

CALL TO ORDER

Chair Buoy called the regular meeting of the City of Rockford Planning and Zoning Commission to order on **May 24, 2012** at 7:02 p.m. This meeting was originally scheduled for May 10th but was cancelled due to smoke caused by a fire. The meeting was held in the Council Chambers of City Hall, 6031 Main Street, Rockford, MN.

ROLL CALL

Roll call was taken. The following members were present: Buoy, Fuller, Hensley, Petersen-Biorn and Werman. The following members were absent: none. Also in attendance was Deputy Clerk Audra Etzel.

PUBLIC HEARING-ORDINANCE AMENDMENTS:OUTDOOR SALES, FIREWORKS &TEMP SIGNS

On April 12, 2012 the Planning and Zoning Commission reviewed the sign ordinance. After discussion a motion was made to hold a public hearing regarding a sign ordinance amendment to: On-Premise Temporary Signs and Off-Premise Temporary Signs. Items proposed to be changed: the size of temporary sign and the amount of times a property can display a sign and how many times per year.

Also discussed were outdoor sales for fireworks a motion was made to hold a public hearing to consider allowing temporary outdoor sale and the sale of fireworks.

Notice was posted and published in the official paper as required by law for zoning ordinances.

Chair Buoy opened the hearing to the public comments at 7:03 pm

No one from the public spoke

Chair Buoy closed the public hearing at 7:04

The commission reviewed each section of the proposed Ordinance #12-02:

Section 1. Ordinance 611.05(2) Fireworks and agreed to recommend adding sales of fireworks from a temporary structure.

Section 2. Ordinance 1001.08, Subd. 8, I Temporary Signs now allows for temporary signs of Commercial Speech and Non-Commercial Speech.

Commercial Speech shall be allowed subjected to the following provisions:

- a. The sign shall not exceed forty-eight (48) square feet.
- b. The sign shall not be illuminated or include any flashing device.
- c. Not more than one (1) temporary sign shall be displayed upon a property at any one time.
- d. The sign shall not be defined as an off-premises sign as regulated by this section.
- e. Display of a temporary portable sign shall be limited to not more than thirty (30) consecutive days and not more than one hundred twenty (120) days per calendar year.

Non-Commercial Speech shall be allowed subjected to the following provisions:

- a. The sign shall not exceed thirty-two (32) square feet.

- b. The sign shall not be illuminated or include any flashing device.
- c. Not more than one (1) temporary sign shall be displayed upon a property at any one time.
- d. Display of a temporary portable sign shall be limited to not more than thirty (30) consecutive days and not more than ninety (90) days per calendar year.

Section 3. Ordinance 1001.08, Subd. 9. C. Off-premises signs, except those allowed by Section 1001.08, Subd. 8. J. I and U of this Chapter

Section 4. Ordinance #1001.09 Temporary Outdoor Sales events may be allowed in the C-1 and C-3 Districts by approval of the Zoning Administrator provided that:

- A. Such activity is directed towards the general public and includes grand openings, warehouse sales, sidewalk sales, inventory reduction or liquidation sales, distressed merchandise sales, and seasonal merchandise sales, sales of produce or other licensed transient sales and displays of materials that are typically not sold or serviced on the site.
- B. The following specific standards shall apply to all proposed temporary outdoor sales activities allowed by this subsection and by city code business licensing provisions in addition to other applicable building and safety code requirements as determined by the zoning administrator:
 - 1. The maximum total time for temporary outdoor sales activities shall be the period specified in the administrative permit and, in no case, shall be limited to no more than ninety (90) days per calendar year.
 - 2. There shall be no more sales activities than those specified in the administrative permit and, in no case, and no more than one outdoor sales activity shall occur at any one time.
 - 3. Sales activities may be conducted within a required yard provided the area is paved and the activity does not interfere with parking, traffic circulation or emergency vehicle access. Temporary sales on unpaved landscaped areas is prohibited.
- C. Tents, stands, and other similar temporary structures may be utilized, provided they are clearly identified on the submitted plan and provided that it is determined by the zoning administrator that they will not impair the parking capacity, emergency access, or the safe and efficient movement of pedestrian and vehicular traffic on or off the site.
- D. The submitted plan shall clearly demonstrate that adequate off street parking for the proposed event can and will be provided for the duration of the event. Determination of compliance with this requirement shall be made by the zoning Administrator who shall consider the nature of the event and the applicable parking requirements of this Chapter. Consideration shall be given to the parking needs and requirements of other occupants in the case of multiple-tenant buildings. Parking on public right of way and streets is prohibited; except that parking on local streets may be allowed on Saturday and Sunday only, provided that the petitioner arranges for traffic control by authorized enforcement

officers, as approved in writing by the Hennepin or Wright County Sheriff’s office, at the petitioner's expense.

- E. Signage related to the event shall be in compliance with the temporary sign standards of this Ordinance and shall be allowed for the duration of the event. Special signage for purposes of traffic direction and control may be authorized by the zoning administrator; the erection and removal of such signage shall be the responsibility of the applicant.
- F. The approved permit shall be displayed on the premises for the duration of the event.
- G. Subject to compliance with the requirements of this section, the Zoning Administrator shall issue the permit for the temporary sales within not more than (60) days of a complete application being submitted including payment of fees as established by Section 212 of the City Code.

Planning Commission recommends Council Approve the proposed changes as noted above. Council will consider approval at their June 12, 2012 meeting.

***CONSENT AGENDA/SET AGENDA**

MOTION was made by Fuller, seconded by Hensley to approve all items on the consent agenda.

MOTION CARRIED – VOTING IN FAVOR – BUOY, FULLER, HENSLEY and PETERSEN-BIORN

ABSTAIN - WERMAN

***Approve Regular Planning and Zoning Minutes/April 12, 2012**

MOTION was made by Fuller, seconded by Petersen-Biorn to approve the minutes of the April 12, 2012 Regular Planning and Zoning Meeting.

MOTION CARRIED – VOTING IN FAVOR – BUOY, FULLER, HENSLEY and PETERSEN-BIORN

ABSTAIN - WERMAN

Conditional Use Permit Review

Staff inspected the January, February, March & April Conditional Use Permits (CUP). Planning Commission reviewed staffs report.

The CUP’s listed below had the following issues upon inspection of staff:

- #01-01 8905 Autumn Oaks Drive – outside storage not allowed
- #00-67 6010 Lone Oak Road – outside storage not allowed
- #02-37 5910 Main Street – no residence since January 2011
- #07-22 6000 Lone Oak Road – outside storage not allowed and vehicles not allowed

Reviewed Ordinance #1001.09 (Subd. 1 to Subd. 7)

The Commission reviewed Ordinance #1001.09 Subd. 1 to Subd. 7. The following list are questions from Ordinance #1001.09 that the Commission and staff would like to ask the Planner to answer:

1. Subd. 1, B – 100 (what - feet, inches, yards?)
2. Subd. 1, C, 3. – should radio and television towers be changed to communication towers or added? What would be the correct language?
3. Subd. 1, E, 6. – The building official must approve building plans for all the items listed. Staff has not received a building permit for the items listed – is this needed?
4. Subd. 2, A, 5 – City Thoroughfare Guild Plan – what is this?
5. Subd. 2, B – is this needed?
6. Subd. 2, D – The required front yard... (should this be set-back instead of front yard)?
7. Subd. 2, E - ...one-half of the width of the alley... (how does this apply)?
8. Subd. 2, F, 2, c, 3 – buffer yard overlays shall each be responsible for 50% - Is this all zoning districts and when would this apply?
9. Subd. 2, F, 8 – is this linked to ordinance Subd. 2, F, 2 c, 3 - how it applies?
10. Subd. 3, B, 2, d, 3 – 2.1 (should this be 2:1?)
11. Subd. 5. A – which lots are subjected to the 70% or does B. with the date of June 1, 1989 apply. Not sure which lots qualify for the 70% provision.

Deputy Clerk's Report

The Deputy Clerk's report included: senior housing open house on May 22nd, Crow River Food Co-op meeting was scheduled for May 14th and about 200 people attended, and the Event Center meeting was held on May 1st.

Adjournment

MOTION was made by HENSLEY, seconded by BUOY to adjourn the meeting.

MOTION CARRIED – VOTING IN FAVOR – BUOY, FULLER, HENSLEY, PETERSEN-BIORN and WERMAN

Chair Buoy adjourned the meeting at 8:50 p.m.

Submitted by Audra Etzel, Deputy Clerk