

**AGENDA
MAPLE PLAIN PLANNING COMMISSION
MAPLE PLAIN CITY HALL
JUNE 6, 2013
7:00 PM**

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ADOPT AGENDA

IV. CONSENT AGENDA

A. Approval of the May 2, 2013 regular meeting minutes.

V. PUBLIC HEARINGS

A. Industrial Zoning Ordinance Update

VI. ADMINISTRATIVE REPORTS

VII. OLD BUSINESS

A. Ordinance review list and discussion

VIII. NEW BUSINESS

A. Planning Commission membership amendment

IX. COMMISSION REPORTS & OTHER BUSINESS

X. VISITORS TO BE HEARD

Note: This is a courtesy extended to persons wishing to address the council who are not on the agenda. A completed public comment form should be presented to the city administrator prior to the meeting; presentation will be limited to 3 minutes. This session will be limited to 15 minutes.

XI. ADJOURN

Next meeting: Thursday, August 8, 2013, 7 p.m. at Maple Plain City Hall

**City of Maple Plain Planning Commission
Meeting Notes
May 2, 2013
Maple Plain City Hall
7:00 PM**

I. CALL TO ORDER

Chair Bliss called the meeting to order at 7:03 p.m.

Present: Commission Chair Michele Bliss, and Commissioners Mardelle DeCamp, John Fay, Barb Rose and Stephen Shurson; Council liaison alternate Mike DeLuca; Planning Consultant Tom Goodrum (MFRA); and Assistant to the City Administrator Maggie McCallum.

Council liaison alternate Mike DeLuca absent for Call to Order.

II. ADOPT AGENDA

DeCamp moved to adopt the Agenda as amended; Rose seconded. Motion passed 5-0.

III. CONSENT AGENDA

Fay moved to approve the Consent Agenda including edits to the meeting minutes; Shurson seconded. Motion passed 5-0.

Items approved under the Consent Agenda:

- A. Approval of the March 7, 2013 regular meeting minutes.
- B. Approval of the April 4, 2013 workshop meeting minutes.

IV. PUBLIC HEARINGS

- A. McGarry's Irish Pub, 5189 Main Street, site plan request and review.

Council liaison alternate Mike DeLuca joined meeting at 7:09 p.m.

Commission Chair Bliss introduced the public hearing for a site plan request and review for McGarry's Irish Pub located at 5189 Main Street.

City Planner Goodrum discussed the site plan request from McGarry's Irish Pub for the placement of a new cooler within the current patio area. He noted that the plan fully complied with City code. He explained that West Hennepin Public Safety and the Maple Plain Fire Department expressed some security and safety concerns. The concerns pertained to potential access to the cooler by the public, and the possibility that, in the case of a fire, the public could become trapped within the fenced in perimeter surrounding the cooler.

Goodrum listed several options that could be considered:

1. Place signage within the restaurant stating that door that accesses the cooler is not a fire exit and a signage directing the public to appropriate fire doors;
2. In the case of a fire, the false wall could be knocked down by the Fire Department to gain access to the area at the restaurant's expense.
3. Install a door within the false wall for use in the case of an emergency.

Goodrum recommended approval of the request.

Chair Bliss opened the Public Hearing at 7:19 p.m.

Architect for McGarry's Pub, Steve Kruser stated that they would follow up with the Fire Chief to determine a satisfactory escape plan and route. He agreed that signage within the restaurant would be a good idea.

Fay proposed that since access to the cooler was for employees only, maybe the door should be locked and thus only accessible to employees with keys.

Chair Bliss closed the Public Hearing at 7:34 p.m.

Commissioner Shurson moved to approve the McGarry's site plan review; Commissioner DeCamp seconded. Motion passed 5-0.

V. ADMINISTRATIVE REPORTS

None.

VI. OLD BUSINESS

A. Industrial Park Ordinance revisions and public hearing discussion.

Assistant to the City Administrator, McCallum reviewed the Commission direction to bring the Industrial Park Ordinance Code back to this meeting for final discussion, with the intent on setting a Public Hearing date for June 6, 2013.

Fay moved to schedule the Public Hearing date for June 6, 2013; Rose seconded. Motion passed 5-0.

B. Ordinance review discussion.

Chair Bliss reviewed past ordinance items that the Commission had expressed interest in doing, nevertheless have not completed at this time.

Those items included:

1. Low-Impact Development;
2. Home Occupation;
3. Wind Power; and
4. Animals.

Chair Bliss asked that the Commission come up with a list of the top five items they would like to work on. DeLuca suggested that the list be presented to the Council as a means of support.

Council liaison alternate Deluca proposed that a work session with the Council and Commission be scheduled as a means to collaborate and get direction.

Commissioner Fay expressed concern that some sections of the code were not being followed within the City.

Commissioner Fay stated that the code currently allows for the possible opening of a municipal liquor store, nevertheless that state law does not allow for such an operation anymore. He suggested that obsolete items, such as these, should be taken out of the City code. Chair Bliss mentioned another inconsistency in the code inhibiting a person's ability to conceal and carry a weapon, nevertheless state law allows it.

McCallum suggested that the Commission review the current R-1, R-2, R-2A and R-3 residential districts. McCallum stated that there are several areas in the code that have duplicate information and could be consolidated.

Council liaison alternate Mike DeLuca left the meeting at 8:28 p.m.

Chair Bliss stated that she and McCallum would create a preliminary ordinance work list for the next Commission meeting on June 6, 2013 and send it to everyone for review.

The Commission decided to continue the discussion of this agenda item at the next Planning Commission meeting on June 6, 2013.

VII. NEW BUSINESS

VIII. COMMISSION REPORTS & OTHER BUSINESS

Commissioner Rose noted that she would miss several upcoming Commission meetings for personal medical reasons.

IX. VISITORS TO BE HEARD

None.

X. ADJOURN

Fay moved to Adjourn; Shurson seconded. Motion passed 5-0. Meeting adjourned at 9:01 p.m.

Prepared by

A handwritten signature in cursive script that reads "Margaret McCallum". The signature is written in black ink and is positioned above a horizontal line.

Maggie McCallum, Assistant to the City Administrator



Agenda Information Memorandum
June 6, 2013 Maple Plain Planning Commission

V. PUBLIC HEARING
A. INDUSTRIAL ZONING ORDINANCE UPDATE

ACTION TO BE CONSIDERED

To hold a public hearing and accept public comment on the proposed industrial zoning ordinance updates.

FACTS

- Within the last year, the Planning Commission has reviewed the City's two Industrial Zoning Codes.
- The review considered the existing industrial uses and looked at ordinances from other cities to help define and shape the desired wants and needs of the City's Industrial Districts.
- An updated ordinance draft was created as a means to update current or incorporate new uses, definitions, language and terms that were either outdated and/or nonexistent.
- The Planning Commission completed its review of the ordinance at the May 2, 2013 Planning Commission meeting and recommended a public hearing to receive public comment on the proposed updates.
- Changes pertain to:
 - The I-1 Light Industrial District and I-2 Heavy Industrial District Sections:
 - Permitted Uses
 - Permitted Accessory Uses
 - Conditional Uses
 - Interim Uses

ATTACHMENTS

Attached on page(s) ____ through ____ are a memo from City Planner Tom Goodrum (MFRA); a list of newly proposed or updated definitions and a copy of the proposed and updated Industrial Zoning Code.

MEMORANDUM

TO: Chair Bliss and Planning Commission
FROM: Tom Goodrum, City Planner Consultant
DATE OF REPORT: May 22, 2013
DATE OF MEETING: June 6, 2013
RE: Industrial Ordinances

Chair Bliss and Planning Commission,

ACTION TO BE CONSIDERED

Public Hearing for the updated draft of the I-1 and I-2 Districts

STAFF REVIEW

In the last year the Planning Commission, led by Commissioners Fay and DeLuca, have been discussing revisions needed for the industrial zoning districts and created a draft ordinance for public consideration. The draft ordinance was created to update the current language, which included outdated uses and undefined terms, to be more reflective of the existing uses and the future expectations of the City's Industrial Districts. In preparing the draft ordinance the Commissioners and city staff reviewed the existing industrial uses (attached) and looked at other cities ordinances to help them define and shape the needs for Maple Plain. (Comparable cities were; Mound, Delano, Montrose, Corcoran and Monticello)

The proposed updates were not created to change the existing uses or standard within the industrial districts. Great lengths were taken to ensure that existing uses remain conforming. None of the district standards for setbacks or lot requirements were changed. However the proposed ordinance could create a legal non-conforming use to the following businesses.

123 Movers	self- storage	1270 Budd Ave
Western Spaces	self- storage	5305 Pioneer Creek Drive
Apeiron Stone Care	stone product provider	5350 Pioneer Creek Drive
Axiom, Inc.	supplier of musical instrument parts	5350 Pioneer Creek Drive
Pistol Packaging	manufacturer and seller of holsters	5350 Pioneer Creek Drive
The Tierra Group	headquarters	5350 Pioneer Creek Drive
EquipALife	non-profit	5563 Pioneer Creek Drive

The two self-storage operations in town will become legal non-conforming as self-storage (mini-storage) are proposed to be under a conditional use permit. The operations can continue as currently exists but further additions to the buildings or operations would warrant a conditional use permit be issued for the business. The other potential non-conforming uses are the office oriented uses at 5350 and 5563 Pioneer Creek Drive. The new ordinance restricts office uses to 40% of the principal building. Verification of the office use will need to be looked at for these

businesses. Again, they can legally operate under the proposed ordinance as a legal non-conforming use. The office uses are discussed further in the staff review. The staff review will identify the key changes proposed within the sections of the ordinance.

Definitions

The proposed definitions will be incorporated into the existing definition section 153.007. It is highly recommended that all definitions within an ordinance be kept in one place to avoid conflict or confusion throughout an ordinance. Definitions should only apply to words being used within the ordinance that will provide assistance to a reader who may not be familiar with certain terms, thus it is not necessary to define all words. Key changes to the definitions include the following:

Several new words were added to the definition section that will clarify language within the Industrial zoning ordinance and throughout the zoning codes.

Clarifying the difference between light and heavy industrial uses. This was needed to identify the differences between the two industrial uses. In addition, the Mixed Use district refers to light manufacturing as a permitted use but light manufacturing was not defined in the zoning code.

A new definition for a conditional use permit was incorporated as the Commission felt the proposed language better defines the term.

I-1 Light Industrial District

Permitted Uses

Light Manufacturing -- since the definition of light manufacturing provides a long list of example uses they did not need to be repeated in this section.

Lumber Yard—added language that would allow for the occasional cutting and finishing work that would allow for some customer service activities on the site.

Wholesale Business—added language to allow for some retail sales. This is common practice for some wholesalers and is being conducted by local businesses such as ABC Supply. North Shore Marina is also considering retail sales on their site.

Public Utilities-- was removed as it provides the similar uses as defined by essential services.

Contractor Shops-- is suggested to match the definition and office was removed. We removed the word office in the title as the proposed ordinance already allows up to 40% of space for office use. Thus, a contractor shop is already allowed office space by the ordinance and we did not want this to imply that office only businesses are allowed in the industrial districts.

Office only businesses should be directed to the MU districts or the Office Park district. Staff recognizes that there are existing businesses that may be office only such as Wenck and the businesses within the 5350 building on Pioneer Creek, (Axiom, Apeiron Stone, and The Tierra Group). Further investigation is needed for the 5350 businesses to see if they will fit under the 40% office space standard. If they are predominantly office, we may want to consider rezoning that parcel as Office Park. The City has recently adopted an Office Park district for the area along Bud Street. The purpose of the Office Park is to provide a transition between industrial

uses and residential uses with low profile attractive office/warehouse buildings. The 5350 Office/Warehouse building may be a good candidate for an Office Park designation. The city is supportive of the Wenck business within the industrial park. Although it is an all office business it fits well within the industrial area due to the size of building area and size of the parcel. To address the Wenck site we are suggesting that an **Office Campus use** be allowed in the industrial district. An office campus would require a 10-acre parcel plus separate access from a major road to separate office staff traffic from the heavier truck traffic commonly found in industrial parks.

Permitted Accessory Use

Offices accessory to a principal use—office space within an industrial facility shall not occupy more than 40% of the gross floor area of the building. This was proposed to restrict office uses in the industrial parks and direct them to the city's mixed use districts or office park district where they are better suited to meet city development objectives.

Outdoor Storage—made outdoor storage as an accessory use since most of our existing businesses have outdoor storage. The current code under Section 153.06 already establishes the standards for outdoor storage.

Within the standards for outdoor storage, plus other uses allowed in the industrial district the proposed ordinance added language that would allow for the use of a vegetative or gravel surface rather than a paved surface in order to reduce the amount of hard cover when deemed appropriate. These alternative surfaces will be allowed when adequate drainage and water quality can be adequately controlled. This would be in line with the Planning Commission desires to create a Low Impact District (LID) ordinance.

Conditional Uses

Currently the ordinance requires a conditional use permit for any light manufacturing use that creates a nuisance to surrounding residential or commercial uses. To better define what constitutes a use that may impact surrounding uses The Planning Commission established a list of businesses that were typically classified as a conditional use by other cities, which includes:

- Mini-storage
- Automobile and truck repair
- *Open Sales Lot*
- Automotive Sales
- *Antenna Towers*
- *Animal Kennels and Boarding*—added animal kennel and boarding since they are already an allowed use and are not identified anywhere else in the code. The city allows 24 hour dog boarding in the MU district but does not provide for kenneling. The City ordinance also refers to dog kennels in the General Section of the city code under animals, thus it is appropriate to identify where kennels can occur. We would want to direct them in the industrial districts instead of having requests to place them in the MU districts where they may create a nuisance.

Interim Uses

The only listed Interim Use is for Excavation Sites. Farmers Market and Firework Stands were removed per discussion of the Planning Commission.

I - 2 General Industrial District

Permitted Uses

All uses allowed in the I-1 District are allowed in the I-2

Heavy Manufacturing—added this to the permitted use as it provides a good description of uses within its definition. Incorporated concrete plants and trucking terminals into same category as they are similar uses as described in heavy manufacturing.

Refuse/Garbage Collection—However, due to the potential impacts of a refuse/garbage collection business this may be a use that could be considered as a conditional use permit (CUP). As a CUP the city can obtain an operations plan and establish drive routes and hours of operations.

Trucking Terminals

Permitted Accessory Uses

Accessory Buildings and Structures—The accessory building size was increased from 30% of the principal building in the I-1 district to 60% in the I-2 district. Enlarging the building size to 60% is proposed since in the I-2 you have heavy manufacturing operations that require larger accessory structures. In addition, at 60% the two existing businesses will be in compliance to the proposed ordinance.

Related Code Amendments

After review of the Industrial District Update we noticed that an amendment to Section 153.063, General Fencing, Screening, Landscaping and Storage (D) Screening to add General Industrial to the paragraph as shown below.

(D) *Screening*. In all light industrial **and general industrial** districts all materials, supplies, merchandise, or other similar materials not on display for direct sale, rental or lease

Recommendation

Hold the public hearing and after receiving public input prepare a draft ordinance for the City Council to review.

Sincerely,

Tom Goodrum, City Planner, MFRA

Definitions: To be incorporated into the definition section, 153.007

<p>ACCESSORY: A use, activity, structure, or part of a structure that is subordinate and incidental to the main activity or structure on the site.</p>
<p>ANTENNA/COMMUNICATION TOWER: Any system of wires, poles, rods, reflecting discs, access points, and similar devices used for the transmission, reception, of both of electromagnetic waves, and shall include, but not be limited to antennas used by cellular utilities.</p>
<p>AUTOMOBILE SALES: An establishment engaged in the retail sales and services of new and used automobiles, trucks, trailers, motorcycles, mopeds, and recreation vehicles and supplies. May include farm or industrial equipment, machinery, and supplies.</p>
<p>CONDITIONAL USE PERMIT: A permit issued by City Council in accordance with the procedures specified within this Ordinance as a device to enable the City Council to assign conditions to a proposed use or development after consideration of the adjacent land uses and the special characteristics which the proposed use presents</p>
<p>CONTRACTOR: A person or company that undertakes a contract to provide materials or labor to perform a service or do a job.</p>
<p>EXCAVATION OR MINING: The removal of the natural surface of the earth, whether sod, dirt, soil, sand, gravel, stone or other matter or the use of an area for stockpiling, storage and processing of sand, gravel, black dirt, clay and other minerals resulting in a substantial alteration as defined in Section 150.60,Excavation Permits.</p>
<p>INTERIM USE: A temporary use of property until a particular date, until the occurrence of a particular event, or until zoning regulations no longer allow said use. per section 153.170 of the zoning code</p>
<p>MACHINE SHOPS: A workshop in which machine tools are operated.</p>
<p>MANUFACTURING – LIGHT: The mechanical transformation of predominantly previously prepared materials into new products, including assembly of component parts and the creation of products for sale to the wholesale or retail markets or directly to consumers. Examples include, but are not limited to: production or repair of small machines or electronic parts and equipment; woodworking and cabinet building; testing facilities and laboratories; apparel production; sign making; assembly of pre-fabricated parts, manufacture of electric, electronic, or optical instruments or devices; manufacture and assembly of surgical instruments; processing, and packing of food products or cosmetics; and manufacturing of components, jewelry, clothing, trimming decorations and any similar item. Light manufacturing does not include an individual’s production of hand-crafted or custom made items.</p>
<p>MANUFACTURING – HEAVY: The manufacturing of products from raw or unprocessed materials This category shall also include any establishment or facility using large unscreened outdoor structures such as conveyor belt systems, cooling towers, cranes, storage silos, or similar equipment that cannot be integrated into the building design, or engaging in large-scale outdoor storage. Any industrial use that generates noise, odor, vibration, illumination, or particulate that may be offensive or obnoxious to adjacent land uses, or requires a significant amount of on-site hazardous chemical storage shall be classified under this land use. This use shall include any</p>

<p>packaging of the product being manufactured on-site. Examples include but are not limited to the production of the following: large-scale food and beverage operations; lumber milling and planing facilities; aggregate, concrete and asphalt plants; foundries, forge shops, open air welding, and other intensive metal fabrication facilities; chemical blending, mixing, or production, and plastic processing and production.</p>
<p>MINI (SELF) STORAGE: An enclosed storage facility containing independent, fully enclosed bays that are leased to individuals exclusively for the storage of household goods and personal belongings.</p>
<p>OFFICE: Professional and business office, nonretail activity. Used for conducting the affairs of a business profession, service, industry or government.</p>
<p>OPEN SALES LOT: Any open land used or occupied for the purpose of display of merchandise for sale and/or rent.</p>
<p>OUTDOOR STORAGE/STORAGE YARDS: An outside area where equipment, vehicles, trailers, or material relating to the principal use of the parcel of land is stored. This includes semi-trucks and trailers. The stored items are not for sale or display but are used in the everyday operation of the principal use.</p>
<p>PRINCIPAL USE: The primary or predominant use of any lot and/or building.</p>
<p>PUBLIC UTILITY: Persons, corporations or governments supplying gas, electric, transportation, water, sewer or land line telephone service to the general public.</p>
<p>RECREATIONAL FACILITY – INDOOR: An indoor facility providing accommodations for a variety of individual, organized, or franchised sports, including but not limited to basketball, ice hockey, wrestling, soccer, tennis, volleyball, racquetball, laser tag, paint ball, miniature golf or handball. Such facility may also provide other regular organizes or franchised events, health and fitness club facilities, swimming pool, climbing wall, snack bar, restaurant, retail sales of related sports, health or fitness items and other support facility. The said establishment may or may not include membership.</p>
<p>RESEARCH LABORATORY: A facility for scientific and/or academic research, investigation, testing or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory.</p>
<p>TRUCKING TERMINAL: Land or buildings used primarily as a relay station for the transfer of freight from one vehicle to another or one party to another rather than permanent or long term storage. The terminal facility might include storage of areas for trucks and buildings for truck maintenance and repair.</p>
<p>WAREHOUSE AND DISTRIBUTION FACILITIES: A building or portion of a building used primarily for the long- or short-term storage of goods and materials awaiting transportation or distribution, and not generally accessible to the general public. Incidental storage, repair, and maintenance of trucks associated with the distribution of goods from the warehouse are allowed.</p>
<p>WAREHOUSING: The storage of materials or equipment within an enclosed building as a principal use.</p>
<p>WHOLESALE STORES OR DISTIBUTORS: Establishments or places of business primarily engaged in selling large volume or bulk merchandise to retailers.</p>

Draft Ordinance June 2013

“I-1” Light Industrial District.

Intent. The purpose of the I-1, Light Industrial District is to provide for less intensive types of industrial uses which, because of their proximity to residential areas or other sensitive uses, are less likely to impose objectionable influences, such as noise, vibrations, dust, heat, smoke, odor, etc.

Permitted Uses: The following uses are permitted in the I-1 General Industrial District:

1. Manufacturing—Light, that includes but is not limited to the fabrication or assembly of small products such as optical, electronic, pharmaceutical, medical supplies, and equipment; machine shops, printing and bottling establishments;
2. Lumber Yards, for the purpose of storing and selling of lumber products plus occasional cutting and finishing services;
3. Wholesale Business, provided that the business does not participate in retail sales except for products made at the facility or that are directly related to the primary use or product of the business;
4. Warehousing and Distribution Facilities;
5. Office Campus minimum of a 10-acre parcel containing an office building(s) that has a separate access to a principal or arterial road;
6. Recreational Facility-Indoor;
7. Research Laboratories;
8. Contractor Shops, for contractors including plumbing, heating, glazing, painting, paper hanging, roofing, ventilating, electrical, carpentry, welding, landscaping, excavating, and general contracting, including contractor storage of equipment and building materials if enclosed within a building; and,
9. Essential Services as defined in §153.007.

Permitted Accessory Uses: The following are permitted accessory uses in the I-1 District:

1. Offices accessory to a principal use, that occupy no more than forty (40) percent of the gross floor area of the principal building.

2. Accessory buildings and structures not exceeding thirty (30) percent of the gross floor area of the principal building. Accessory buildings shall be constructed with materials and color that is compatible with the principal structure.
3. Outdoor storage (not open sales lots) provided that:
 - a. The storage area is landscaped and screened from view of neighboring uses, residential zoning districts, and public rights-of-way per § 153.063 (C) and (D) of the City Code;
 - b. Storage area is fenced in a manner approved by the City;
 - c. Storage area shall be paved or surfaced (concrete or blacktop) to control dust and erosion, unless determined by the city that a vegetative or alternative low impact development surface is more appropriate in order to reduce hard surface but will maintain water runoff and quality;
 - d. All lighting shall be in compliance with City's light standards identified in § 150.01;
 - e. The storage area does not take up parking space or loading space as required for conformity to this Ordinance and not in front yards;
 - f. The storage area shall not abut property zoned for residential use, including land in another city. "Abutting" includes across the street. "Abutting" does not include properties that touch only corner to corner;
 - g. The ratio of storage area to building footprint shall not exceed 3:1; and
 - h. Storage shall not include material considered hazardous under Federal or State Environmental Law.

Conditional Uses: The following uses shall require a conditional use permit based on the procedures set forth in § 153.140:

1. Mini self-storage facilities provided that:
 - a. No buildings shall be located closer than twenty-five (25) feet to each other to allow for parking, loading, driveway, and fire lanes;
 - b. There is no "on-premises" caretaker dwelling unit provided on the site.
 - c. Adequate space is provided for snow storage;
 - d. All driveways and parking areas shall be hard (blacktop or concrete) surfaces and adequate turning radius for fire truck maneuverability is to be maintained throughout the site;

- e. Any structures having exposure to an adjacent residential use or public right-of-way, park, or similar public use areas shall be of brick, natural stone, wood, stucco facing material or material(s) approved by the City that are deemed to be in character with surrounding uses; and
 - f. No retailing, wholesaling, manufacturing, repair, or other such activity other than storage is to occur within the self storage, mini warehousing facility.
2. Automobile and truck repair – provided that:
- a. Unlicensed or inoperable vehicles shall be stored inside or within an approved area that is adequately screened;
 - b. No sales or display of vehicles, unless under a separate conditional use permit;
 - c. Repair, assembly or disassembly of vehicles must be done indoors, except minor servicing; and
 - d. Parking and buildings must be setback 50 feet from any residential districts as noted in the Comprehensive Plan unless an adequate screening of views; noise and light plan is approved by the city.
3. Open Sales Lot
- a. The sales lot is landscaped and screened from neighboring residential uses and shall not abut a residential zoning district, including neighboring cities. “Abutting” does not include properties that touch only corner to corner;
 - b. Sales area is paved or surfaced (concrete or blacktop) to control dust and erosion, unless determined by the city that a vegetative or alternative low impact development surface is more appropriate if the sales area will be used temporarily throughout the year or in order to reduce hard surface but maintain water runoff and quality;
 - c. All lighting shall be in compliance with City’s light standards identified in § 150.01;
 - d. The sales area does not take up parking space or loading space as required for conformity to this Ordinance; and
 - e. The sales area shall be limited to the size, location and times of operation as determined through the conditional use permit;
 - f. Outdoor storage shall not include material considered hazardous under Federal or State Environmental Law.

4. Automotive Sales provided that:

- a. Parking area and building has a setback of 40 feet and adequately screened/buffered from adjacent residential land shown in the Comprehensive Plan;
- b. The minimum building size for any vehicle sales shall comply with the standards in Table 5-3.

TABLE 5-3: MINIMUM BUILDING SIZE FOR VEHICLE SALES/RENTAL USES		
Parcel Size	Lot Coverage Percent *	Minimum Building Size *
< 2 acres	5%	2,500 square feet
2 acres ≥ 4 acres	10%	10,000 square feet
> 4 acres	15%	40,000 square feet
* Whichever requires the larger building		

- c. All lighting shall be in compliance with § 150.01;
- d. The outside sales and display area shall be hard surfaced;
- e. The outside sales and display area does not utilize parking spaces which are required for conformance with this ordinance;
- f. Vehicular access points shall create a minimum of conflict with through traffic movement and shall be subject to the approval of the City; and
- g. There is a minimum lot area of twenty-two thousand five hundred (22,500) square feet and minimum lot dimensions of one hundred fifty (150) feet by one hundred thirty (130) feet.

5. Antenna towers provided that:

- a. All antennas and towers shall be in compliance with all State Building and Electrical Code requirements and as applicable shall require related permits. Applications to erect new antennas and/or towers shall be accompanied by any required federal, state, or local agency licenses;
- b. Structural design, mounting and installation of the antenna shall be in compliance with manufacturer's specifications and as may be necessary, as determined by the City Engineer, shall be verified and approved by a professional engineer;

- c. When applicable, written authorization for antenna and/or tower erection shall be provided by the property owner;
 - d. Antennas and/or towers shall not be artificially illuminated unless required by law or by a governmental agency to protect the public's health and safety;
 - e. If a new tower of seventy-five (75) feet or greater in height is to be constructed, it shall be designed structurally, electrically, and in all respects, to accommodate both the applicant's antennas and antennas for at least one (1) additional use, including but not limited to other personal wireless service communication companies, local police, fire and ambulance companies. Towers shall be designed to allow for future rearrangement of antennas upon the tower and to accept antennas mounted at varying heights;
 - f. Towers shall be painted a non-contrasting color consistent with the surrounding area such as blue, gray, brown, or silver or have a galvanized finish to reduce visual impact, unless otherwise required by a governmental agency;
 - g. All antennas and towers shall be reasonably posted and secured to protect against trespass, including appropriate measures to prevent unauthorized persons from climbing any tower;
 - h. Towers shall comply with all applicable Federal Aviation Administration (FAA) regulations;
 - i. All towers, antenna support structures, and related equipment or structures shall be kept and maintained in good condition, order, and repair so as not to menace or endanger the life or property of any person;
 - j. The City shall have authority to enter onto the property upon which a tower is located to inspect the tower for the purpose of determining whether it complies with the State Building Code and all other construction standards provided by the City's Code, federal and state law. The City reserves the right to conduct such inspections at any time, upon reasonable notice to the owner. All expenses related to such inspecting by the City shall be borne by the owner.
6. Animal Kennels and Boarding
- a. All animals must be kept inside except when accompanied by an employee within a fenced outdoor walking area.
 - b. A waste management plan acceptable to the City.

Lot Requirements and Setbacks: The following minimum requirements shall be observed in an I-1 District subject to additional requirements, exceptions and modifications set forth in this Ordinance:

1. Lot Area: As necessary to meet all setbacks, parking, and yard requirements.
2. Lot Width: None.
3. Yard and setback requirements:
 - a. Front yard – 35 feet minimum;
 - b. Side yard – 20 feet minimum;
 - c. Rear yard – 20 feet minimum; and
 - d. Where a property abuts a railroad easement or right-of-way, no side or rear yard shall be required

Interim Uses: The following interim uses are allowed in the I-1 District:

1. Excavation site.

“I-2” General Industrial District.

Intent: The purpose of the I-2, General Industrial District is to provide for the establishment of heavy industry and manufacturing development and use which because of the nature of the product or character of the activity, requires isolation from residential, commercial and mixed-use districts.

Permitted Uses: The following uses are permitted in the I-2 General Industrial District:

1. All permitted uses allowed in the “I-1” Light Industrial District;
2. Manufacturing--Heavy, including but not limited to; concrete product plants, building materials production and similar uses provided that:
 - a. All applicable Minnesota Pollution Control Agency requirements are satisfactorily met;
 - b. Storage areas are landscaped, fenced and screened from view of neighboring uses, abutting residential zoning districts and public rights-of-way in compliance with § 153.063 (C) (D);

- c. Vehicular access points shall create a minimum of conflict with through traffic movement and shall be subject to approval of the City Engineer; and
 - d. Provisions acceptable to the City shall be made to control and minimize noise, air and water pollution.
3. Refuse/garbage collection provided that:
- a. No refuse or garbage shall be stored or in any way disposed of on the site;
 - b. Vehicle parking and storage areas are screened from view of neighboring uses, abutting residential zoning districts and public rights-of-way in compliance with § 153.063 (C) (D);
 - c. Vehicle parking/storage areas shall be hard surfaced with a bituminous material with curb and gutter to control dust;
 - d. The site shall be maintained free of litter and any other undesirable materials and will be cleaned of loose debris on a daily basis;
 - e. All in bound and out bound trucks and equipment, excluding employees personal vehicles, shall be restricted to designated routes established by the City, except for times when providing collection service to customers within the City limits;
 - f. Provisions acceptable to the City shall be made to control and minimize noise, air and water pollution; and
4. Trucking terminals provided that:
- a. Vehicular access points shall be located along arterial streets and shall be limited and designed and constructed to create a minimum of conflict with through traffic movement;
 - b. A drainage system subject to the approval of the City Engineer shall be installed;
 - c. Storage areas are landscaped, fenced and screened from view of neighboring uses, abutting residential zoning districts and public rights-of-way in compliance with § 153.063 (C) (D);
 - d. Provisions are made to control and minimize noise, air and water pollution; and

Permitted Accessory Uses:

1. All permitted accessory uses allowed in the “I-1” Light Industrial District.
2. Accessory buildings and structures not exceeding sixty (60) percent of the gross floor area of the principal building.

Conditional Uses: The following uses shall require a conditional use permit based on the procedures and conditions set forth in § 153.140:

1. All conditional uses allowed in the “I-1” Light Industrial District.

Lot Requirements and Setbacks

1. Lot Area: As necessary to meet all setbacks, parking, and yard requirements.
2. Lot Width: None
3. Yard and setback requirements:
 - a. Front yard – 35 feet minimum;
 - b. Side yard – 20 feet minimum;
 - c. Rear yard – 20 feet minimum; and
 - d. Where a property abuts a railroad easement or right-of-way, no side or rear yard shall be required

Interim Uses:

1. All interim uses allowed in the “I-1” Light Industrial District.

Existing Ordinance

88L

Maple Plain - Land Usage

(3) *Signage.* All signage within the MU District shall adhere to the standards identified in §§ 150.20 *et seq.*, and shall also be consistent with the standards identified in the city's Design Guidelines.

(4) *Lighting.* All light fixtures shall meet the standards identified in the city's Design Guidelines, as referenced by § 153.030, and light standards, per § 150.01. The following lighting standards shall also apply to all MU Districts: All exterior lighting in the MU District shall be downcast cutoff-type fixtures, and shall follow the styles identified in the Design Guidelines.

(Ord. 232, passed 4-13-2009; Am. Ord. 249, passed 9-13-2010)

§ 153.030 DESIGN GUIDELINES.

The city has established Design Guidelines for the Mixed-Use Districts (Gateway, Downtown and Budd Avenue/Highway 12). The Design Guidelines reflects the development standards expected within these districts and are to be used during a project review process. The Design Guidelines were created under a separate cover and are referenced here as an extension of the city's codes. The City Council may amend the Design Guidelines by resolution from time to time.

(Ord. 231, passed 4-13-2009)

§ 153.031 "I-1" LIGHT INDUSTRIAL DISTRICT.

(A) *Intent.* It is the intent of this District to provide for and allow a wide range of industrial, warehousing, and bulk commercial activities.

(B) *Permitted uses.*

(1) Any branch or trade of industry employing labor and capital; other activities not allowed in commercial districts, activities which do not require steam, diesel, or gasoline engines as a prime mover excepting that no industry or use noxious by reason of odor, dust, smoke, noise, or gas shall be included which interferes with other permitted uses;

(2) Building materials, storage yards, lumber yards;

(3) Wholesale business and warehousing;

(4) Machine shops, public and private garages;

(5) Public utility service buildings and gas regulator stations;

(6) Contractors equipment and storage yards; and

(7) Manufacture of radio, television, and electronic devices.

(C) *Permitted accessory uses and buildings.*

(1) Off-street parking and loading;

(2) Open and outdoor storage; and

(3) Offices accessory to a principal use.

(D) *Conditional uses.* The following uses shall require a conditional use permit based on the procedures set forth in § 153.140: light manufacturing uses for which the Council, in its discretion, issues a building or use and occupancy permit, but not the manufacturing uses as are permitted solely in the industrial district or such as may, in the opinion of the City Council, constitute a nuisance to surrounding residential or commercial districts.

(E) *Lot area.* As necessary to meet all setback, parking, and yard requirements.

(F) *Lot width.* None.

(G) *Yard and setback requirements.*

(1) Front yard - 35 feet minimum;

(2) Side yard - 20 feet minimum;

(3) Rear yard - 20 feet minimum; and

(4) Where a property abuts a railroad siding, no side or rear yard shall be required when a railroad loading facility is to be installed.

(Prior Code, § 16.11) Penalty, see § 10.99

§ 153.032 “I-2” GENERAL INDUSTRIAL ZONING DISTRICT.

(A) *Intent.* General Industrial Districts are established for the purpose of providing areas wherein there may be conducted industrial activities which might be objected to in a more restricted district and which are therefore excluded from the districts.

(B) *Permitted uses.* The following uses are permitted in the General Industrial District:

(1) Coal tipple and storage under cover;

- (2) Lumber yard in buildings;
- (3) Building material yard;
- (4) Public garages for repairing and storing cars;
- (5) Battery and tire service;

Existing "I" businesses

Business	Business Description	Address
123Movers	Self Storage	1270 Budd Ave Maple Plain, MN 55359
ABC Supply, Inc.	Wholesale Distributor	5130 Industrial Street
Air Assault Paintball	Indoor Paintball Field	5130 Industrial Street #100
All-star Construction Management, LLC	Construction company	5145 Industrial Street, Suite 103
Anthem Inc	Control systems programming and assembly	1275 Poplar Avenue
Apeiron Stone Care	Stone care products provider	5350 Pioneer Creek Drive, Ste 5
Axiom, Inc	Supplier of tools, parts, and materials to string instrument builders, restorers, and repairers.	5350 Pioneer Creek Dr # 4
Bagy Jo, LLC (corporate and factory)	Embroidery	5563 Pioneer Creek Drive S
Berg Exteriors, Inc	Stucco, Concrete, and Drywall & Insulation Contractor	5145 Industrial St # 101
Bergerson Caswell, Inc.	Water well contractor	5115 Industrial Street
Bumps Auto and Marine	Auto and marine repair shop	5145 Industrial Street
Compost Facility (Public)	Compost	Poplar Avenue
Day Distributing	Distributor of domestic & import beers	5901 Highway 12
EquipALife	Nonprofit (assists individuals with disabilities)	P.O. Box 310
Here-U-Lift	Headquarters, Wholesalers & Distributors	5655 Hwy 12 W., Box 69
Manor Electric	Electrical contractor and designer	5350 Pioneer Creek Drive # 3
Maple Plain Interiors	Interior Design	5169 Highway 12
Maple Plain Fire Department	Fire Department	1645 Pioneer Avenue
Maple Plain Water Treatment Plant/Public Works		
Met. Council Sewer Facility (Public)	Sewer	
North Shore Gymnastics	Gymnastics gymnasium	5555 Pioneer Creek Drive

Existing "I" businesses

OMG Electric Chemicals	Provider of specialty chemicals, Customer Service, Manufacturing, R & D, and Sales	5630 Pioneer Creek
Pistol Packaging	Manufacturer and seller of holsters	5350 Pioneer Creek Dr # 2
Protolabs	Manufacturer	5540 Pioneer Creek Dr
Radio Tower		
S&T Boat Storage	Boat Storage	4975 Industrial Street
Storage Concepts	Warehouse storage equipment distributors	5655 Hwy 12 W., Box 69
T.D. Sawvel Company, Inc	Manufacturer of packaging equipment	5775 U.S. 12
The Tierra Group	Headquarters (office)	5350 PIONEER CREEK DR
Wenck	Engineering, environmental, and consulting services.	1800 Pioneer Creek Center
Western Spaces	Self Storage	5305 Pioneer Creek Drive
Winning Edge, Inc	Plaques, Manufacturers & Producers	1821 Halgren Rd

Business	Business Description	Address
Tri-K	Recreational vehicles	5839 U.S. 12
North Shore Marina	Boat Storage	6458 Hwy 12



Agenda Information Memorandum
June 6, 2013 Maple Plain Planning Commission

VII. OLD BUSINESS
A. ORDINANCE REVIEW LIST AND DISCUSSION

ACTION TO BE CONSIDERED

To continue to discuss potential City code revisions or additions.

FACTS

- Section §31.34 of the Maple Plain City Code sets the specific duties of the Planning Commission, including the preparation and recommendation to the City Council additions and/or revisions to ordinances, regulations and other proposal promoting the orderly development of the City.
- Specifically related to zoning issues, the Planning Commission is required to ensure the City's zoning code is regularly reviewed, current and updated as needed.
- At the April 4 workshop, Commissioners expressed a desire to review Chapter 153 on zoning to determine if revisions were necessary.
- Commissioners were to report their findings back at the May 2 meeting.
- Chair Bliss stated that she and McCallum would put together a preliminary list of ordinance items to review at the June 6 meeting.

ATTACHMENTS

Attached on page(s) ____ through ____ is a copy of the preliminary list of ordinance items for review.

Review of and/or Possible Addition to City Code and Ordinances

Description	Pick your top 5 – 1 (Low) to 5 (High)
R1-R3 Zoning districts (sections 153.023-153.027)	
Home Occupation permit	
Consolidation of traffic and parking sections (sections 70.35-71.09, 153.080-153.086 plus other sections related to traffic or parking)	
Conditional use permit (CUP) (section 153.140)	
Livestock/Animals, including exotics (Chapter 92)	
Wind power	
Low impact development (LID)	
Eliminating outdated codes such as municipal liquor store (sections 110.50-110.55), flood plain management (Chapter 151)	
Hand guns – conceal and carry update (section 130.16)	
Micro breweries	



Agenda Information Memorandum
June 6, 2013 Maple Plain Planning Commission

VIII. NEW BUSINESS
A. PLANNING COMMISSION MEMBERSHIP AMENDMENT

ACTIONS TO BE CONSIDERED

To discuss a proposed revision to membership requirements for the Planning and Park Commissions.

FACTS

- The City Council discussed a proposal to amend City Code allowing business owners to be on the Planning and Park Commissions. The seats would be capped at two members.
 - Such a change would allow for non-resident business owners. Business owners that are residents of the community could apply under the current language.
- Current requirements for the Planning and Park Commissions require Maple Plain residency. Applicable code sections are §31.30 and §31.35 (Planning).
 - Current language in the Park Commission does not reference residency.
- An additional discuss was regarding the current seven member panel versus reducing it to five members.
- City Council members are requesting input from the Planning Commission on the item.

ATTACHMENTS

Attached on page(s) _____ through _____ is a memorandum from City Administrator Jason Ziemer and a copy of both Commission code sections.

MEMORANDUM

TO: Chair Michele Bliss and Planning Commissioners
FROM: Jason Ziemer, City Administrator
DATE OF REPORT: May 30, 2013
DATE OF MEETING: June 6, 2013
RE: Planning and Park Commission membership makeup

Chair Bliss and Commissioners,

On May 13 the City Council considered possible amendments to the City Code sections regarding Planning and Park Commission membership that would create opportunity for business owners to serve on the Commissions. Currently, no person may serve on either citizen commission unless they are a resident of Maple Plain. The intent of the change would be to expand perspective on the Commissions. The Park Commission section does not specifically address residency. Current rules addressing Planning Commission membership are found in Sections §31.30 and §31.35 on page 2.

The motion to consider the amendment included two things: 1) cap the total business owner make up at two seats maximum, and 2) seek feedback from both Commissions regarding the expansion of Commission membership. It is my interpretation the proposed amendment supports the addition of business owners only, not employees of those businesses.

As it relates to feedback, the Council would like Commissioners to offer their perspectives – pros and cons – on the following:

- 1) expansion of Commission make-up to include non-residents with the definition of “non-residents” meaning business owners
- 2) thoughts on business owners only versus business owners and their employees
- 3) a possible reduction in total membership from seven (7) members to five (5)
- 4) cap membership at two (2) per Commission.

Understanding this is a change from current practice I do encourage Commissioners to provide good insight to the City Council regarding the benefits of such a change as well as concerns. Regardless of the final decision, any person expressing interest in serving on a commission would still be required to submit an application and go through the established application process.

Other City Feedback

In considering such an amendment I polled other cities to see how they handled membership. The majority indicated they do have a residency requirement, of which several noted they did have resident business owners on their commissions. The

primary concern was the potential planning and zoning and land use conflicts of interest on the part of the business owner. However, several noted having a firm conflict of interest policy would negate any member's ability to participate in any discussion on an item. Regardless of the approach all recommended the City continue with its open application process to seek out the best possible candidates and members. A few cities offered an alternative to establish of a policy committee through the Chamber of Commerce that could advise the Commission on business-related items and remove the potential for a conflict. Those were the general sentiments from other cities.

Current Code

According to §31.35, and regardless of the residency requirement noted in §31.30, no person should be appointed to the Planning Commission if they have an interest other than that of the public good.

§ 31.30 ESTABLISHMENT OF PLANNING COMMISSION; COMPOSITION.

A city Planning Commission for the City of Maple Plain is hereby established. The Planning Commission shall consist of 7 members appointed by the City Council. Members must reside within the municipal boundaries of the City of Maple Plain.

§ 31.35 CONFLICT OF INTEREST.

No person shall be appointed with private or personal interest likely to conflict with the general public interest. If any persons appointed shall find their private or personal interests are involved in any matter coming before the Commission, they shall notify the City Administrator of such conflict and shall disqualify themselves from taking part in any discussion or action on the matter. The Planning Commission may also disqualify a member by a 2/3 majority vote of the Commissioners in attendance.

As for changes: If the direction is to make this change an option for Section §31.30 would be: "*Members must reside or own a business within the municipal boundaries of the City of Maple Plain.*" Language addressing some type of "residency" requirement is still necessary so as to remove any ambiguity as to who might apply. I would also add this language into the Park Commission code section to provide clarity as to who may apply to this body as well.

Process

The City Council is seeking input from both Commissions. Feedback will be compiled and submitted to the Council for further consideration to ultimately determine a direction regarding what changes, if any. As these changes are not in City zoning code, these changes will not require a public hearing.

Sincerely,

A handwritten signature in black ink, appearing to read "Jason Ziemer". The signature is fluid and cursive, with a large initial "J" and "Z".

Jason Ziemer
Maple Plain City Administrator

PLANNING COMMISSION

§ 31.30 ESTABLISHMENT OF PLANNING COMMISSION; COMPOSITION.

A city Planning Commission for the City of Maple Plain is hereby established. The Planning Commission shall consist of 7 members appointed by the City Council. Members must reside within the municipal boundaries of the City of Maple Plain. The City Council shall appoint a liaison member to the Planning Commission who shall not have a vote in Planning Commission matters. (Ord. 250, passed 10-25-2010)

§ 31.31 TERMS OF COMMISSION MEMBERS.

The 7 members shall be appointed to 3-year terms. Terms shall be staggered. Appointments of 3-year terms shall be done annually as terms expire. The succession of appointments is 2 members, 2 more members the next year, followed by 3 remaining members. Persons appointed to fill vacancies shall serve the duration of the unexpired term. The Council member liaison shall be appointed annually. The regular members shall serve without compensation. (Ord. 250, passed 10-25-2010)

§ 31.32 REMOVAL FROM OFFICE; ATTENDANCE; VACANCIES.

Any member of the Planning Commission may be removed by the City Council at any time for any reason or without stated reasons upon 4/5 vote of the City Council. Any member may be removed for nonattendance at Planning Commission meetings without action by the City Council should said member miss more than 1/3 of the regularly scheduled meetings in a calendar year. It shall be the duty of the Chairperson of the Planning Commission to promptly notify the City Council of any vacancies occurring in membership, and the City Council shall fill vacancies within 60 days from date of notification. Filling of vacancies shall be for the completion of the unexpired term. (Ord. 250, passed 10-25-2010)

§ 31.33 COMMISSION ORGANIZATION; MEETINGS.

(A) The City Planning Commission shall elect a chairperson from among the regular members to serve for a period of 1 year, and a Vice-Chairperson to serve in the absence of the Chairperson, and the other offices as it may deem advisable.

(B) Keeping of official meeting records shall be designated to the appropriate city staff liaison, unless otherwise directed by the Planning Commission. The City Planning Commission shall hold 1 regular meeting each month, at the time and place as it shall determine. It shall adopt rules for the transaction of business, and keep a record of its resolutions, transactions, and findings, which records shall be a public record. The Planning Commission may call special meetings as needed; the City Council may also direct the Commission to hold a special meeting. Notification of special meeting must follow standard notification requirements.

(C) Any 4 of the regular members shall constitute a quorum for the transaction of business; and unless otherwise specified, a majority vote of any 4 members appointed by the City Council shall carry any action to the Commission. The Council liaison member shall have no vote.

(D) The Planning Commission may establish committees and subcommittees from its membership to serve in an advisory capacity to assist the full Commission in the conduct of its business.

(E) The City Administrator, or other city staff, City Planner, City Engineer, Building Official, city public safety officials, and other consulting planners and engineers, shall serve as advisors to the Commission.
(Ord. 250, passed 10-25-2010)

§ 31.34 DUTIES AND POWERS; ADOPTION OF PROGRAM.

(A) *Duties.* The Commission shall have the powers and duties given planning agencies generally by law, including the following:

(1) Acquire and maintain in current form such basic information and background data as is necessary for understanding past trends, present conditions and forces at work to cause changes in these conditions.

(2) Prepare and submit for consideration and adoption by the City Council a Comprehensive City Development Plan for the physical development of the city, including proposed public buildings, street development, arrangements and improvements, public utility services, parks, playgrounds, and other similar developments, the use of property, building requirements, and any other matter relating to the physical development of the city.

(3) Establish principles and policies for guiding action affecting the development of the city.

(4) Prepare and recommend to the City Council additions and/or revisions to ordinances, regulations and other proposals promoting orderly development of the city as guided by the Comprehensive Development Plan.

(5) Receive and review proposed developments and other land use applications to determine whether proposals conform to the principles, policies and requirements of the Comprehensive Development Plan and city zoning ordinances.

(6) Advise City Council on matters which have an impact on the future development of the city as required by the city's review processes.

(7) Conduct public hearings as may be required to gather information necessary for drafting, establishing, maintaining and administering the Comprehensive Development Plan and ordinances and regulations related to it.

(8) Perform other duties as assigned by the City Council or duties that may have bearing on preparation and accomplishment of the Comprehensive Development Plan.

(B) *Powers.* Planning Commission members or its agents may in the performance of official duties enter upon lands and make examinations or surveys in the same manner as other authorized city agents or employees. Members shall inform the property owner and/or applicant prior to entering property. Members shall have no interaction with property owner and/or applicant in performance of duties.

(C) *Adoption of program.* The Planning Commission shall prepare and present to the City Council a program of work outlining the goals and activities for the year. The Commission may revise the work plan and resubmit to the City Council. The Commission may submit a budget request to the City Council based on the work program. Expenses shall be within the amount appropriated by the City Council. (Ord. 250, passed 10-25-2010)

§ 31.35 CONFLICT OF INTEREST.

No person shall be appointed with private or personal interest likely to conflict with the general public interest. If any persons appointed shall find their private or personal interests are involved in any matter coming before the Commission, they shall notify the City Administrator of such conflict and shall disqualify themselves from taking part in any discussion or action on the matter. The Planning Commission may also disqualify a member by a 2/3 majority vote of the Commissioners in attendance. (Ord. 250, passed 10-25-2010)

PARK COMMISSION

§ 31.40 ESTABLISHMENT.

A City Park Commission for the City of Maple Plain to consist of 5 members and 1 liaison from the City Council is hereby established. The 5 members shall be appointed by the City Council, and any such member shall be subject to removal at any time upon 4/5 vote of the City Council. The Council liaison shall be appointed to that position by the City Council and shall not have a vote. The City Council shall appoint to the Parks Commission 2 alternates. The alternate members shall have all of the powers and duties of a regular member during the absence or disability of a regular member. The alternate members shall fill any vacancy on the Commission created by the resignation or dismissal of a regular member. (Ord. 198, passed 6-13-2005; Am. Ord. 218, passed 8-27-2007)

§ 31.41 TERMS OF COMMISSION MEMBERS.

The terms of the 5 regular members of the Park Commission shall be as follows. The first 2 members appointed shall serve for 2 years, and the next 3 members shall serve for 3 years. The 2 alternate members shall serve for 1 year. The terms of successors shall be 3 years. The term of the Council member shall correspond to the tenure of office held. The regular members shall serve without compensation. (Ord. 198, passed 6-13-2005; Am. Ord. 218, passed 8-27-2007)

§ 31.42 ORGANIZATION.

The Park Commission shall elect a Chair from among the regular members to serve for a period of 1 year and a Vice-Chair to serve in the absence of the Chair, and a Secretary to keep a record of the meetings and actions of the Park Commission. The Park Commission shall hold 1 regular meeting each month, or at the time as the Commission shall determine. The Commission shall adopt rules for transaction of business and keep a record of its resolutions, transactions, and findings. (Ord. 198, passed 6-13-2005)

§ 31.43 EFFECTIVE DATE.

This subchapter shall have full force and effect upon its passage and publication. (Ord. 198, passed 6-13-2005)