that no, the Approach Document is internal for the Zoning Ordinance Steering Committee, does not go to City Council.

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- Stefanie Stalheim needs to contact Chairman Ackerman for his input. She recalls Mr. Ackerman speaking of attendance issues and how much oversight the Board of Adjustments really provided.
- Josh Wolsky suggested investigating what specific factors contributed to disbanding the Board of Adjustments and how we can avoid the same mistakes if we reauthorize.
- Rusten Roteliuk noted that we need to provide guidelines or limitations to the Board of Adjustments.
- Mr. Wolsky asked for Scott Harmstead's opinion, who noted that the B of A is under the N.D. Century Code. An avenue we should pursue. It can speed up the process. SRF can help establish criteria for B of A process.
- Tim Baumann expressed his appreciation for the "How To" Chapter. Tim noted that this would be more acceptable to the general public/lay person.
- Stefanie Stalheim and Josh Wolsky had a discussion regarding deadlines for City Council and Scott Harmstead added that we should view this as a "living" schedule and it can be adjusted as needed. It was noted by Ackerman in the last meeting that we are not trying to rewrite the entire ordinance.

Approach Document

- Scott Harmstead will be presenting the Approach document at the April 10th ZO meeting.
- All of the committee member's comments on priorities and perceived issues/challenges are summarized in the document. To challenges are: goals, chapter by chapter brief summary of issues and his professional opinion.
- The document will be 15 or so pages and will also include an overview of comp plan references to ZO. Lance Lang and Stefanie Stalheim are to receive a draft before the 4/10 meeting.

Artificial Turf amendment to Chapter 24, Landscaping

- Lang noted that it was suggested at to last meeting to contact Accelerated GreenWorks (Brett Kallias) to get comments on the draft amendment. Lance spoke with his wife Jodi Kallias who is very knowledgeable. In summary, it was apparent there is a side variation in product, installation techniques/requirements, applications (where used). It was also discussed where artificial turf is best suited, i.e. pet runs, high traffic, restaurants, etc. There are no one size fits all solutions.
- SYNlawn.com (exclusive distributor for North Dakota) & CADdetails.com
- Wide variety of applications and case by case basis
- \$8.00 - \$12.00/square foot

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- 15-year warranty
- “Envirofill”. Is it synthetic or natural? It has anti-microbial properties. Good for pet runs, high traffic communities, restaurants. Tough to clean (no bleach). Power broom 2 x year.
- Around trees – depends on species.
- Canopy dripline – 6’ diameter minimum
- Weight – specify “pile” or total weight
- “Air drain” is like an egg carton
- Accelerated GreenWorks has a 5-star rating and are Certified Specialists for SYNLaw. There is no established warranty on installation.
- Good choice for downtown gathering spaces and special events
- There was discussion among several members of the committee beginning with the topic of getting so caught up in the details. There were differing opinions as to where the code might allow artificial turf. Mr. Baumann indicated that one of his neighbors has an artificial lawn and it is very awkward at different times during the year where his lawn is bright green while the remainder of the neighborhood’s lawns are brown. Josh Wolsky concurred with Baumann’s assessment in that there is a potential problem for aesthetics and consistency in the product.
- The topic was also brought up regarding sports arenas and the use of an unusual color, i.e. orange or bright blue.

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