

Cambridge Planning Commission Meeting Minutes

August 6, 2024

* **NOTE:** The recording of this meeting did not start until 7:04 pm due to an equipment error.

Pursuant to due call and notice thereof, a regular meeting of the Cambridge Planning Commission was held at Cambridge City Hall, 300 3rd Avenue NE, Cambridge, Minnesota.

Members Present: Commissioners Jessica Kluck (Chair), Robert Boese (Vice Chair), Joe Morin, Michael Liddy, Julie Immel, David Redfield, and Mark Ziebarth (City Council Representative)

Staff Present: Community Development Director Marcia Westover, City Planner Jacob Nosbush

Call to Order and Pledge of Allegiance

Boese called the meeting to order at 7:00 pm and led the Pledge of Allegiance. Boese was acting chair of this meeting due to Kluck having lost her voice.

Approval of Agenda

Immel moved, seconded by Liddy, to approve the agenda. All voted aye, no nays. Motion carried unanimously.

Approval of Minutes

Morin moved, seconded by Redfield, to approve the July 2, 2024 meeting minutes. All voted aye, no nays. Motion passed unanimously.

Public Comment

Boese opened the public comment at 7:02 pm.

No one approached for comment.

Boese closed the public comment at 7:03 pm.

Unfinished Business

No unfinished business

New Business

A. PUBLIC HEARING- Interim Use Permit- Chickens- 721 3rd Ave SW

Nosbush presented the request from Brian Graning, 721 3rd Ave SW, to keep up to six chickens, the maximum number of chickens allowed by City Code for properties with less than three acres, at his 0.33-acre property through an Interim Use Permit (IUP). A coop and run are required for properties less than five acres. The submitted plan meets the required setbacks as identified for accessory structures, 10 feet from the side property line and 30 feet from any adjacent residential dwellings. Staff recommend approving the IUP request for two years with the standard conditions.

Public Hearing

Boese opened the public hearing at 7:06 pm.

No one approached for comment.

Boese closed the public hearing at 7:07 pm.

Redfield noted resolution R24-054 used 'fowl' and 'chickens' interchangeably and questioned if this was due to the applicant specifically requesting chickens. Nosbush said the request was specifically for six chickens, but all notations could be changed to the broader term 'fowl' if requested.

Immel motioned, seconded by Ziebarth, to recommend approval of the draft resolution R24-054 as presented to allow an Interim Use Permit for two years to allow up to six chickens on the property as long as the conditions listed can be met. All voted aye, no nays, motion passed.

B. PUBLIC HEARING- ORD 788 Amending Title XV Land Use, Chapter 153 Scenic Rum River, Section 153.042 Subdistricts

Westover said last month two property owners requested variances to keep chickens in the Scenic River II (SR-II) zoning district. City Council denied the requests and asked that an ordinance be brought forward to allow fowl in the SR-II district through an Interim Use Permit (IUP).

Westover continued, the underlying zoning of the area is Rural Residence/Agriculture (RA). If there was not a scenic river overlay district, they would be allowed to keep 50 chickens. Staff drafted the ordinance to allow up to a maximum of 20 chickens while in the scenic river overlay district. Generally, the properties in the area have larger two to five acre lots, which is why staff proposed to allow up to 20 chickens.

Westover noted Council wanted assurance that the ordinance would meet all state and DNR regulations. Staff talked with the area hydrologist, Craig Wills, who has no concerns with chickens in the area nor with the ordinance draft. The DNR only enforces the rules for feedlots or agriculture use. The small number of chickens requested do not come near the thousands of chickens needed to be considered feedlot use.

Liddy asked if the DNR had concerns due to the high amount of recreation use on the river, Westover said they did not.

Redfield verified this would be an IUP request, Westover replied it was the same process.

Public Hearing

Boese opened the public hearing at 7:11 pm.

Nathan Tierney, 3330 Ten Oaks St. Tierney, one of the property owners that had applied for the variance, noted they used to have a rooster that protected the flock. Since the removal of the rooster, they have lost 10 chickens. The run is enclosed with 10-foot walls, but has no roof. He asked if 'fully enclosed run' meant it needed a roof. Morin said it did need a roof to help keep out predators. Tierney noted if he could have a rooster that would not be an issue. Second, if the area was completely enclosed it would increase the odor. He has spoken with the neighbors and none of them had issues with him keeping a rooster. Morin noted if one rooster was allowed, then they would have to allow others to have them. Kluck noted the run needed to be enclosed to help prevent other animals from going into the enclosure and causing disturbances, as well as keeping the chickens from getting out and causing problems.

Commissioners verified city code, which states that runs are required for properties with less than five acres. Nosbush noted there had been concerns in the neighborhood regarding the rooster, and the ordinance revision was written to ban roosters due to this. Kluck requested clarification on the definition of an enclosure within the ordinance, Westover said staff could amend the ordinance. As intended, fully enclosed meant four sides which do not allow predators to get in, though material use is not specified. Tierney said if larger animals such as deer did get in, they would then be trapped. Immel said materials used should be up to the homeowner's discretion in depending on the wildlife in their surrounding area. Liddy reminded that the discussion for the meeting is not to change city code, but to allow the code to apply to the SR-II district.

With no other comments, Boese closed the public hearing at 7:23 pm.

Liddy motioned, seconded by Ziebarth, to recommend approval of the draft Ordinance 788 as presented. All voted aye, no nays, motion passed unanimously.

C. PUBLIC HEARING- ORD 789 Amending Title XV Land Use, Chapter 156 Zoning, Section 156.039 Professional/Medical

Nosbush presented a request to amend section 156.039, Professional/Medical (PM) interim uses in the zoning district. This request is in response to a variance application from Cambridge Medical Center that was denied by the City Council with the request to prepare an ordinance that allows storage pods via a via Interim Use Permit (IUP) in order to be compatible with other commercial zoning districts.

Nosbush continued, staff find that non-permanent storage pods are a reasonable use in this zoning district, though the use should be limited to larger sites as this presents options for limiting visibility from public roads and other sites.

Redfield asked if section 156.118 was discussed when the storage pods first became an issue. Nosbush said the city code section on storage pods was .085.

Immel asked if the 10 or more acre requirement was for total size, since the hospital site is broken into several lots, Nosbush said that was correct, the term 'site' encompasses all involved parcels.

Public Hearing

Boese opened the public hearing at 7:26 pm.

No one approached for comment.

Boese closed the public hearing at 7:27 pm.

Morin asked if the conditions were the same, such as requiring them to be painted to match the surrounding structures. Nosbush said the same requirements would be referenced as in section .085 where they must be screened or painted.

Redfield motioned, seconded by Morin, to recommend approval of ordinance 789 as presented. All voted aye, no nays, motion passed unanimously.

D. PUBLIC HEARING- ORD 790 Amending Title XV Land Use, Chapter 156 Zoning, Sections 156.007 Definitions & 156.040 Business Districts

Westover said staff received a request for a taproom in the downtown area. City Code does not specifically allow bars or taprooms. Breweries, brewpubs and restaurants are allowed, but a taproom is essentially a bar, only serving beer and alcohol with no food. This amendment would allow bars or taprooms through an IUP in all business districts.

Morin asked if a taproom would be required to serve food, Westover said no. Morin said this has been presented before and was denied due to not serving food. Westover said the interested party is not sure if there would be food served, possibly light snacks. The request is to allow a bar or taproom without food.

Immel asked if it was common in neighboring cities to combine them, Westover said yes, it has become a trend and staff want to get ahead of the requests so the city is not turning away businesses. Issues with public intoxication has been discussed, staff thought it would be best to allow via IUP so if there are issues there can be conditions added for the use to be temporary.

Kluck asked if the term food has been defined, such as putting out pretzels. Westover said that was not considered food.

Liddy felt the definition in the proposed was not clear that food was optional, Westover said the phrase 'incidental' supported the business serving a small snack but that was optional. Liddy asked if the wording could be changed to 'optional and incidental', Westover said that could be done.

Public Hearing

Boese opened the public hearing at 7:36 pm.

No one approached for comment.

Boese closed the public hearing at 7:37 pm.

Liddy motioned, seconded by Immel, to recommend approval of the draft ordinance with the amendment replace 'service of food is incidental' with 'service of food is optional and incidental' to the definition.

Morin opined he was in favor of food being served.

Redfield asked when other restaurants stop serving food, Westover was unsure. Morin said the Cambridge Bar and Grill serves until Midnight, Applebee's serves food until they close at 2:00 am, and Sidelines serves until they close at 2:00 am as well. Redfield thought they stopped serving food earlier than close, which then by definition makes them a bar.

Upon vote, Kluck, Boese, Liddy, Immel, Redfield, and Ziebarth voted aye. Morin voted nay. Motion passed 6/1.

Other Business/Miscellaneous

A. City Council Update

Ziebarth said Council took action to increase pay for Election Judges, since Election Judges are hard to find and the Primary Election is coming up next Tuesday, pay was increased to ensure there are enough judges. Council also approved safety enhancements for the Public Works facilities to include more video surveillance equipment and to restrict access. An Engineering Services Proposal was approved for the 2025 street project on the south portion of the city near South Main Street. There was an agreement made with the Police Department and Isanti County for a digi-tech option. The Art Fair is next weekend, and Customer Appreciation is coming up in September. Redfield asked what the digi-tech program was for the police, Ziebarth said it is software that processes tickets. Isanti, Cambridge, Braham, and the County will all have the same system.

B. Parks, Trails, and Recreation Commission (PTRC) update

Westover said City Council approved a small dog area to be added to the dog park, there has been concerns about larger dogs interacting with the small dogs in the current park. There have been positive responses to this on social media. There are a lot of events happening downtown, this is the last month of summer events. The Art Fair is on August 17th, a Third Thursday event downtown, the final kids event on August 22nd which will be bounce houses, and on the 23rd is a concert at City Park.

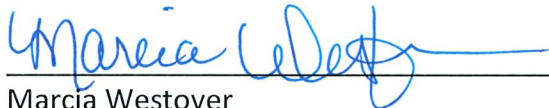
Adjournment of Planning Commission Meeting

Being no further business before the Commission, Ziebarth moved, seconded by Morin, to adjourn the regular meeting at 7:45 pm. All voted aye, no nays. Motion carried unanimously.



Jessica Kluck, Chair
Cambridge Planning Commissioner

ATTEST:



Marcia Westover
City Planner