

**MINUTES
CITY OF LONSDALE
REGULAR PLANNING & ZONING COMMISSION MEETING
NOVEMBER 20, 2023**

1. CALL TO ORDER

J. Kodada called the meeting to order at 6:55 pm in the Council Chambers at 415 Central Street West.

2. PLEDGE OF ALLEGIANCE

Everyone stood and recited the pledge of allegiance.

3. ROLL CALL

Members Present: Jim Fried, Jeremy Brainerd, Joe Kodada, Mark Ward, Lance Benninghoff, and Council Representative Kevin Kodada

Members Absent: None

City Staff Present: City Administrator Joel Erickson, Public Works Director Joe Dornfeld, and Community Development Planner Cory Hinz-Ibarra

4. APPROVAL OF AGENDA

J. Kodada asked if anyone had any additions, deletions, or corrections to the agenda. A motion was made by Ward and seconded by Benninghoff to approve the agenda as presented. Vote for: Fried, Brainerd, J. Kodada, Ward, and Benninghoff; Against: None. Vote: 5-0. Motion carried.

5. APPROVAL OF MINUTES FROM THE OCTOBER 16, 2023 REGULAR MEETING

J. Kodada asked if anyone had any additions, deletion, or corrections to the minutes. J. Kodada noted a correction in the October 16, 2023, #11. Other Business minutes. A motion was made by Ward and seconded by Benninghoff to approve the minutes from the October 16, 2023 Regular Meeting with the noted correction. Vote for: Fried, Brainerd, J. Kodada, Ward, and Benninghoff; Against: None. Vote: 5-0. Motion carried.

6. PUBLIC HEARINGS

A. Land Use Permit Application 2023-04 Conditional Use Permit City Code Chapter 153, B-3 Central Business District (5) (E) – Residential Uses

Erickson said after receiving the applicant's Land Use Application No. 2023-04, Conditional Use Permit No. 2023-02 request, Staff reviewed the application and compliancy of the proposed 1,027.53 sf studio apartment construction plans in accordance with the Conditional Uses per City Code Chapter 153, B-3 Central Business District (5) Conditional Uses. Erickson said Staff then proceeded with the issuance of the mandatory 10-day Public Hearing notification which was advertised in the Lonsdale Area News Review commencing November 7, 2023 and mailed to all properties within 350 feet. After notices were mailed out, Staff received two inquiries: first inquiry was requesting a rental application and the second inquiry asked staff if it pertained to his

personal property. Erickson said that Staff supports the Land Use Application 2023-04 and is recommending a Conditional Use Permit 2023-02 be issued to the applicant based upon the (J) B-3 Central Business, (D) Multi-tenant buildings provided that the uses specified as permitted or conditional uses in the B-3 District.

J. Kodada opened the meeting for public comment and no comments were received.

A motion was made by Ward and seconded by Fried to adjourn the Public Hearing. Vote for: Fried, J. Kodada, Ward, Brainerd, and Benninghoff; Against: None. Vote: 5-0. Motion carried.

J. Kodada moved agenda item #10. New Business A to follow the Public Hearing Meeting.

7. PRESENTATION OF CITIZEN PETITIONS AND COMMENTS

None

8. APPROVAL OF CONSENT AGENDA

None

9. OLD BUSINESS

a. Discuss Policies/Ordinance to be Reviewed

Erickson said Staff requested that the Planning Commission continue the discussion and review of City Codes and Ordinances. Erickson requested City Codes 153.007 Accessory Buildings, Structures, Uses (3) Storage or Tool Shed and Ordinance 2022-311 Amending City Code Title XI, Business Regulations Adding 116, Mobile Food Units (Food Trucks) policy since March 31, 2022 to be discussed by the Commission. Erickson said the policies/ordinance were put into place with good intentions but have ended up taking substantially more time than expected to administer. He also questioned if it is the role of government to dictate housing design standards such as the number of windows, a side light, the number/location of garage lights, roof pitch, its size or the color of a shed. J. Kodada said his main concerns are size, location and that everything looks nice. Staff collected the Planning Commission's feedback and recommendations to amend the City Codes that were identified. The Planning Commission requested that Staff bring back a final draft version of both City Codes to be reviewed at an upcoming meeting.

10. NEW BUSINESS

a. 2023-04 Conditional Use Permit 2023-02 City Code Chapter 153, B-3 Central Business District (5) (E) – Residential Uses

Erickson said Staff is seeking the Planning Commission's approval in recommending to the City Council Conditional Use Permit 2023-02 be issued to the applicant based upon City Code 153, B-3 Central Business, Conditional Uses (E) Residential Use, provided that the specified permitted or conditional uses in B-3 District as followed:

1. The residential use shall be secondary to the ground floor permitted use.
2. Ground floor residential use shall not be permitted.

3. In order to promote active ground floor permitted uses, residential uses sharing the same lot/building as a ground floor permitted use shall not be permitted after a period of six months of the ground floor use being vacant. Exemptions: (1) Once a ground floor permitted use is occupied, residential uses may continue again; (2) In the case that a legitimate business lead for a prospective tenant exists, the City Council may approve a reasonable time extension.
4. The designated residential space of the building shall meet the requirements stated in the adopted building code, state electrical code, and state fire code as amended from time to time,
5. Minimum occupancy area: one (1) resident per 250 square feet.
6. Maximum density: four (4) residents.
7. Minimum dwelling unit area: 600 square feet.
8. At least two on-premises or adjacent (off-street) parking stalls shall be provided the parking area shall be directly accessed through public alley. The parking area shall be hard surfaced and clearly marked. Adjacent off-street parking on neighboring properties shall require an approved agreement.
9. A rear yard entrance and security lighting shall be provided.
10. An on-premises enclosed garbage can / dumpster shall be provided.
11. Prior to any building construction, a building permit shall be reviewed and approved by the Lonsdale Building Official.
12. No access shall be allowed to / from the apartment from Main Street.

A motion was made by Brainerd and seconded by Benninghoff to recommend approval of Conditional Use Permit 2023-02 at the November 27, 2023 City Council Meeting. Vote for: Fried, J. Kodada, Ward, Brainerd, and Benninghoff; Against: None. Vote: 5-0. Motion carried.

11. OTHER BUSINESS

None

12. ADJOURNMENT

A motion was made by Fried and seconded by Ward to adjourn the meeting at 7:48 p.m. Vote for: Fried, J. Kodada, Ward, Brainerd, and Benninghoff; Against: None. Vote: 5-0. Motion carried.

Respectfully Submitted:

Cory Hinz-Ibarra, Community Development Planner