

PLANNING AND ZONING COMMISSION MONTHLY MEETING

Council Chambers

11/12/13 6:30 P.M.

Present: Nick Colbert, Ed Delaney, Ron Welder, Joel Amandus, Brenda Parker, Council liaison
Kevin Rink
Absent: Larry Wright, Lyle Brown
Staff: Doug Krogmeier, Emily Britton
Visitors: Zach Pieper

Chairman Nick Colbert called the meeting to order at 6:30 P.M. with five members present.

ACTION ON MINUTES

The minutes from October 22, 2013 were approved on a **motion by Welder, seconded by Delaney.**

NON AGENDA ITEMS

None

Review/consideration of a new ordinance to allow hunting within city limits by special use permit approval.

Colbert opened public hearing at 6:34.

Staff reviewed, 5 of 6 neighbors had no concerns. One neighbor called with concerns but did not give a definite reason for his opposition to the idea, but it is assumed he is concerned with additional traffic through his property.

No additional comments from the public.

Colbert closed public hearing at 6:35.

Amandus questioned if this would apply to property owners if/when the city annexes in the bypass, and if they would need a special use permit to hunt their own land. Krogmeier answered yes, to which Rink pointed out that future annexation is part of the reason this is being discussed. Amandus then pointed out that he wanted to clarify simply because Pieper does not live on the property in question whereas other people in the future may. Krogmeier then explained that without this ordinance those people who may be annexed in the future would not be able to hunt on their land at all once annexed. Welder then asked if there are any other properties in city limits at this time that would qualify (meaning they include 80 consecutive acres), to which Krogmeier answered there is only one other property at this time that possibly meets qualifications. Colbert requested clarification on neighboring properties applying together, and Krogmeier stated that combined neighboring properties, if qualifying, could potentially apply for the special use permit and would follow the same rules and regulations. He further expressed that it has been written with consideration to DNR regulations to be as safe as possible. Colbert then pointed out, under section 10-31-3 it states that possession of alcohol with a loaded firearm is prohibited, however alcohol while in possession of a bow is potentially just as dangerous. Krogmeier reviewed it and explained that it is written in DNR regulations as such, and that is why it was written that way. Colbert commented that just because it is written that way with the DNR does not make it right, and gave the example of alcohol being allowed while boating and what it took before considering change. He further stated that we should consider adding wording now to include prohibition of alcohol with a bow as well as opposed to waiting for something to happen. Rink agreed that it would be best to add it now before being reviewed and potentially adopted by City Council. Parker also agreed, stating that it would only help. Welder suggested adding that consumption and possession of alcohol is not allowed while in possession of a firearm or while in an archery stand, since bow hunting will only be allowed from a stand. Colbert declared that there are enough people who die while hunting already. Delaney then reached out to Pieper to find out if he had any questions or comments. Pieper responded that he has contacted the owners of land surrounded by his and they all were okay with the idea. He went on to state that the only issue he has come across with the neighbors is the additional traffic, although it is already a requirement for hunters to consolidate vehicles to cut down on it. Additionally, he mentioned that he has already done some work to improve the road.

Welder suggested that if Pieper chose to have guests on his property there would be added traffic and it would not be regulated and the neighbors would not have a say in that which is similar to this issue. Pieper remarked that there are currently people who drive down and park at the landing for fishing, hunting, etc. and it has not been an issue for them.

Parker made a motion, seconded by Delaney, to recommend council approval of a new ordinance to allow hunting within city limits by special use permit.

Motion Passed: Yes-5, No-0

OLD BUSINESS

Amandus requested a copy of what was discussed regarding the guidelines for the downtown historic district. Krogmeier agreed to send a copy of that as well as the comp plan, while sending it electronically to Wright.

OTHER/NEW BUSINESS

Parker inquired about what is being done for the December meeting with consideration of the holidays. Krogmeier stated that there are no agenda items at this time, to which Welder suggested avoiding a meeting if possible. Krogmeier then requested the commission review the current zoning code and consider updates and changes. One example he pointed out is the setback regulations, and went on to explain that the commission usually approves requests in regard to the setbacks anyway. He then specified that he wants the commission to review the code section by section, maybe two chapters a month, until the whole zoning code has been updated. Another example he gave was updating the permitted uses for zoning districts as well as special uses for zoning districts. Krogmeier also advised Colbert and Brown to consider their options since they are up for renewal in February.

Motion was made by Welder to adjourn and was seconded by Delaney.

Motion was passed unanimously. The meeting was adjourned at 6:47P.M.

Nick Colbert, Chairman of Planning and Zoning Commission