

**CITY OF MINOT
ZONING ORDINANCE STEERING COMMITTEE**

Meeting Minutes
September 21, 2022 8:00 am – 10:00 am
Council Chambers, City Hall, 515 2nd Ave., SW

I. ATTENDANCE AND ROLL CALL

Committee: Rolly Ackerman (Co-Chair), Tyler Neether (Vice-Chair), Tim Baumann, Rusten Roteliuk, Alderman Roscoe Streyle, Pat Bailey, and Gloria Larsgaard (by Teams).

Absent: None.

City Staff: Brian Billingsley, Community & Economic Development Director (Co-Chair), John Van Dyke, Principal Planner, and Emily Huettl, Assistant City Engineer.

Guests: Alderman Paul Pitner.

Mr. Ackerman called the meeting to order at 8:01 am.

II. REVIEW AND APPROVAL OF AGENDA

III. APPROVAL OF MINUTES

Motion by Baumann to approve the March 30, 2022 meeting minutes, second by Neether. Passed by the following votes: ayes: all, nays: none. **Motion carries.**

IV. INTRODUCTION OF GUESTS

None present.

V. PROPOSED ORDINANCE AMENDMENTS

A. Lot Coverage/Land Area Definitions

Mr. Van Dyke presented his case for this amendment. The Land Development Ordinance does not have a definition for lot coverage or for land area. Staff proposes to count buildings and structures towards lot coverage. Mr. Roteliuk voiced a concern over overtaxing the storm water system. Ms. Huettl reminded the Committee that the landscaping ordinance requires residential properties to be predominately landscaped. Motion by Neether to adopt as presented. Second by Ackerman. Passed by the following vote: ayes: Neether, Ackerman, Bailey, Laarsgard, and Streyle. Nays: Baumann and Roteliuk. **Motion carries.**

B. Amendment to Non-conforming Use.

Mr. VanDyke presented his reasons for this amendment. Ackerman and Neether asked for clarification. Van Dyke explained how the amendment would affect existing non-conformities. Motion by Baumann to ask staff to conduct further research on this amendment and present its findings at a future meeting. Second by Laarsgard. Passed by the following vote: ayes: all, nays: none. **Motion carries.**

C. Adding Definition/Use/Parking for Banquet/Reception Hall

Mr. VanDyke presented #3, #4, and #5 simultaneously and stated his reasons for these amendments. Motion by Ackerman adopt all three amendment as presented by staff. Second by Neether. Passed by the following vote: ayes: all, nays: none. **Motion carries.**

D. Adding Provisions for Iconic Signs

Mr. Van Dyke presented his case for this amendment, which would give staff the ability to designate iconic signs within the community. Ackerman asked a question about setbacks that Van Dyke provided a response. A discussion ensued between several committee members. Motion by Ackerman to adopt as presented. Second by Streyle. Passed by the following vote: ayes: all, nays: none. **Motion carries.**

E. R3C to Become and Legacy District

Mr. Van Dyke presented his case for this amendment, which would deactivate a zoning district that is rarely used and is generally available in other zoning classifications. Ackerman asked a question about non-conformities. Van Dyke responded that the ordinance will still have standards that property owners within the district would have to follow, but we would be not allowing any future rezoning of property to R3C district. Motion by Baumann to adopt as presented. Second by Bailey. Passed by the following vote: ayes: all, nays: none. **Motion carries.**

F. Applicability of Front Yard Setback Reductions

Mr. VanDyke presented his reasons for this amendment. Motion by Ackerman to approve as presented. Second by Roteliuk. Passed by the following vote: ayes: all, nays: none. **Motion carries.**

G. ADA Ramps Exempt from Setbacks

Mr. VanDyke presented the amendment, which would not require ADA structures to meet building setbacks requirements. Motion by Baumann to approve as presented. Second by Ackerman. Passed by the following vote: ayes: all, nays: none. **Motion carries.**

H. Minimum Size of Building Onsite for Open Warehousing Uses

Mr. VanDyke presented his reasons for this amendment. The amendment declares that a principal structure must be required on a property that is containing outdoor storage uses. The committee found a numbering error (H.1.a should be H.2.a). Motion by Ackerman to approve with the suggested amendment. Second by Laarsgard. Passed by the following vote: ayes: all, nays: none. **Motion carries.**

I. Variance Elevation Criteria

Mr. VanDyke presented his case for this amendment. He wants better clarity on defining a hardship prior to further evaluating all of the other criteria for a variance. Motion by Laarsgard to approve as presented. Second by Ackerman. Passed by the following vote: ayes: all, nays: none. **Motion carries.**

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J. Clarifying other Language for Paving Residential Areas.

Mr. Van Dyke presented the need for this amendment. Ackerman asked a question how this amendment would impact setbacks. Van Dyke responded to his question. Motion by Bailey to approve as presented. Second by Neether. Passed by the following vote: ayes: all, nays: none. **Motion carries.**

K. Other Clean-Up

a. Mr. Billingsley presented a proposal to amend the commercial fencing standards to allow chain link fencing along the side and rear property lines of a commercially zoned parcel. The committee discussed the history of the code. Veteran committee members stated this requirement was passed many years ago to bring up aesthetic standards on our commercial properties. Huettl suggested a compromise to allow black powder coated chain link fencing to ensure an aesthetical appearance. Motion by Bailey to amend the Land Development Ordinance to allow black powder coated chain link fencing on commercial properties next to the side and rear property lines. Motion failed for the lack of a second. Staff stated they would research how the other major cities in the State enforce this requirement and come back with a report at the next meeting.

b. Ms. Huettl presented a couple of modifications to the storm water chapter. The first modification is the city code regulating vehicles tracking mud needs more clarification. The other modification pertains to damages to public infrastructure caused by pumping of storm water into the public right-of-way. We do not have an ordinance that prohibits this activity and Huettl is recommending that the city pass an ordinance. Motion by Ackerman to draft language on the first modification and bring back more information for the second modification. Second by Laarsgard. Passed by the following vote: ayes: all, nays: none. **Motion carries.**

VI. NEXT STEPS

NONE.

VII. NEXT MEETING

No specific date is set, but the next meeting will occur in October.

VIII. ADJOURNMENT

Motion by Ackerman to adjourn the meeting, second by Neether. Passed by the following votes: ayes: all, nays: none. **Motion carries**

Meeting adjourned at 9:42 am.

Minutes submitted by: Brian Billingsley, Community & Economic Development Director